

Rutland County Council

Catmose, Oakham, Rutland, LE15 6HP

Telephone 01572 722577

Email: democraticservices@rutland.gov.uk

Ladies and Gentlemen,

A meeting of the **PLANNING AND LICENSING COMMITTEE** will be held in the Council Chamber, Catmose, Oakham, Rutland, LE15 6HP on **Tuesday, 16th January, 2024** commencing at 7.00 pm when it is hoped you will be able to attend.

Yours faithfully

Mark Andrews
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/

Although social distancing requirements have been lifted there is still limited available for members of the public. If you would like to reserve a seat please contact the Democratic Services Team at democraticservices@rutland.gov.uk meeting will also be available for viewing via Zoom at <https://us06web.zoom.us/j/85432421846>

A G E N D A

1) WELCOME & APOLOGIES

To receive any apologies from Members.

2) MINUTES

To confirm the minutes of the Planning and Licensing Committee held on 21st November 2023 and receive an update on any actions agreed in the minutes of the previous meeting.

(Pages 3 - 6)

3) 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.

4) PETITIONS, DEPUTATIONS AND QUESTIONS

Requests to speak on planning applications will be subject to the Council's [Public Speaking Scheme for Planning Applications](#).

To request to speak regarding a planning application, please send an email to democraticservices@rutland.gov.uk

5) PLANNING APPLICATIONS

To receive Report No.12/2024 from the Strategic Director of Places.
(Pages 7 - 10)

a) [2023/1096/FUL](#)
(Pages 11 - 24)

b) [2023/0947/FUL](#)
(Pages 25 - 54)

6) APPEALS REPORT

To receive Report No.13/2024 from the Strategic Director of Places.
(Pages 55 - 58)

7) ANY OTHER URGENT BUSINESS

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

8) DATE OF NEXT MEETING

Tuesday, 20th February 2024.

---oOo---

DISTRIBUTION

MEMBERS OF THE PLANNING AND LICENSING COMMITTEE:

Councillor N Begy (Chair)

Councillor A Brown (Vice-Chair)

Councillor G Clifton

Councillor K Corby

Councillor S McRobb

Councillor K Payne

Councillor R Payne

Councillor T Smith

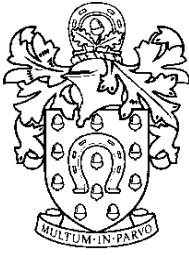
Councillor A West

Councillor D Wilby

Councillor C Wise

Councillor H Zollinger-Ball

Quorum: 6



Rutland County Council

Catmose Oakham Rutland LE15 6HP.
Telephone 01572 722577
Email: democraticservices@rutland.gov.uk

Minutes of the **MEETING of the PLANNING AND LICENSING COMMITTEE** held in the Council Chamber, Catmose, Oakham, Rutland, LE15 6HP on Tuesday, 21st November, 2023 at 7.00 pm

PRESENT:

Councillor N Begy (Chair)	Councillor A Brown (Vice-Chair)
Councillor G Clifton	Councillor K Corby
Councillor S McRobb	Councillor K Payne
Councillor R Payne	Councillor T Smith
Councillor D Wilby	Councillor H Zollinger-Ball

ABSENT: Councillor A West Councillor C Wise

OFFICERS PRESENT:

Justin Johnson	Development Manager
Nick Thrower	Principal Planning Officer
Kylie Wesson	Planning Solicitor
David Ebbage	Democratic Services Officer

1 WELCOME AND APOLOGIES

Apologies were received from Councillor A West and Councillor C Wise.

2 MINUTES

Consideration was given to the minutes of the meetings held on 24th October 2023.

RESOLVED

- a) That the minutes of the meeting on the 24th October 2023 be **APPROVED**.

3 DECLARATIONS OF INTERESTS

Councillor N Begy declared a personal interest in item 5a, Planning Applications, application 2022/0647/MAF as he was the Ward Member, therefore, he would step down as Chair and step away from the Committee at that point but would still speak as Ward Member on the application.

4 PETITIONS, DEPUTATIONS AND QUESTIONS

In accordance with the Planning and Licensing Committee Public Speaking Scheme, the following deputations were received on item 5, Planning Applications:

In relation to 2022/0647/MAF, David Hodson spoke as a member of the public opposing the application, Ken Edward spoke as the Chair of Greetham Parish Council, Councillor N Begy spoke as the Ward Member and Liam Toland spoke as the agent.

5 PLANNING APPLICATIONS

Report No.172/2023 was received from the Strategic Director of Places.

Item 5a – 2022/0647/MAF – Land North of Stretton Road Greetham

Development of a limestone quarry together with its progressive restoration at Land North of Stretton Road, Greetham

(Parish: Greetham; Ward: Greetham)

-oOo-

At 7.02pm Councillor Begy stepped down as Chair.

-oOo-

-oOo-

At 7.02pm Councillor Brown became the Chair of the meeting.

-oOo-

6 2022/0647/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 David Hodson who spoke as a member of the public opposing the application, Ken Edward who spoke as Chair of Greetham Parish Council, Councillor N Begy who spoke as the Ward Member and Liam Toland who spoke as the agent. The Committee also had the opportunity to ask questions of the speakers.

Through questions it was confirmed by the agent that with regards to the monitoring of noise and dust, the plans from the applicant currently had not been agreed with the Council, the applicant would submit what they thought to be appropriate for the site and those plans would also include discussions with the Environmental Health Officer and the Parish Council. This would be done via a discharge of condition application.

Members raised concerns on the cumulative impact of the dust, officers confirmed that there would be a requirement for monitoring secured through a condition around the PM10 monitoring and dust frisbees which would be located at the identified sensitive properties. The site would also have meteorological masts and dust sensors around the perimeter of the site. Any trigger would be investigated, and processes are in place when that would occur.

If a trigger was to be set off in either quarry or neither quarry would take liability for a trigger, there was a potential for the Council to require them to send the dust off for testing to determine which quarry the dust had come from.

It was explained to Members that Condition 14 within the report stated that Monitoring would be undertaken periodically, the duration and frequency of which was to be set out in the Dust Management Plan.

It was agreed through officers that additional conditions be added: -

- within MCS Policy 7 – Residential and Sensitive Land Uses – for a liaison group to be set up.
- require the precise details of secure fencing to the boundary with appropriate signage.

Members requested for a footpath to be added to the application, but officers explained it would have to be reasonable and necessary to the application but on this application, officers felt it was unreasonable to add a footpath when there was not one currently located at the site.

It was moved by Councillor D Wilby and seconded that the application be approved subject to the conditions in the report, additional conditions requested during debate and the amended condition within the addendum. Upon being put to the vote with nine votes in favour, the motion was unanimously carried.

RESOLVED

- a) That the application 2022/0647/FUL be **APPROVED** subject to the conditions outlined by the Planning Officer.
- b) The full list of reasons can be found on the planning application page of the Council's website.

<https://www.rutland.gov.uk/planning-building-control/planning/search-planning-applications-decisions>

7 APPEALS REPORT

Report No.173/2023 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**.

8 ANY OTHER URGENT BUSINESS

There were no items of urgent business.

9 DATE OF NEXT MEETING

Tuesday, 12th December at 6pm.

---oOo---

The Chairman declared the meeting closed at 8.43pm.

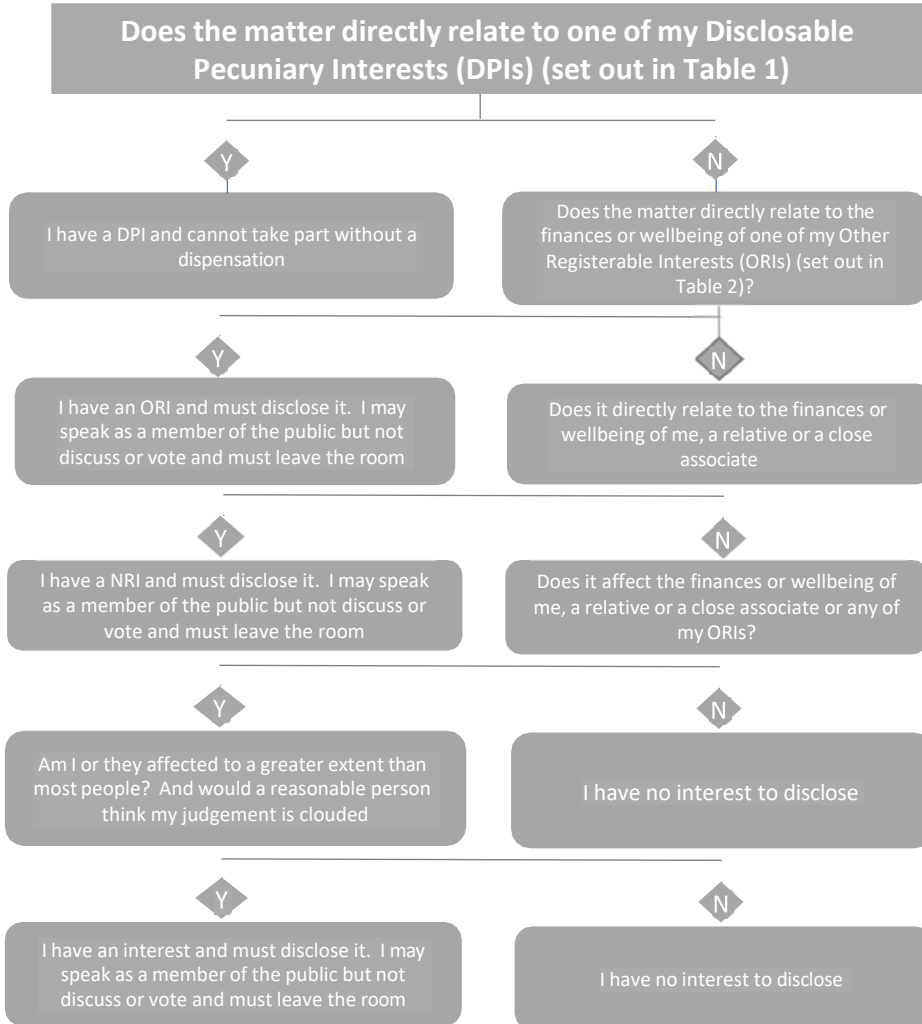
---oOo---

Maintaining and promoting high standards of conduct

Declaring interests at meetings

Familiarise yourself with the Councillor Code of Conduct which can be found in Part 6 of the Council’s Constitution

Before the meeting, read the agenda and reports to see if the matters to be discussed at the meeting concern your interests



What are the principles of bias and pre-determination and how do they affect my participation in the meeting?

Bias and predetermination are common law concepts. If they affect you, your participation in the meeting may call into question the decision arrived at on the item.

Bias Test	Predetermination Test
In all the circumstances, would it lead a fair minded and informed observer to conclude that there was a real possibility or a real danger that the decision maker was biased	At the time of making the decision, did the decision maker have a closed mind?

If a councillor appears to be biased or to have predetermined their decision, they must NOT participate in the meeting.

For more information or advice please contact monitoringofficer@rutland.gov.uk

Selflessness

Councillors should act solely in terms of the public interest

Integrity

Councillors must avoid placing themselves under any obligation to people or organisations that might try inappropriately to influence them in their work. They should not act or take decisions in order to gain financial or other material benefits for themselves, their family or their friends. They must declare and resolve any interests and relationships

Objectivity

Councillors must act and take decisions impartially, fairly and on merit, using the best evidence and without discrimination or bias

Accountability

Councillors are accountable to the public for their decisions and actions and must submit themselves to the scrutiny necessary to ensure this

Openness

Councillors should act and take decisions in an open and transparent manner. Information should not be withheld from the public unless there are clear and lawful reasons for doing so

Honesty & Integrity

Councillors should act with honesty and integrity and should not place themselves in situations where their honesty and integrity may be questioned

Leadership

Councillors should exhibit these principles in their own behaviour. They should actively promote and robustly support the principles and be willing to challenge poor behaviour wherever it occurs

PLANNING AND LICENSING COMMITTEE
PLANNING APPLICATIONS TO BE DETERMINED BY THE
PLANNING AND LICENSING COMMITTEE
REPORT OF THE STRATEGIC DIRECTOR OF PLACES

Rutland County Council

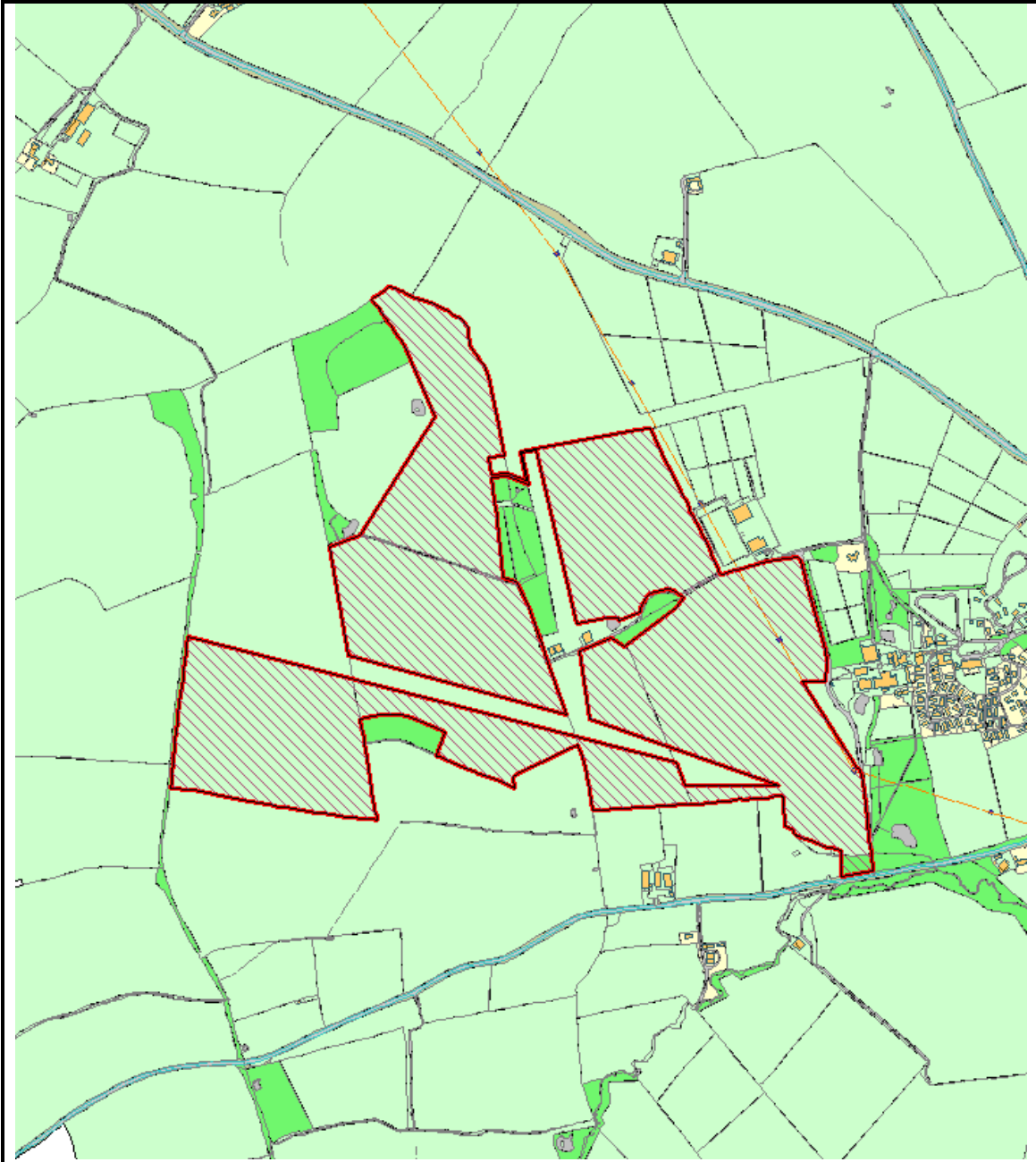
Planning & Licensing Committee – Tuesday 16th January 2024

Index of Committee Items

Item	Application No	Applicant, Location & Description	Recommendation	Page
1	2023/1096/FUL	Mr Duncan Wren, Land at Ranksborough Farm, Melton Road, Langham, Section 73 application to vary condition 3 (duration of permission) of Planning Permission 2019/1249/MAF (Construction of a solar park, to include the installation of solar photovoltaic panels to generate approximately 28MW of electricity, with DNO and Client substations, inverters, perimeter stock fencing, access tracks and CCTV. Landscaping and other associated works, together with retention and extension of existing hedgerow.)	Approve	11-24
2	2023/0947/FUL	Duffin, Black Hovel, Oakham Road, Whissendine, LE15 7HA, Proposed demolition of existing agricultural barn and erection of 1 no. new dwelling to same site location.	Approve	25-54

This page is intentionally left blank

2023/1096/FUL



© Crown copyright and database rights [2013]
Ordnance Survey [100018056]



1:10000

Rutland County Council

**Catmose,
Oakham,
Rutland
LE15 6HP**

This page is intentionally left blank

Application:	2023/1096/FUL	ITEM 1	
Proposal:	Section 73 application to vary condition 3 (duration of permission) of Planning Permission 2019/1249/MAF (Construction of a solar park, to include the installation of solar photovoltaic panels to generate approximately 28MW of electricity, with DNO and Client substations, inverters, perimeter stock fencing, access tracks and CCTV. Landscaping and other associated works, together with retention and extension of existing hedgerow.)		
Address:	Land At Ranksborough Farm, Melton Road, Langham, Rutland		
Applicant:	ScottishPower Renewables	Parish	Langham
Agent:	Pegasus Group	Ward	Langham
Reason for presenting to Committee:	Previous Committee Decision		
Date of Committee:	16 January 2024		
Determination Date:	17 January 2024		

EXECUTIVE SUMMARY

Planning permission was granted for a solar farm in 2022, subject to a 30-year time limit, which this application seeks to amend to 40 years. The principle of development has been established, and the environmental, social and economic benefits outweigh any additional impacts that a longer operational period for the solar farm would have.

There is a clear and identified need for solar energy at a national level, and as the panels are expected to function efficiently beyond the current 30-year time limit, it is reasonable to alter the condition to accommodate this. The revised condition would still require the decommissioning and restoration of the site after this period.

RECOMMENDATION

APPROVAL, subject to the following conditions;

1. The development shall be begun before the expiration of three years from the date of planning permission 2019/1249/MAF.

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 P17_2021_01 Rev D, P17_2021_07 Rev I, P17_2021_13 (Sheets 1/7, 2/7, 6/7

and 7/7), P17_2021_15, P17_2021_18, BHA_377_02 (Tree Retention and Removal Plan), BHA_377_03 (Tree Protection Plan) and the un-numbered Plan 'Steel Building'.

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

3. This permission shall expire 40 years from the date that electricity is first produced from the site, such date shall be notified in writing to the Local Planning Authority within 7 days of that date. Within 12 months of the expiry date or the date upon which the solar panels are no longer required for energy generation, whichever is the sooner, all panels, structures, fencing and any other equipment shall be removed from the site and the land re-instated to agricultural use.

Reason: To ensure that the land is restored to agricultural use and not left in a derelict state becoming detrimental to visual amenity and in accordance with Planning Policy Guidance Paragraph: 013 Reference ID: 5-013-20150327.

4. No development shall take place within the application site until the applicant or developer has secured the implementation of a programme of archaeological work in accordance with a written scheme of investigation which has been submitted to and approved, in writing, by the Local Planning Authority.

Reason: To allow proper investigation and recording of the site, which is potentially of archaeological and historic significance.

5. Before any works commence on site other than forming the access and site preparation works, the trees shown to be protected on Plan BHA_377_03 shall be protected as required in accordance with that plan and shall remain so protected until all construction on site is complete. The trees shall be similarly protected during the de-commissioning of the site.

Reason: To ensure that important habitat and tree screening is not damaged during construction and decommissioning, in the interests of biodiversity and visual amenity.

6. No development above ground level shall take place until there has been submitted to and approved, in writing, by the Local Planning Authority a scheme of hard and soft landscaping works for the site, which shall include any proposed changes in ground levels, boundary treatments and also accurately identify spread, girth and species of all existing trees, shrubs and hedgerows on the site and indicate any to be retained, together with measures for their protection which shall comply with the recommendations set out in the British Standards Institute publication "BS 5837: 2012 Trees in Relation to Construction."

Reason: To ensure that the landscaping is designed in a manner appropriate to the locality and to enhance the appearance of the development.

7. All changes in ground levels, hard landscaping, planting, seeding or turfing 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.

8. No development shall take place until a Construction Method Statement has been submitted to, and approved in writing by, the local planning authority. The approved Statement shall be adhered to throughout the construction period. The Statement shall provide for:

- i. the parking of vehicles of site operatives and visitors
- ii. route for construction vehicles
- iii. delivery periods
- iv. details of any construction compound
- v. loading and unloading of plant and materials
- vi. storage of plant and materials used in constructing the development
- vii. construction timeline
- viii. traffic management measures such a temporary signing
- ix. banksman managing site access during construction and decommissioning
- x. a pre-commencement condition survey of Cold Overton Road together with measures to repair identified damage

Reason: To ensure that the construction period causes minimal disruption to the local highway network and any areas of archaeological interest.

9. No lighting shall be provided on site, other than one low level downward shielded light at the sub-station adjacent to the access, which shall be illuminated for emergency evening visits only. Details of any other lighting required for the site shall be submitted to and approved by the local Authority. Only the approved details shall be used on site thereafter.

Reason: To ensure that this dark rural area remains unpolluted by unnecessary light pollution.

10. The Inverter structures to be placed on site shall be finished in a dark green colour as agreed in the agent's e-mail dated 11 January 2022 or another colour that shall first have been submitted to and approved by the local planning authority.

Reason: To ensure that they are not prominent in the landscape in the interests of rural amenity.

Notes to applicant

1. This permission does not entitle you to block, obstruct or otherwise alter the public right of way across the site with the relevant part of the development, until a formal diversion has been approved and is in place.
2. You are encouraged to submit a landscaping scheme that makes every effort to screen the solar panels from public view whilst enhancing biodiversity across the site. This may involve more trees and different seed mixes to those indicated on the submitted drawings.
3. It is likely that certain species may be present at the site which are fully protected by the Wildlife and Countryside Act (1981). Further advice on surveys and compliance with the legislation can be obtained from Natural England. It is your responsibility to ensure that this legislation is complied with.
4. For the purposes of Condition 10, it is suggested that RAL 6007 or 6035 would be appropriate colours. Please check with the LPA that your chosen colour complies with the condition before ordering if unsure.

Site & Surroundings

1. The application site occupies approximately 51.6 hectares of land and is located directly west of Langham, with the villages of Cold Overton (c.0.9km west), Barleythorpe (c.1.5km southeast) and Oakham (c.2.1km southeast). The site is presently in agricultural use and comprises a number of arable fields of various shapes and sizes, separated by grass 'runways' running north-south and east-west within the site. The A606 and Cold Overton Road also pass within close proximity north and south of the site boundary respectively, converging in Langham to the east.
2. The site is not subject to any statutory designations, it is not located within a Conservation Area and nor are there any Listed Buildings or environmental designations within or immediately adjacent to the site. The site is immediately surrounded by agricultural land, with the settlement of Langham to the east.
3. Public footpath D85 runs across the site and would need to be diverted.

4. The site is fully within the Rutland County Council administrative area, the western extent of the site adjoins the Councils administrative boundary with Melton Borough Council. The village of Cold Overton with some GI and GII listed buildings is situated to the west.
5. The site is bounded by a combination of hedgerows and trees. The nearest 3rd party dwelling is The Homestead, (and its associated Racing Stables) approximately 100 metres to the east of the nearest solar panel.
6. A single farm business operates within the Site with the entirety of the land being owned and farmed by one business.
7. The total land farmed by the farm business amounts to approximately 200 hectares of which the Site occupies approximately 52 hectares. Approximately 100 hectares is owned at Ranksborough and a further 100 hectares at Melton Mowbray. The land is farmed as arable with wheat, barley, oil seed rape and beans on rotation.
8. Contractors are used to farm the majority of the land and little grain is stored on the farm.
9. The main farm buildings are located within the farmyard complex on the edge of the village. The farmyard comprises several agricultural buildings including a small grain store, two storage buildings and a workshop. There are also various other buildings within the farmyard that are no longer in agricultural use but are rented out. There are two off-lying buildings. No buildings will be affected by the proposed solar development, and all can continue in their current use.
10. A detailed Agricultural land survey has determined that the Site comprises 47.5 ha of agricultural land, none of which is best and most versatile. Some 4.1 ha has not been surveyed but is also likely to comprise Subgrade 3b.

Proposal

11. Planning permission was granted in 2022 for a solar park (reference no. 2019/1249/MAF), subject to numerous conditions. Condition 3 of that permission relates to the duration of the permission;

This permission shall expire 30 years from the date that electricity is first produced from the site, such date shall be notified in writing to the Local Planning Authority within 7 days of that date. Within 12 months of the expiry date or the date upon which the solar panels are no longer required for energy generation, whichever is the sooner, all panels, structures, fencing and any other equipment shall be removed from the site and the land re-instated to agricultural use.

Reason: To ensure that the land is restored to agricultural use and not left in a

derelict state becoming detrimental to visual amenity and in accordance with Planning Policy Guidance Paragraph: 013 Reference ID: 5-013-20150327.

12. The current application seeks to amend this time period from 30 years to 40 years.

Relevant Planning History

13. 2019/1249/MAF - Construction of a solar park, to include the installation of solar photovoltaic panels to generate approximately 28MW of electricity, with DNO and Client substations, inverters, perimeter stock fencing, access tracks and CCTV. Landscaping and other associated works, together with retention and extension of existing hedgerow. – Approved 13/01/2022

Planning Guidance and Policy

National Planning Policy Framework (NPPF)

Chapter 6 - Building a strong, competitive economy

Chapter 14 - Meeting the challenge of climate change, flooding and coastal change:

Para 163:

- Local Planning Authorities should not expect applications for renewable energy to demonstrate the overall need for the renewable energy and recognise that even small scale projects can make a valuable contribution to cutting greenhouse gas emissions
- Approve the application if its impacts are acceptable or can be made acceptable

Chapter 15 - Conserving and enhancing the natural environment

Core Strategy DPD (2011)

CS01 – Sustainable Development Principles

CS02 – The Spatial Strategy

CS04 - The Location of Development:

Development in the Countryside will be strictly limited to that which has an essential need to be located in the countryside and will be restricted to particular types of development to support the rural economy and meet affordable housing needs.

CS16 – The Rural Economy

CS19 - Promoting Good Design

CS20 - Energy Efficiency and Low Carbon energy generation (extract):

Renewable, low carbon and de-centralised energy will be encouraged in all development. The design, layout, and orientation of buildings should aim to minimise energy consumption and promote energy efficiency and use of alternative energy sources.

(Wind turbines and other) low carbon energy generating developments will be supported where environmental, economic and social impacts can be addressed satisfactorily and where they address the following issues:

- a) landscape and visual impact, informed by the Rutland Landscape Character Assessment and the Rutland Historic Landscape Character assessment;
- b) effects on the natural and cultural environment including any potential impacts on the internationally designated nature conservation area of Rutland Water;
- c) effects on the built environment, public and residential amenity, including noise intrusion;
- d) the number and size of wind turbines and their cumulative impact;
- e) the contribution to national and international environmental objectives on climate change and national renewable energy targets.

CS21 – The Natural Environment

CS22 - The Historic and Cultural Environment

Site Allocations and Policies DPD (2014)

SP1 – Presumption in favour of sustainable development

SP7 – Non-residential development in the Countryside

SP15 - Design and Amenity

SP18 – Wind Turbines and low carbon energy developments (extract):

Other low carbon energy generating developments

Proposals for other low carbon energy developments will be supported where they are acceptable in terms of:

- a) impact on residential amenity;
- b) landscape and visual effects;
- c) the natural environment;
- d) the historic and cultural environment;
- e) noise;
- f) emissions to ground, watercourses and air;
- g) odour;
- h) vehicular access and traffic;
- i) proximity of generating plants to the renewable energy source;
- j) grid connection;
- k) form and siting;
- l) mitigation;
- m) the decommissioning of the development and reinstatement of land at the end of its operational life.

SP20 - The Historic Environment

SP23 - Landscape Character in the Countryside

Langham Neighbourhood Plan

The Langham Neighbourhood Plan was made in 2022.

Policy RS1 – Landscape Character

Policy RS2 – Development in the Countryside

Policy RS3: Energy Generation in the Countryside

Policy RS5 – Biodiversity

Other material considerations

Powering up Britain: Energy Security Plan (March 2023)

Overarching National Policy Statement for Energy ('EN-1')(March 2023)

National Policy Statement for Renewable Energy ('EN-3')(March 2023)

Officer Evaluation

14. The principle of development, including landscape and visual impacts, has been established by the extant permission. This Section 73 application relates to the proposed time change to condition 3 only, seeking an additional ten years for the solar farm.
15. The application has put forth the following justification for amending the condition;
 - The Solar Farm is expected to continue to operate efficiently well beyond the current 30-year Planning Permission term, therefore requiring premature decommissioning and missing out on continued benefits from renewable energy and represent an inefficient use of resources, as equipment would be sent for recycling whilst still operationally sound.
 - The solar farm operator has a dedicated Operations and Maintenance team – monthly visits would keep the solar photovoltaic panels and plant in working order and good state of repair.
 - 40 years rather than 30 will contribute towards meeting carbon reduction targets for a longer period.
 - Greater operational period would not represent a materially greater harm – landscaping will be well established by year 30, screening the site from public views and provide an improved habitat for local ecology and biodiversity for the duration of the operational life.
 - Visual impact is no different from the existing permission/no intensification of use.
16. The development plan supports renewable energy. Additionally, since the previous permission the Government has published 'Powering up Britain: Energy

Security Plan' (March 2023). This document restates earlier commitments to a fivefold increase on current installed capacity for ground/rooftop installations. It also stresses that these goals are critical and urgent, and that deployment of both types of solar needs to be maximised to achieve this target.

17. The objections from local residents and the comments from the Parish Council are noted. The Section 73 application does not change the time period for commencement, which is three years from the date of the original decision date. With regard to comments about compensation/community benefit, this was considered at the time of the original application and is not a planning requirement. It would not meet the tests in the Community Infrastructure Levy Regulations and would be seen as 'buying a planning permission' if required to so.
18. It is considered that the environmental, social and economic benefits outweigh any additional impacts that a longer operational period for the solar farm would have. There is a clear and identified need for solar energy at a national level (and beyond), and as the panels are capable of continuing to function efficiently beyond the current 30-year time limit, it is reasonable to facilitate this use, rather than prematurely lose it. The revised condition would still require the decommissioning and restoration of the site after this period. If (for whatever reason) within this 40-year period the panels are no longer required for energy generation, then condition 3 triggers their removal and restoration of the site within 12 months.
19. The proposed changes to condition 3 would not be contrary Sections 6, 14 and 15 NPPF, Policies CS01, CS02, CS04, CS16, CS19 and CS20 Rutland Core Strategy (2011), Policies SP1, SP7, SP15, SP18, SP20 and SP23 of the Site Allocations and Policies Development Plan Document (2014), and the Langham Neighbourhood Plan (2022).
20. All other conditions would be carried across from the previous approval, with condition 1 (time limit) also amended to reference the 2019 permission time limit.

Crime and Disorder

21. It is considered that the proposal would not result in any significant crime and disorder implications.

Human Rights Implications

22. Articles 6 (Rights to fair decision making) and Article 8 (Right to private family life and home) of the Human Rights Act have been taken into account in making this recommendation. It is considered that no relevant Article of that act will be breached.

Consultations

Below is a summary of the comments. Full details can be viewed on the Council's website. (https://publicaccess.rutland.gov.uk/online-applications/?_ga=2.69299920.1503643438.1693558555-1954588303.1693558555)

23. Langham Parish Council

While Langham Parish Council does not in principle object to the proposed 10 year extension of the 'life' of the Solar Farm, we consider that this proposal to vary condition 3 (duration of permission) of Planning Permission 2019/1249/MAF should not be granted unless Langham is sufficiently compensated for the extension, by way of Community Benefit, and, further, that any such extension would not delay the commencement of the scheme and ultimately the length of time it will take for Langham to receive any of the 'material benefits' cited by the applicants as part of the justification for their proposal.

24. Public Rights of Way Officer

Removal of the condition will have no additional impact on the public rights of way network unless the applicant is seeking the temporary diversion of the bridleway across the site. Discussions to date have focused on the permanent diversion, but the council is still waiting to receive an application.

25. LCC Archaeology

No comments to make

26. Historic England

No comments to make

27. Public Protection

No objection

28. Anglain Water

No comments to make

29. Police Architectural Officer

No further comments to make other than my original response from 27/11/19

30. Highway Authority

The applicant is proposing to extend the time limit of the proposal so that they

can produce electricity for 40 years on site rather than 30 years.

The principle of the development has already been established and therefore the construction phase will have already been completed. Therefore, the only consideration from a highways perspective is for the extension of vehicles attending site during the additional maintenance period or operational period of development.

With the above in mind, it's unlikely that the extension of an additional 10 years will create a significant impact on the public highway. I therefore have no objections to variation of condition 3 to extend the development for an additional 10 years.

31. Melton Borough Council

No observations

Neighbour Representations

Below is a summary of the comments. Full details can be viewed on the Council's website. (https://publicaccess.rutland.gov.uk/online-applications/?_ga=2.69299920.1503643438.1693558555-1954588303.1693558555)

32. Two objections received from local residents;
- a. Increased time period unacceptable
 - b. Comments from local residents from the 2019 application should be taken into account (scale/design/visual impact)
 - c. Locals will not benefit from the increased time period
 - d. Community payment, though no legal requirement for it, is not enough
 - e. Electricity will go to national Grid rather than local communities
 - f. Technological improvements will make the development obsolete/inefficient in short/medium term
 - g. Other renewables (wind/tidal) are more efficient
 - h. RCC should insist that new housing have renewables installed
33. Additional one comment in support of the application received from a local resident.

Conclusion

34. The proposed change to condition 3 is considered to be prudent given that the current 30-year period would mean decommissioning a renewable energy source whilst it is still capable of functioning efficiently. The additional 10 years of use would have environmental, social and economic benefits, including helping to meet national targets for renewable energy.

Application:	2023/0947/FUL		ITEM 2
Proposal:	Proposed demolition of existing agricultural barn and erection of 1 no. new dwelling to same site location.		
Address:	Black Hovel Oakham Road Whissendine Rutland LE15 7HA		
Applicant	Duffin	Parish	Whissendine
Agent:	Mr Mark Abell	Ward	Whissendine
Reason for presenting to Committee:	Departure from the Development Plan		
Date of Committee:	16 January 2024		
Determination Date:	13 November 2023		
Agreed Extension of Time Date:	19 January 2024		

EXECUTIVE SUMMARY

The principle of residential development here has been established through the granting of a Class Q Prior Approval. The design of the new dwelling has evolved from discussions and meeting as part of the prelim process undertaken by the agent and his clients with the Local Planning Authority. The proposed design scale and form of the dwelling is considered to be a significant improvement on the appearance of the Class Q prior approval that could be implemented. The development would not be contrary to local and national planning policies or have a detrimental impact upon the amenities of the surrounding area.

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; 2302-06 Revision e 'Site Location Plan', 2302 - 03 Revision c 'Proposed Plans & Elevations', 2302-04 Revision g 'Existing & Proposed Site Block/Landscaping Plan, 2302 -05 Revision a 'Site Sectional Elevations', 2302- 07 'Root Protection & Site Mitigation', 2302-08 Revision b 'Visibility Splays & Hedge maintenance', 2302-09 'Sections & Sectional Elevations', Landscape and Character Assessment (R Heathcote Garden) received 11 September 2023 and Speed Survey (Bancroft Consulting) November 2021.

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

3. No development above ground level shall be commenced until
- a) precise details of the manufacturer and types and colours of the external facing materials,
 - b) roofing materials
 - c) rooflight details
 - d) description of the joints proposed
 - e) Details of the mortar mix, profile and finish
 - f) timber cladding
- to be used in construction have been submitted to and agreed, in writing, by the Local Planning Authority. Such materials as may be agreed shall be those used in the development.

Reason: To ensure that the materials are compatible with the surroundings in the interests of visual amenity and because no details have been submitted with the application.

4. No development above ground level shall be commenced until drawings to a scale of not less than 1: 50 fully detailing the new windows, rainwater goods, doors, and surrounds to be used and indicating precise details of the materials, manufacturer and types and colours shall be submitted to and approved in writing by the Local Planning Authority. The approved works shall be installed/carried out in accordance with the approved details.

Reason: To ensure that the materials are compatible with the surroundings in the interests of visual amenity and because no details have been submitted with the application.

5. Any gates provided at the vehicular access shall be inward opening only and shall be set back a minimum of 6 metres from the nearside edge of the carriageway.

Reason: To enable vehicles using the access to stand clear of the carriageway whilst gates are being opened and closed in the interest of highway safety.

6. Prior to commencement of the development, the hedgerow to the south must be reduced in width by half on the public highway side for a distance of 40m from the edge of the access, and thereafter maintained at that width.

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

7. Prior to commencement of the development, the hedgerow to the north must be reduced in width by a quarter on the public highway side for a distance of 20m from the edge of the access, and thereafter maintained at that width.

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

8. No unbound material shall be used in the surface treatment of the vehicular access within 5 metres of the highway boundary.

Reason: To avoid displacement of loose material onto the highway in the interests of highway safety.

9. The design of the access should incorporate measures to ensure that no loose surfacing material or surface water can cross from the access onto the public highway, and this work will be completed prior to commencement of the site development.

Reason: To prevent hazards caused by water flowing onto the highway and to avoid the formation of ice on the highway in the interest of highway safety.

10. Unless otherwise agreed by the Local Planning Authority, development other than that required to be carried out as part of an approved scheme of remediation must not commence until conditions 1 to 4 have been complied with. If unexpected contamination is found after development has begun, development must be halted on that part of the site affected by the unexpected contamination to the extent specified by the Local Planning Authority in writing until condition 4 has been complied with in relation to that contamination.

1. Site Characterisation

No development shall take place until an assessment of the nature and extent of contamination has been submitted to and approved in writing by the Local Planning Authority. This assessment must be undertaken by a competent person as defined by annex 2 of the National Planning Framework. The assessment shall assess any contamination on the site, whether or not it originates on the site. Moreover, it must include:

- (i) a survey of the extent, scale and nature of contamination;
(ii) develop the conceptual site model to assess and evaluate the potential risks to:

- human health,
- property (existing or proposed) including buildings, crops, livestock, pets, woodland and service lines and pipes,
- adjoining land,
- groundwaters and surface waters,
- ecological systems,
- archaeological sites and ancient monuments.

This must be conducted in accordance with the Environment Agency's 'Land Contamination Risk Management' Guidance.

2. Submission of Remediation Scheme

No development shall take place until a detailed remediation scheme to bring the site to a condition suitable for the intended use by removing

unacceptable risks to human health, buildings and other property and the natural and historical environment has been submitted to and approved in writing by the Local Planning Authority. The scheme must include all works to be undertaken, proposed remediation objectives and remediation criteria, an appraisal of remedial options, and proposal of the preferred option(s), and a timetable of works and site management procedures. The scheme must ensure that the site will not qualify as contaminated land under Part 2A of the Environmental Protection Act 1990 in relation to the intended use of the land after remediation.

This must be conducted in accordance with the Environment Agency's 'Land Contamination Risk Management' Guidance.

3. Implementation of Approved Remediation Scheme

The remediation scheme shall be implemented in accordance with the approved timetable of works. Within 3 months of the completion of measures identified in the approved remediation scheme, a validation report must be submitted to the Local Planning Authority. The validation report must clearly demonstrate through the provision of clear and unambiguous evidence that the approved remediation scheme has been completed as stated.

This must be conducted in accordance with the Environment Agency's 'Land Contamination Risk Management' Guidance.

4. Reporting of Unexpected Contamination

In the event that contamination is found at any time when carrying out the approved development that was not previously identified, it must be reported in writing within 5 days to the Local Planning Authority and once the Local Planning Authority has identified the part of the site affected by the unexpected contamination development must be halted on that part of the site.

An assessment must be undertaken in accordance with the requirements of condition 1, and where remediation is necessary, a remediation scheme, together with a timetable for its implementation, must be submitted to and approved in writing by the Local Planning Authority in accordance with the requirements of condition 2.

The measures in the approved remediation scheme must then be implemented in accordance with the approved timetable. Following the completion of measures identified in the approved remediation scheme, a validation report must be submitted to and approved in writing by the Local Planning Authority in accordance with condition 3.

Reason: To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property, and ecological systems, and to ensure that the

development can be carried out safely without unacceptable risks to workers, neighbours and other off-site receptors.

11. No occupation of the development approved by this permission shall take place until such time as surface water and foul water drainage schemes have been submitted to and approved in writing by the Local Planning Authority.

Reason: To prevent flooding by ensuring the satisfactory storage and disposal of surface water from the site.

12. No occupation of the development approved by this permission shall take place until such time as details in relation to the long-term maintenance of the foul and surface water drainage systems within the development have been submitted to and approved in writing by the Local Planning Authority.

Reason: To establish a suitable maintenance regime that may be monitored over time; that will ensure the long-term performance, both in terms of flood risk and water quality, of the foul and surface water drainage systems (including sustainable drainage systems) within the proposed development.

13. Prior to occupation of the development, the applicant will provide to the Local Planning Authority evidence of sufficient water pressure to service the development to be agreed in writing by the Local Planning Authority.

Reason: To ensure an adequate and safe water supply to service the development.

14. No development shall take place until the existing trees/hedgerows on the site, agreed with the Local Planning Authority to be retained and shown on Drawing No 2302 -07 have been protected by the erection of temporary protective fences in accordance with BS5837:2012. The protective fences shall be retained throughout the duration of building and engineering works in the vicinity of the trees to be protected. Within the areas agreed to be protected, the existing ground level shall be neither raised nor lowered, and no materials or temporary building or surplus soil shall be placed or stored there. If any trenches for services are required in the protected areas, they shall be excavated and back-filled by hand and any tree roots encountered with a diameter of 5cm or more shall be left unsevered.

Reason - The trees/hedgerows are important features in the area and this condition is imposed to make sure that they are properly protected while building works take place on the site.

15. Prior to the occupation of the dwelling, the hedgerows that have been thinned to the north and south in order to provide adequate visibility splays to the vehicular access in accordance with details in condition 6 and 7 above shall be reinforced with additional native hedgerow planting species to the rear of the existing hedge. The precise details of the additional hedgerow planting shall first be submitted to and agreed in writing with the Local

Planning Authority and shall be implemented in full in the agreed manner during the next planting season.

Reason: Local Planning Authorities are required to promote the protection and recovery of priority species populations and encourage opportunities to incorporate biodiversity improvements in and around developments, as set out the National Planning Policy Framework.

16. No development shall take place (including ground works or vegetation clearance) until a Landscape and Ecological Management Plan (LEMP) has been submitted to and approved in writing by the LPA. The LEMP shall include the following details:

- A) description and evaluation of the features to be created/managed
- B) aims and objectives of management
- C) appropriate management options for achieving aims and objectives
- D) prescriptions for management actions
- E) work schedule
- F) species/seed mixes to be planted/sown
- G) ongoing monitoring and remedial measures

The approved plan will be implemented in accordance with the approved details.

17. No development above ground level shall take place until there has been submitted to and approved, in writing, by the Local Planning Authority a scheme of hard and soft landscaping works for the site, which shall include any proposed changes in ground levels, boundary treatments and also accurately identify spread, girth and species of all existing trees, shrubs and hedgerows on the site and indicate any to be retained, together with measures for their protection which shall comply with the recommendations set out in the British Standards Institute publication "BS 5837: 2012 Trees in Relation to Construction."

Reason: To ensure that the landscaping is designed in a manner appropriate to the locality and to enhance the appearance of the development.

18. All changes in ground levels, hard landscaping, planting, seeding or turfing 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.

19. Nesting birds and bats, their roosts and their access to these roosts are protected under the Wildlife and Countryside Act 1981. Vegetation clearance must either take place outside the bird-nesting season (March to July

inclusive), or within 24 hours of the 'all-clear' from an appropriately qualified ecologist following a negative bird-nesting survey. Netting to prevent bird nesting may only be done with prior approval of the LPA. Should the evidence of bats of any species be detected before or during the proposed works to the hedgerow, all works shall cease immediately, and the applicant/agent shall contact the Local Authority to secure the implementation of a programme of mitigation for protected species. Should nesting birds be present in the hedgerow works should be deferred until late summer/autumn.

Reason: To ensure that any species present which are legally protected under the Wildlife and Countryside Act 1981 are not compromised by the work hereby approved

20. There shall be no external lighting on the site, any external lighting required, either temporary lighting during building work, or permanent lighting post development, must be in line with the BCT lighting guidelines (Bats and Lighting in the UK (Bat Conservation Trust, 2018) (<https://www.theilp.org.uk/documents/guidance-note-8-bats-and-artificial-lighting/>). Full details of any proposed external lightning shall be submitted to and approved in writing by the Local Planning Authority prior to the installation of any external lighting. To reduce the impact of lighting on bats, lighting should consist of LED light sources fitted with downward deflectors (i.e. hoods, cowls, shields, louvres) at a low level, and, ideally, be on PIR sensors. No up-lighting should be used.

Reason: To ensure that any protected species which are legally protected under the Wildlife and Countryside Act 1981 are not compromised by the work hereby approved.

21. Notwithstanding the provisions of Article 3, Schedule 2, Part 1 Classes A-E of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any Order revoking and re-enacting that Order with or without modification), no enlargement, improvement or other alteration to the dwelling, and no provision of buildings, enclosures, swimming or other pool, shall be erected or carried out except with prior planning permission.

Reason: In the interests of the character and appearance of the open countryside and surrounding residential amenity.

22. The residential curtilage of the dwelling and associated annex shall be limited to the area outline in green and labelled 'residential curtilage' shown on drawing No 2302-04 Revision g. The remainder of the application site shall not form part of the residential garden and shall be managed in perpetuity thereafter in accordance with details agreed within the Landscape and Ecological Management Plan and Landscaping scheme.

Reason: To protect the character and appearance of the surrounding open countryside.

23. Temporary facilities shall be provided clear of the public highway for the parking, turning, loading and unloading of all vehicles visiting the site during the construction period.

Reason: In the interests of highway safety in accordance with Policy SP15 in the Adopted Rutland Local Plan Site Allocations & Policies DPD 2014, Design Guidelines for Rutland (SPD), The National Design Guide (2021) and Paragraph 112(d) of the National Planning Policy Framework (2021).

24. The post and rail timber boundary fence details (detailed in The Landscape and Character Assessment (R Heathcote Garden) received 11 September 2023 and as shown on drawing No 2302-04 g) shall be erected prior to the first occupation of the dwelling and maintained in perpetuity thereafter.

Reason: To protect the character and appearance of the rural area.

INFORMATIVES

Section 184 Highways Act 1980

The development involves the construction of a new vehicular access within the public highway. These works must be carried out under strict accordance with the requirements of Rutland County Council under the provisions of Section 184 of the Highways Act 1980. Prior to commencing any work within the highway, a licence must be obtained from the Local Highway Authority. The application form and guidance notes can be found on Rutland's website or contact can be made with Highways by email at highways@rutland.co.uk.

Section 148 Sub-Sec C Highways Act 1980

It is an offence under Section 148 Sub-Sec C of the Highways Act 1980 to deposit anything including building materials or debris on a highway which may cause interruption to any user of the highway (including footways or verges). In the event that a person is found guilty of this offence, a penalty may be imposed in the form of a fine. It is the responsibility of the developer and contractor(s) to ensure that no building materials or debris are placed on or remain within the highway during or after the construction period.

Section 149 Highways At 1980

If anything is so deposited on the highway as to constitute a nuisance, under Section 149 of the Highways Act 1980 the Local Highway Authority may by notice require the person responsible to remove it forthwith and if not complied with the Local Highway Authority may make a complaint to a Magistrates Court for a Removal and Disposal Order. In the event the deposit is considered to constitute a danger the Local Highway Authority may remove the deposit forthwith and recover reasonable expenses from the person who made the deposit.

Naming & Numbering - Section 17 - 18 Public Health Act 1925

The development will result in the creation of new street(s) and/or new dwelling(s) and/or allocate appropriate street names and property numbers. This procedure is applicable to the sub-division of premises, which will provide multiple occupancy for both residential and commercial buildings. Before development is commenced

an application should be made, allowing 8 weeks to complete. Details are available on our website at the following link:- <https://www.rutland.gov.uk/my-services/planning-and-building-control/planning/street-name-and-numbering/> Should you require assistance please email snn@rutland.gov.uk. Please note this is not a function covered by your planning application but is a statutory obligation of the Local Authority, and must be dealt with as a separate matter following planning approval.

Utility Services - Section 50 NRSWA 1991

The development is likely to involve works within the public highway in order to provide services to the site or which will affect existing services. Such works must be licenced under the New Roads and Street Works Act 1991. It is essential that, prior to the commencement of such works, adequate time be allowed in the development programme for; the issue of the appropriate licence, approval of temporary traffic management and booking of road space. Further details can be obtained by emailing highways@rutland.gov.uk.

Nesting birds are protected under the Wildlife & Countryside Act 1981 (as amended); therefore all removal of trees/shrubs/hedges and building demolition should take place outside the breeding season (March to August inclusive) unless carefully checked beforehand by a suitably qualified person.

The responsibility for providing information on whether the site is contaminated rests primarily with the developer; where Planning Permission is granted for a site on which the presence of contamination is known or suspected, the responsibility for safe development and secure occupancy of the site rests with the developer; and that the response has been determined on the basis of the information available, but this does not mean that the land is free from contamination.

Rutland County Council became a Community Infrastructure Levy (CIL) Charging Authority on 1st March 2016. Full details of CIL are available on the Council's website www.rutland.gov.uk. The approved development may be subject to a Community Infrastructure Levy (CIL) liability. IMPORTANT NOTE: The required CIL forms must be submitted to cil@rutland.gov.uk and acknowledged prior to commencing the development. Failure to do so could result in additional financial penalties. If you have not received an acknowledgement by the time you intend to commence development, then it is imperative that you contact cil@rutland.gov.uk. If the development hereby approved is for a self- build dwelling, residential extension or residential annexe you may be able to apply for relief from CIL. Further details can be found on the Planning Portal: https://www.planningportal.co.uk/info/200126/applications/70/community_infrastructure_levy/2

Site & Surroundings

Proposal

1. The application building is existing large agricultural steel framed building with an asymmetrical roof located in an isolated location on the eastern side of

Oakham Road between Langham and Whissendine. The building is divorced from the existing farm complex located on the opposite of Oakham Road. The existing building is set back approximately 170m from the road with access to the barn being via an existing agricultural track. The surrounding area is predominately agricultural in nature.

2. The application site and building is open to a number of vantage points from views Oakham Road, Footpath E143 that is located on the opposite side of the water course parallel with the eastern boundary of land in the applicants ownership and Bridleway E145 located on the ridge line that follows the parish boundary overlooking the site further to the east.
3. The land slopes quite significantly west to east. The eastern boundary of the site is 6.5m approximately lower than that of the site access gate from Langham Road. Due to the topography of the site the ground floor elevation of the proposed new dwelling is likely to be screened from views from the west.as the first-floor level would be circa 3.0m lower than that of Langham Road, effectively concealing the ground floor from the western views and site access.
4. The new dwelling is positioned to the rear of the existing barn, in line with an existing hedgerow line running north to south across the site. The proposed design is a 'U' shaped form comprising living accommodation and double garage. The approach adopted to the project has been to create a traditional form of 'converted barn appearance' in both scale and form as found within the Leicestershire/ Rutland landscape. Significant consideration has also been given to mitigate the visual impact of the dwelling in comparison to how the existing barn would appear if the existing Class Q Approval was to be implemented. This includes a sensitive landscaping solution along with the authentic and traditional design proposal.
5. The residential curtilage of the property is shown to be restricted in size in relation to the overall area of land in their ownership of the applicant. It is proposed to provide sympathetic boundary treatment in the form of timber post and rail fencing, metal estate fencing coloured black and native mixed species hedgerows. A detailed landscaping strategy has been provided in support so that the property to illustrate how the development would be integrated into the existing landscape and provide biodiversity improvements of the land in the applicants ownership.
6. The overall habitable footprint of the proposed, new dwelling would be approximately 38m² less than that of the existing Class Q approval (422m² vs 460m², or an 8% reduction in habitable floor area).

Relevant Planning History

7. Prior Approval Consent was granted under reference No 2021/1018/PAD for the change of use of agricultural building to form 1 No. Dwelling; and building operations reasonably necessary to convert the building to a dwelling.
8. An application submitted under reference No 2022/0918/FUL for a proposed dwelling house, redesign of dwelling permitted Class Q determination Ref: 2021/1018/PAD was withdrawn.
9. A prelim was submitted under reference No 2023/0516/PEC. In which feedback was provide from statutory consultees and additional information required to support future planning application.

Planning Guidance and Policy

National Planning Policy Framework (NPPF)

Chapter 2 – Achieving Sustainable Development

Chapter 5 - Delivering a sufficient supply of homes

Chapter 9 - Promoting sustainable transport

Chapter 12 - Achieving well-designed places

Chapter 15 - Conserving and enhancing the natural environment

Chapter 16 - Conserving and enhancing the historic environment

Site Allocations and Policies DPD (2014)

SP6 - Housing in the Countryside

SP15 - Design and Amenity

SP19 - Biodiversity and Geodiversity Conservation

SP23 - Landscape Character in the Countryside

SP20 – The historic environment

Core Strategy DPD (2011)

CS03 – Settlement Hierarchy

CS04 - The Location of Development

CS19 - Promoting Good Design

CS21 - The Natural Environment

CS22 -The historical and cultural environment.

Whissendine Neighbourhood Plan (draft submission version)

WH1: Housing

WH4: Design

WH5: Landscape and Heritage

WH7: Surface Water

WH8: Infrastructure

Supplementary Planning Document

Supplementary Planning Document - Design Guidelines for Rutland SPD (2022)

Main issues

10.
 - i) The principle of the development,
 - ii) the impact on the character and appearance of the area,
- i) Highway safety
 - ii) Contaminated land
 - iii) Ecology
 - iv) Archaeology

Officer Evaluation

Principle of the use

11. The Development Plan, specifically Policies CS4 and SP6, restricts new housing in the countryside to that which is necessary, usually for agriculture or forestry. This is supported by the advice in Paragraph 83 and 84 of the National Planning Policy Framework (NPPF).
12. CS4 states that conversion will only be permitted where the building is close to sustainable settlements and where there is no environmental impact. Policy SP6 builds on the Core Strategy and sets out where residential conversion might be allowed.
13. Since the introduction of Class Q permitted development rights, with no consideration of sustainability, this can be a material consideration in the determination of an application to convert a rural building, i.e. where there is a clear possibility and intention to use the Class Q rights. There was a Class Q approval granted here, and case law has established that a fallback position should be lent considerable weight.
14. Given the above, it is considered that the principle of residential development here has been established, and as such the proposal would not be in conflict with Section 5 of the NPPF, Policy CS04 of the Rutland Core Strategy (2011), and Policy SP6 of the Site Allocations and Policies Development Plan Document (2014).

Impact of the use on the character of the area

15. The design of the dwelling and residential curtilage has been amended between the time application No 2022/0918/FUL was withdrawn and the preliminary submission. It is considered that the new dwelling, by reason of its design, scale, form, layout and alignment in a gap within a mature hedge running north-south across the site, would represent a significant visual improvement over the

dwelling that could be implemented as part of the prior approval scheme to the barn which is of no particular architectural merit.

16. By virtue of the design, ecological and landscaping improvements, it is considered that the proposal would have significant reduced impact upon the character or appearance of the open countryside including views of the site from Oakham Road, Footpath E143 and Bridleway E145. It is considered that the development would be in accordance with the NPPF (Sections 5 9, 12 & 15), Policies CS04, CS19 & CS21 of the Rutland Core Strategy (2011) and Policies SP6, SP15, SP19 & SP23 of the Site Allocations and Policies Development Plan Document (2014) Adopted SPD and Policies WH4, WH5 of the Whissendine Neighbourhood Plan (draft submission version).

Impact on the neighbouring properties

17. None

Heritage

18. The senior Planning Archaeologist has stated that 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).

Highway issues

19. The LHA have reviewed the application and raise no objection to the proposal subject to the appending of conditions and informatives to the decision notice if Members are minded to approve the application.

Contamination

20. Environmental Protection have stated that they have no objection after reviewing the updated Phase 1 Land Contamination Risk Assessment by Castledine Environmental, September 2023, (ref 1581D P1 Duffin-Rutland.), stating that there are little changes to the site since the previous report from 2021 other than some removal of vegetation and the recommendations remain, therefore the comments and conditions previously submitted 25th September 2023 are still relevant to the proposed development insofar as "It is recommended that a Phase 2 Intrusive Site Investigation is planned and carried out on site. This should take the form of at least 3 No. near surface environmental samples taken from onsite exterior areas, within the barn and in the area located north of site (multiple heaps noted here over time arising from construction/demolition wastes). Due to the noted heaps of construction/demolition wastes noted here, at least 6 near surface No. asbestos samples should be taken from here, along with at least one from within the site boundaries, to prove or disprove the possibility of airborne asbestos contaminating site, arising from the nearby heaps. In addition, it is

recommended that radon protective measures are installed in the development, due to the sites location in a known Radon Affected Area."

21. An appropriately worded condition is proposed.

Ecology

22. Ecology have raised no objections to the proposals as the current site is of low ecological value and there are areas of wildflower and hedgerow creation within the proposals. A condition is recommend requiring the submission of a Landscape and Ecological Management Plan (LEMP) and informatives.

Trees & Hedgerows

23. A drawing has been submitted to showing the retention and protection of nearby trees and hedgerows during construction works.

Parish Council

24. No response received.

Section 106 Heads of Terms

25. Not applicable

Community Infrastructure Levy

26. Notwithstanding any specific requests from consultees for contributions to be paid towards infrastructure provision, should permission be granted for this development payments made towards provision of infrastructure from the Community Infrastructure Levy must be approved separately by the Council as CIL collecting authority.

Crime and Disorder

27. It is considered that the proposal would not result in any significant crime and disorder implications.

Human Rights Implications

28. Articles 6 (Rights to fair decision making) and Article 8 (Right to private family life and home) of the Human Rights Act have been taken into account in making this recommendation.
29. It is considered that no relevant Article of that act will be breached.

Consultations

Below is a summary of the comments. Full details can be viewed on the Council's website. (https://publicaccess.rutland.gov.uk/online-applications/?_ga=2.69299920.1503643438.1693558555-1954588303.1693558555)

30. **Design Officer**

This looks to have addressed the comments made in January 2023.

31. **RCC Highways**

Further to our discussion this morning regarding the above application, where you raised concerns due to ecology impacts about the LHA's previous recommendation for the hedgerow to be maintained at a height of 1m for visibility. On streetview and at the time I visited site, the height of the hedgerow was not significantly above 1m and the hedgerow appeared well maintained. That said, as discussed and agreed, the LHA have no objections to the two visibility splay conditions to be used from the previous prior approval application, 2021/1018/PAD, instead of the recently recommended one.

The one provided on 21/09/2023 :-

Prior to commencement of the development, the first 40m of hedgerow to the south of the access and the first 20m of hedgerow to the north of the access must be reduced to a maximum height of 1m above ground level and thereafter maintained at that height or less in perpetuity.

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

Can be replaced with the following two conditions :-

Prior to commencement of the development, the hedgerow to the south must be reduced in width by half on the public highway side for a distance of 40m from the edge of the access, and thereafter maintained at that width.

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

Prior to commencement of the development, the hedgerow to the north must be reduced in width by a quarter on the public highway side for a distance of 20m from the edge of the access, and thereafter maintained at that width.

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

Comments: The LHA have reviewed the application and raise no objection to the proposal subject to the appending of the following conditions and informatives to the decision notice if you are minded to approve the application :-

CONDITIONS

Gates

Any gates provided at the vehicular access shall be inward opening only and shall be set back a minimum of 6 metres from the nearside edge of the carriageway.

Reason: To enable vehicles using the access to stand clear of the carriageway whilst gates are being opened and closed in the interest of highway safety.

Provision and retention of visibility splay

Prior to commencement of the development, the first 40m of hedgerow to the south of the access and the first 20m of hedgerow to the north of the access must be reduced to a maximum height of 1m above ground level and thereafter maintained at that height or less in perpetuity.

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

Surface Material

No unbound material shall be used in the surface treatment of the vehicular access within 5 metres of the highway boundary.

Reason: To avoid displacement of loose material onto the highway in the interests of highway safety.

Design of access

The design of the access should incorporate measures to ensure that no loose surfacing material or surface water can cross from the access onto the public highway, and this work will be completed prior to commencement of the site development.

Reason: To prevent hazards caused by water flowing onto the highway and to avoid the formation of ice on the highway in the interest of highway safety.

INFORMATIVES

Section 184 Highways Act 1980

The development involves the construction of a new vehicular access within the public highway. These works must be carried out under strict accordance with the requirements of Rutland County Council under the provisions of Section 184 of the Highways Act 1980. Prior to commencing any work within the highway, a licence must be obtained from the Local Highway Authority. The application form and guidance notes can be found on Rutland's website or contact can be made with Highways by email at highways@rutland.co.uk.

Section 148 Sub-Sec C Highways Act 1980

It is an offence under Section 148 Sub-Sec C of the Highways Act 1980 to

deposit anything including building materials or debris on a highway which may cause interruption to any user of the highway (including footways or verges). In the event that a person is found guilty of this offence, a penalty may be imposed in the form of a fine. It is the responsibility of the developer and contractor(s) to ensure that no building materials or debris are placed on or remain within the highway during or after the construction period.

Section 149 Highways Act 1980

If anything is so deposited on the highway as to constitute a nuisance, under Section 149 of the Highways Act 1980 the Local Highway Authority may by notice require the person responsible to remove it forthwith and if not complied with the Local Highway Authority may make a complaint to a Magistrates Court for a Removal and Disposal Order. In the event the deposit is considered to constitute a danger the Local Highway Authority may remove the deposit forthwith and recover reasonable expenses from the person who made the deposit.

Naming & Numbering - Section 17 - 18 Public Health Act 1925

The development will result in the creation of new street(s) and/or new dwelling(s) and/or allocate appropriate street names and property numbers. This procedure is applicable to the sub-division of premises, which will provide multiple occupancy for both residential and commercial buildings. Before development is commenced an application should be made, allowing 8 weeks to complete. Details are available on our website at the following link:- <https://www.rutland.gov.uk/my-services/planning-and-building-control/planning/street-name-and-numbering/> Should you require assistance please email snn@rutland.gov.uk. Please note this is not a function covered by your planning application but is a statutory obligation of the Local Authority, and must be dealt with as a separate matter following planning approval.

Utility Services - Section 50 NRSWA 1991

The development is likely to involve works within the public highway in order to provide services to the site or which will affect existing services. Such works must be licenced under the New Roads and Street Works Act 1991. It is essential that, prior to the commencement of such works, adequate time be allowed in the development programme for; the issue of the appropriate licence, approval of temporary traffic management and booking of road space. Further details can be obtained by emailing highways@rutland.gov.uk.

32. **Environmental Protection**

Revised

We have reviewed the updated Phase 1 Land Contamination Risk Assessment by Castledine Environmental, September 2023, ref 1581D P1 Duffin-Rutland.

There are little changes to the site since the previous report from 2021 other

than some removal of vegetation and the recommendations remain, therefore the comments and conditions previously submitted 25th September 2023 are still relevant to the proposed development.

Original response

The Phase 1 Land contamination Risk Assessment by Castledine & Co., September 2021 (ref 1581D P1 Duffin - Rutland) recommends:

"It is recommended that a Phase 2 Intrusive Site Investigation is planned and carried out on site. This should take the form of at least 3 No. near surface environmental samples taken from onsite exterior areas, within the barn and in the area located north of site (multiple heaps noted here over time arising from construction/demolition wastes). Due to the noted heaps of construction/demolition wastes noted here, at least 6 near surface No. asbestos samples should be taken from here, along with at least one from within the site boundaries, to prove or disprove the possibility of airborne asbestos contaminating site, arising from the nearby heaps. In addition, it is recommended that radon protective measures are installed in the development, due to the sites location in a known Radon Affected Area."

Therefore, the following condition is applicable should planning permission be granted:

1. Site Characterisation

No development shall take place until an assessment of the nature and extent of contamination has been submitted to and approved in writing by the Local Planning Authority. This assessment must be undertaken by a competent person as defined by annex 2 of the National Planning Framework. The assessment shall assess any contamination on the site, whether or not it originates on the site. Moreover, it must include:

- (i) a survey of the extent, scale and nature of contamination;
- (ii) develop the conceptual site model to assess and evaluate the potential risks to:

- human health,
- property (existing or proposed) including buildings, crops, livestock, pets, woodland and service lines and pipes,
- adjoining land,
- groundwaters and surface waters,
- ecological systems,
- archaeological sites and ancient monuments;

This must be conducted in accordance with the Environment Agency's 'Land Contamination Risk Management' Guidance.

2. Submission of Remediation Scheme

No development shall take place until a detailed remediation scheme to bring the site to a condition suitable for the intended use by removing unacceptable risks to human health, buildings and other property and the natural and historical environment has been submitted to and approved in writing by the Local Planning Authority. The scheme must include all works to be undertaken, proposed remediation objectives and remediation criteria, an appraisal of remedial options, and proposal of the preferred option(s), and a timetable of works and site management procedures. The scheme must ensure that the site 3333 will not qualify as contaminated land under Part 2A of the Environmental Protection Act 1990 in relation to the intended use of the land after remediation.

This must be conducted in accordance with the Environment Agency's 'Land Contamination Risk Management' Guidance.

3. Implementation of Approved Remediation Scheme

The remediation scheme shall be implemented in accordance with the approved timetable of works. Within 3 months of the completion of measures identified in the approved remediation scheme, a validation report must be submitted to the Local Planning Authority. The validation report must clearly demonstrate through the provision of unambiguous evidence that the approved remediation scheme has been completed as stated.

This must be conducted in accordance with the Environment Agency's 'Land Contamination Risk Management' Guidance.

4. Reporting of Unexpected Contamination

In the event that contamination is found at any time when carrying out the approved development that was not previously identified it must be reported in writing within 5 days to the Local Planning Authority and once the Local Planning Authority has identified the part of the site affected by the unexpected contamination development must be halted on that part of the site.

An assessment must be undertaken in accordance with the requirements of condition 1, and where remediation is necessary a remediation scheme, together with a timetable for its implementation, must be submitted to and approved in writing by the Local Planning Authority in accordance with the requirements of condition 2.

The measures in the approved remediation scheme must then be implemented in accordance with the approved timetable. Following completion of measures identified in the approved remediation scheme a validation report must be submitted to and approved in writing by the Local Planning Authority in accordance with condition 3.

This response is made on the understanding that the responsibility for

providing information on whether the site is contaminated rests primarily with the developer; where Planning Permission is granted for a site on which the presence of contamination is known or suspected, the responsibility for safe development and secure occupancy of the site rests with the developer; and that the response has been determined on the basis of the information available, but this does not mean that the land is free from contamination.

33. Ecology

I have no objections to the proposals as the current site is of low ecological value and there are areas of wildflower and hedgerow creation within the proposals.

I recommend the following condition is attached to any planning permission:

No development shall take place (including ground works or vegetation clearance) until a Landscape and Ecological Management Plan (LEMP) has been submitted to and approved in writing by the LPA. The LEMP shall include the following details:

- A) description and evaluation of the features to be created/managed
- B) aims and objectives of management
- C) appropriate management options for achieving aims and objectives
- D) prescriptions for management actions
- E) work schedule
- F) species/seed mixes to be planted/sown
- G) ongoing monitoring and remedial measures

The approved plan will be implemented in accordance with the approved details.

I recommend the following informative is attached to any planning permission:

Nesting birds are protected under the Wildlife & Countryside Act 1981 (as amended); therefore all removal of trees/shrubs/hedges and building demolition should take place outside the breeding season (March to August inclusive) unless carefully checked beforehand by a suitably qualified person.

34. Senior Planning Archaeologist

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. 194-195).

35. Forestry Officer

No objections

Neighbour Representations

Below is a summary of the comments. Full details can be viewed on the Council's website. (https://publicaccess.rutland.gov.uk/online-applications/?_ga=2.69299920.1503643438.1693558555-1954588303.1693558555)

36. None

Conclusion

37. Taking the above into account, it is considered that the proposal is in accordance with the NPPF (Sections 5, 9, 12, 15 & 16), Policies CS04, CS19, CS21 & CS22 of the Rutland Core Strategy (2011) and Policies SP6, SP15, SP19, SP20 & SP23 of the Site Allocations and Policies Development Plan Document (2014). Policies WH4, WH5, WH7, WH8 of the Whissendine Neighbourhood Plan (draft submission version) and Adopted SPD.
38. There are no material considerations that indicate otherwise although conditions have been attached.

This page is intentionally left blank



© Crown copyright and database rights [2013]
Ordnance Survey [100018056]

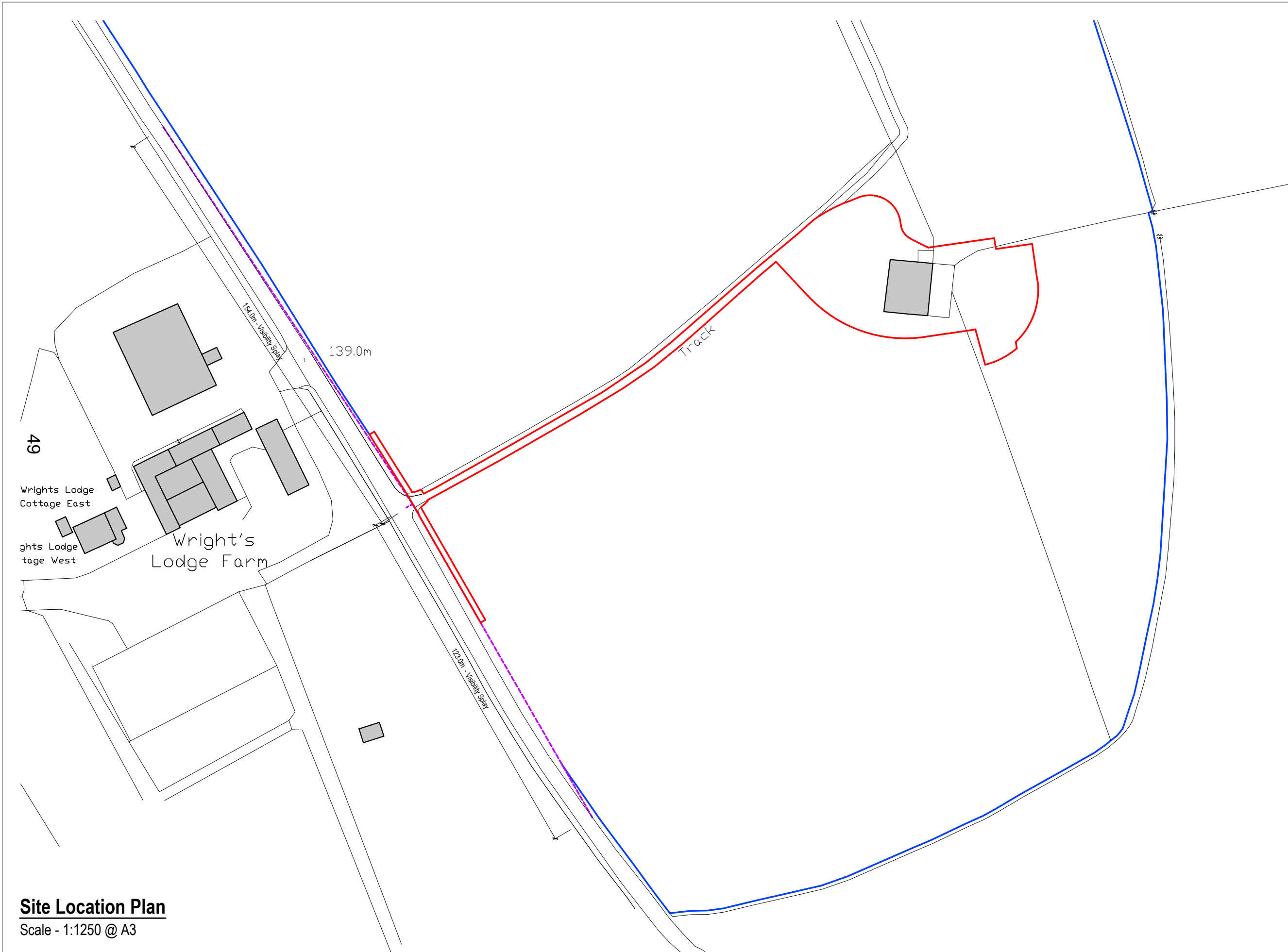


1:3000

Rutland County Council

**Catmose,
Oakham,
Rutland
LE15 6HP**

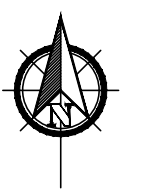
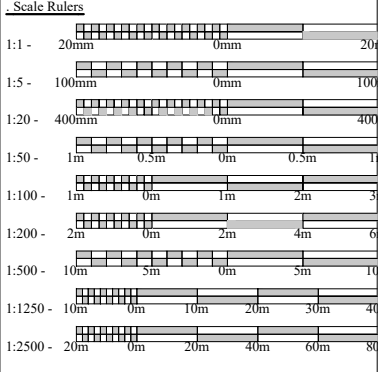
This page is intentionally left blank



Site Location Plan
Scale - 1:1250 @ A3

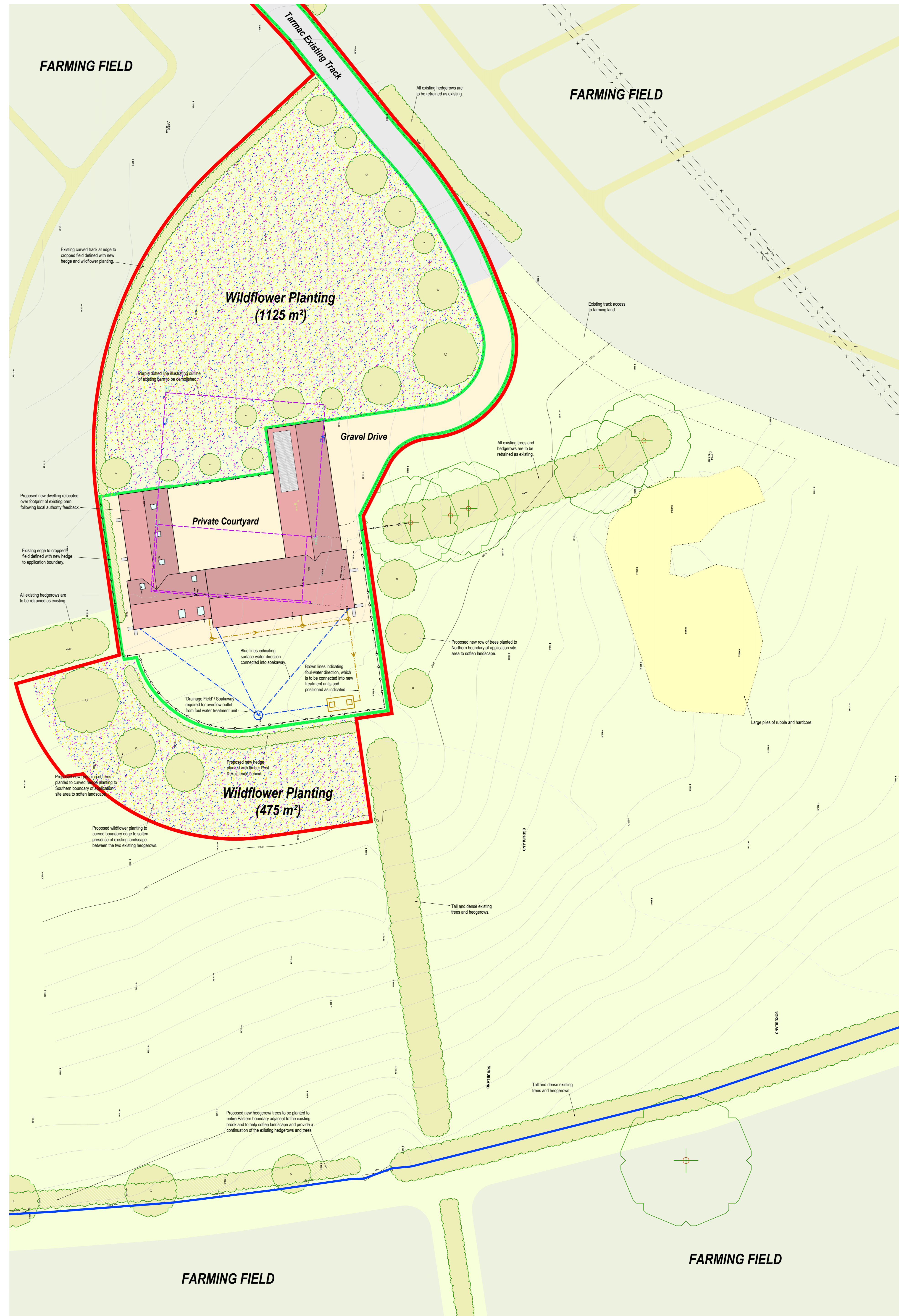
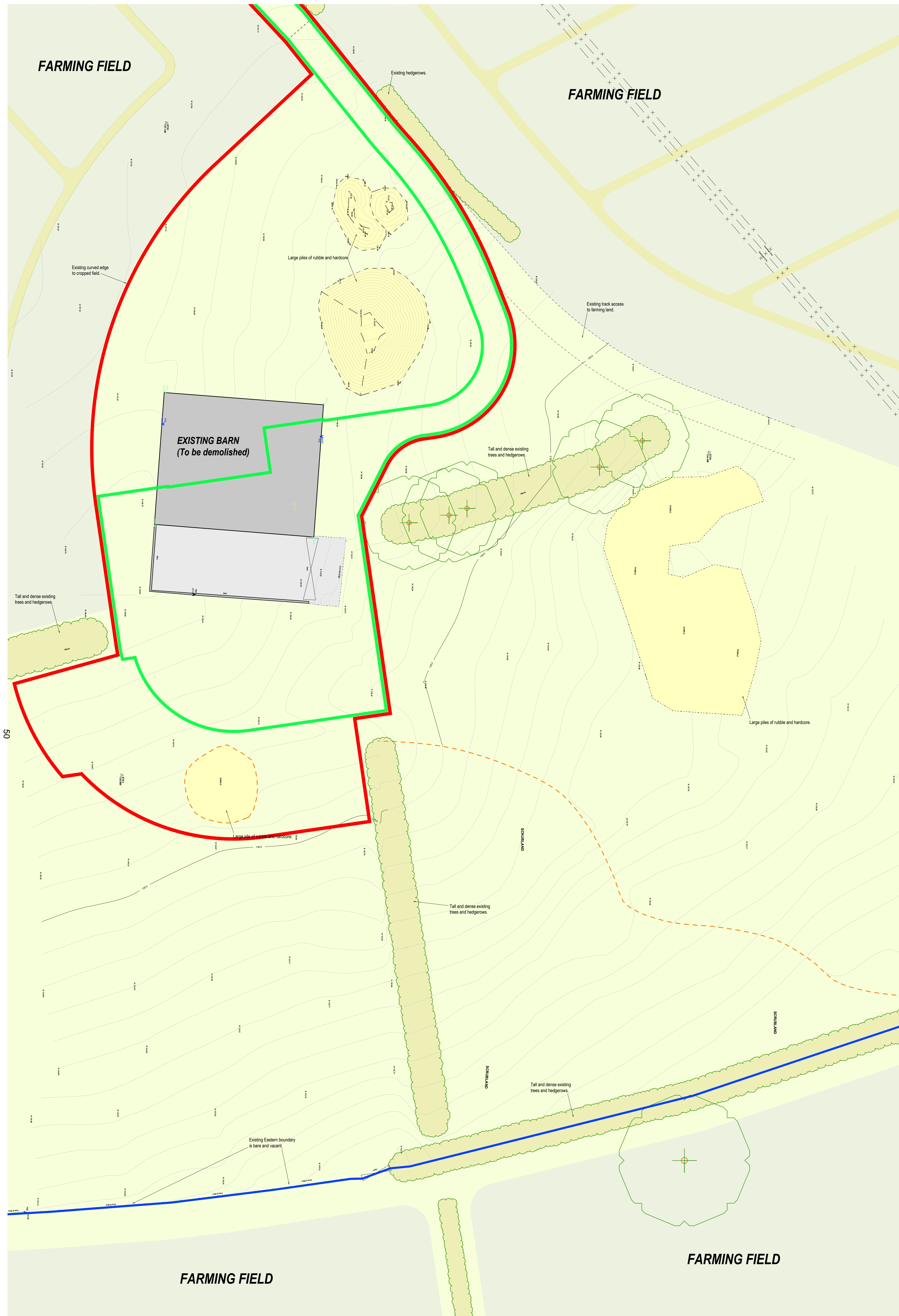
Notes

- This drawing is the copyright of the Mark Architecture Ltd. and may not be reproduced or used except by formal written permission.
- Do not scale from drawing. When printing drawings to scale, operator must print without scaling to print areas or paper sizes. Drawing not supplied by Mark Architecture Ltd. may not necessarily be to scale.
- The Contractor is to check and verify all building, site & boundary dimensions before commencing onsite works or ordering materials.
- The Contractor is to check and verify with all the Statutory Authorities and the Owner for the location and condition of any underground or overhead services, or confirm that none exist prior to work commencing on site.
- The Contractor shall comply with enactments regulations and working rules relating to safety health and welfare of workpeople.
- Client has the responsibility to check that any proposal does not conflict with any restrictive covenants which may be in their title deeds. A solicitor should have made you aware of these when purchasing your property.



Rev	Date	Description
e.	15.09.23	Red outline altered in line with planning supports request.
d.	14.09.23	Red outline altered in line with planning supports request.
c.	01.09.23	Red outline altered in line with discussions with planning officer.
b.	28.08.23	Red outline error amended.
a.	25.08.23	Red outline altered in line with discussions with planning officer.

Rev	Date	Description
.mark Architecture		
Mark Architecture Ltd e. mark@mark-architecture.co.uk m. 07968 049496 w. www.mark-architecture.co.uk		
.Client / Company Name		
Mr & Mrs. Duffin		
.Site Address		
New Dwelling; Black Hovel, Langham Road, Whissendine, Rutland		
.Drawing Title		
Site Location Plan.		
.Drawing Issue Date		.Drawing Scales
May 2023		1:1250
.Plotted Paper Size		.Completed by
A3		MCA
.Job Reference	.Drawing Number	.Revision Letter
2302	- 06	e .



CDM Regulations 2015

! - Symbol denotes a significant hazard or difficult to manage procedure. Please refer to 'Designer Risk Assessment' for further information regarding mitigation or hazards.

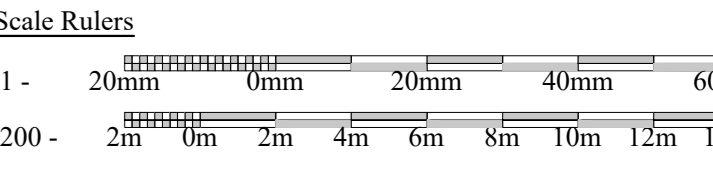
CDM Regulations, require all projects to:

- Have workers with the correct skills, knowledge, training and experience.
- Contractors providing appropriate supervision, instruction and information.
- A written Construction Phase Plan.

Mark Architecture Ltd. are appointed as 'Designer' only, unless formally appointed by the client in writing to confirm Mark Architecture Ltd. as the role of 'Principal Designer'.

Notes

- This drawing is the copyright of the Mark Architecture Ltd. and may not be reproduced or used except by formal written permission.
- Do not scale from drawing for construction. When printing drawings to scale, operator must print without scaling to print area or paper sizes. Drawing not supplied by Mark Architecture Ltd. may not necessarily be to scale.
- The Contractor is to check and verify all building, site & boundary dimensions before commencing onsite works or ordering materials.
- The Contractor is to check and verify with all the Statutory Authorities and the Owner for the location and condition of any underground or overhead services, or confirm that none exist prior to work commencing on site.
- The Contractor shall comply with enforcements regulations and working rules relating to safety health and welfare of workpeople.
- Client has the responsibility to check that any proposal does not conflict with any restrictive covenants which may be in their title deeds. A solicitor should have made you aware of these when purchasing your property.



Designated Land Areas

- RED line indicating designated application outline.
- GREEN line indicating designated Residential Curtilage.
- BLUE line indicating Farming Land under same ownership.

Landscaping Schedule

Existing trees. Existing hedges. New gravel areas. Wildflower Planting. Proposed New Trees. Proposed Post & Rail fencing.

Purple dotted lines indicating existing barn to be demolished.

New areas of hedge planting (species mix / 3r pots / 2-3 plants per m²).

Field Maple. Hornbeam. Hawthorn. Mountain Ash. Sycamore. Dogwood.

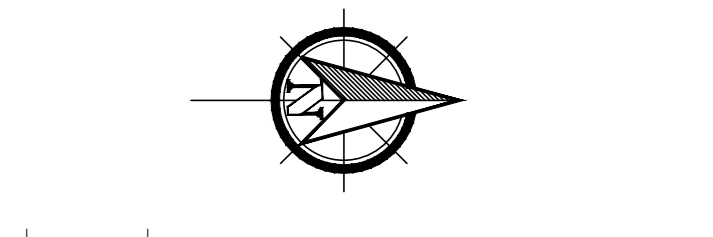
Note: All proposed shrub areas to be planted with densities of max. 4no. plants per m² to allow for adequate coverage in accordance with good horticultural practice BS 4428.

Note: All planting and seeding or turfing shall be carried out in the first planting and seeding season following the occupation of the building or the completion of the development, whichever is the sooner. Any plants or trees which within the period of five years from the completion of the development die, are removed or are seriously damaged or diseased shall be replaced within the next planting season with others of similar size or species.

Drainage Scheme

Sewage treatment units. Surface Water Drainage and/or Soakaway.

(Regulations state that treatment units must be 10m from any dwelling with overflow outlet to soakaway / drainage field).



Rev	Date	Description
b	01.09.23	Red outline altered in line with discussions with planning officer
e	25.08.23	Red outline altered in line with discussions with planning officer
c	18.07.23	Drawing altered in line with initial feedback from local authority following pre-app advice.
d	12.06.23	Drawing amended following feedback from client.
c	05.05.23	Drawing amended following feedback from client.
b	05.05.23	Drawing amended following feedback from client.
a	04.05.23	Drawing altered in line with initial feedback from local authority following complete outline of property.

Autodesk



Client / Company Name

Mr & Mrs. Duffin

Site Address

New Dwelling; Black Hovel, Langham Road, Whissendine, Rutland

Drawing Title

Existing & Proposed Site Block/ Landscaping Plans.

Drawing Issue Date: March 2023

Drawing Scale: 1:200

Printed Paper Size: A0

Completed by: MCA

Job Reference: 2302 - 04

Revision Letter: g.

CDM Regulations 2015

! - Symbol denotes a significant hazard or difficult to manage procedure. Please refer to 'Designer Risk Assessment' for further information regarding mitigation or hazards.

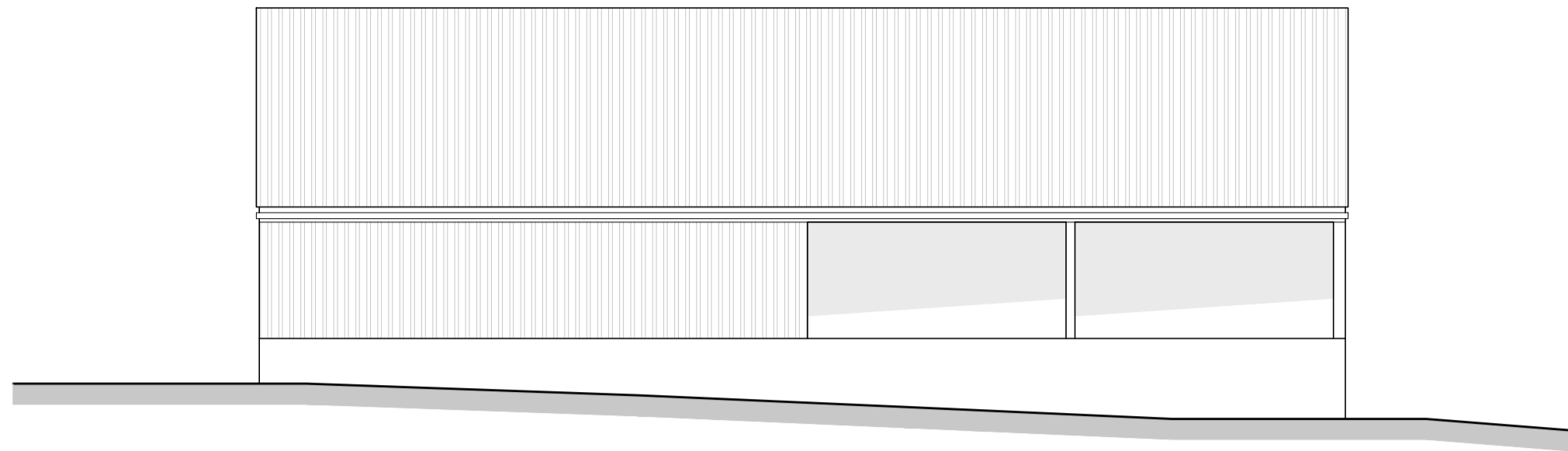
CDM Regulations, require all projects to:
 - Have workers with the correct skills, knowledge, training and experience.
 - Contractors providing appropriate supervision, instruction and information.
 - A written Construction Phase Plan.

Mark Architecture Ltd. are appointed as 'Designer' only, unless formally appointed by the client in writing to confirm Mark Architecture Ltd. as the role of 'Principle Designer'.

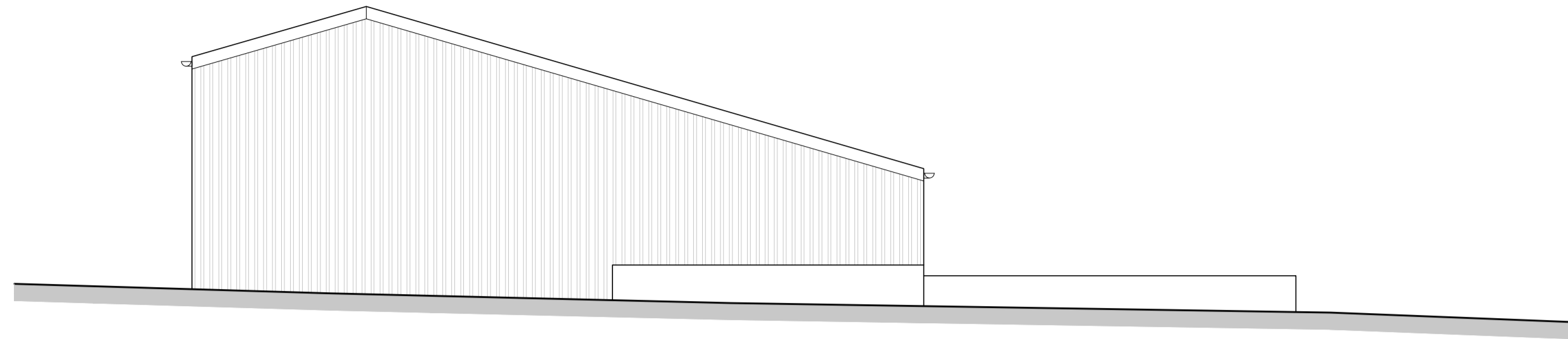
Notes
 - This drawing is the copyright of the Mark Architecture Ltd. and may not be reproduced or used except by formal written permission.
 - Do not scale from drawing for construction. When printing drawings to scale, operator must print without scaling to print areas or paper sizes. Drawing not supplied by Mark Architecture Ltd. may not necessarily be to scale.
 - The Contractor is to check and verify all building, site & boundary dimensions before commencing onsite works or ordering materials.
 - The Contractor is to check and verify with all the Statutory Authorities and the Owner for the location and condition of any underground or overhead services, or confirm that none exist prior to work commencing on site.
 - The Contractor shall comply with enactments regulations and working rules relating to safety health and welfare of workpeople.
 - Client has the responsibility to check that any proposal does not conflict with any restrictive covenants which may be in their title deeds. A solicitor should have made you aware of these when purchasing your property.

Scale Rulers

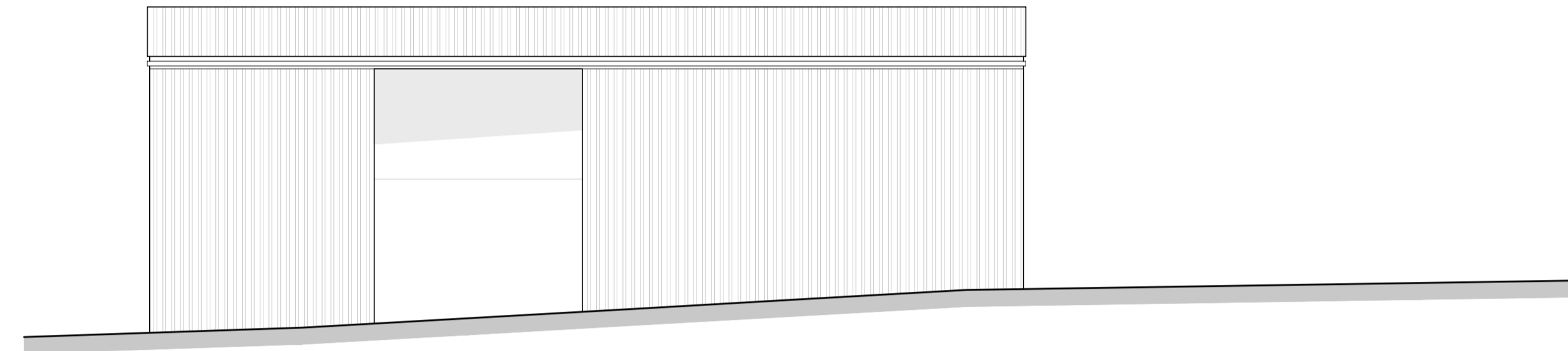
1:1	20mm	0mm	20mm	40mm	60mm
1:5	100mm	0mm	100mm	200mm	300mm
1:20	400mm	0mm	400mm	800mm	1200mm
1:50	1m	0.5m	0m	0.5m	1m
1:100	1m	0m	1m	2m	3m
1:200	2m	0m	2m	4m	6m
1:500	10m	5m	0m	5m	10m
1:1250	10m	0m	10m	20m	30m
1:2500	20m	0m	20m	40m	60m



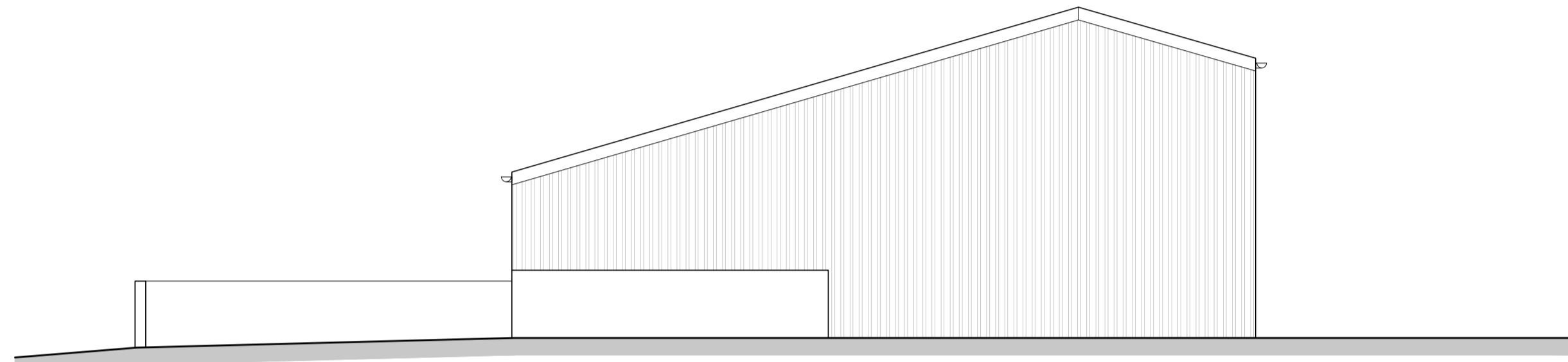
EAST ELEVATION
Scale - 1:100 @ A1



SOUTH ELEVATION
Scale - 1:100 @ A1

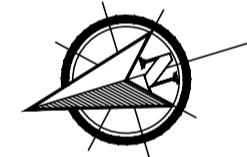
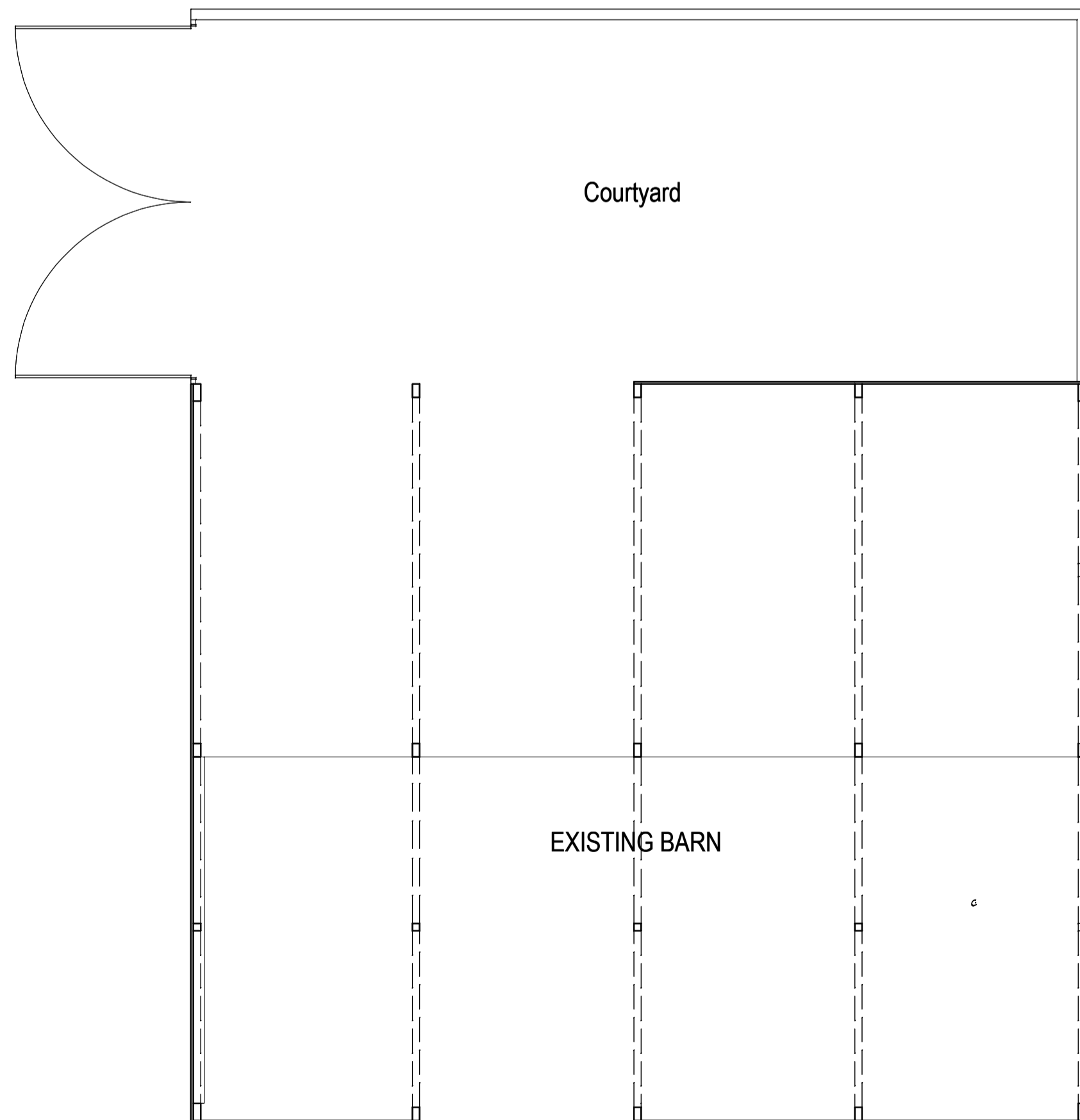


WEST ELEVATION
Scale - 1:100 @ A1



NORTH ELEVATION
Scale - 1:100 @ A1

51



FLOOR PLAN
Scale - 1:100 @ A1

Rev	Date	Description
-----	------	-------------

Amendments

.mark Architecture
 Mark Architecture Ltd
 e. mark@mark-architecture.co.uk m. 07968 049496 w. www.mark-architecture.co.uk

Client / Company Name

Mr & Mrs. Duffin

Site Address

New Dwelling; Black Hovel, Langham Road, Whissendine, Rutland

Drawing Title

Existing Barn Plans & Elevations.

Drawing Issue Date | Drawing Scales

September 2023 | 1:100

Plotted Paper Size | Completed by

A1 | MCA

Job Reference | Drawing Number | Revision Letter

2302 - 10

CDM Regulations 2015

! - Symbol denotes a significant hazard or difficult to manage procedure. Please refer to 'Designer Risk Assessment' for further information regarding mitigation or hazards.

CDM Regulations, require all projects to:
 - Have workers with the correct skills, knowledge, training and experience.
 - Contractors providing appropriate supervision, instruction and information.
 - A written Construction Phase Plan.

Mark Architecture Ltd. are appointed as 'Designer' only, unless formally appointed by the client in writing to confirm Mark Architecture Ltd. as the role of 'Principle Designer'.

Notes
 - This drawing is the copyright of the Mark Architecture Ltd. and may not be reproduced or used except by formal written permission.
 - Do not scale from drawing for construction. When printing drawings to scale, operator must print without scaling to print areas or paper sizes. Drawing not supplied by Mark Architecture Ltd. may not necessarily be to scale.
 - The Contractor is to check and verify all building, site & boundary dimensions before commencing onsite works or ordering materials.
 - The Contractor is to check and verify with all the Statutory Authorities and the Owner for the location and condition of any underground or overhead services, or confirm that none exist prior to work commencing on site.
 - The Contractor shall comply with enactments regulations and working rules relating to safety health and welfare of workpeople.
 - Client has the responsibility to check that any proposal does not conflict with any restrictive covenants which may be in their title deeds. A solicitor should have made you aware of these when purchasing your property.

Scale Rulers

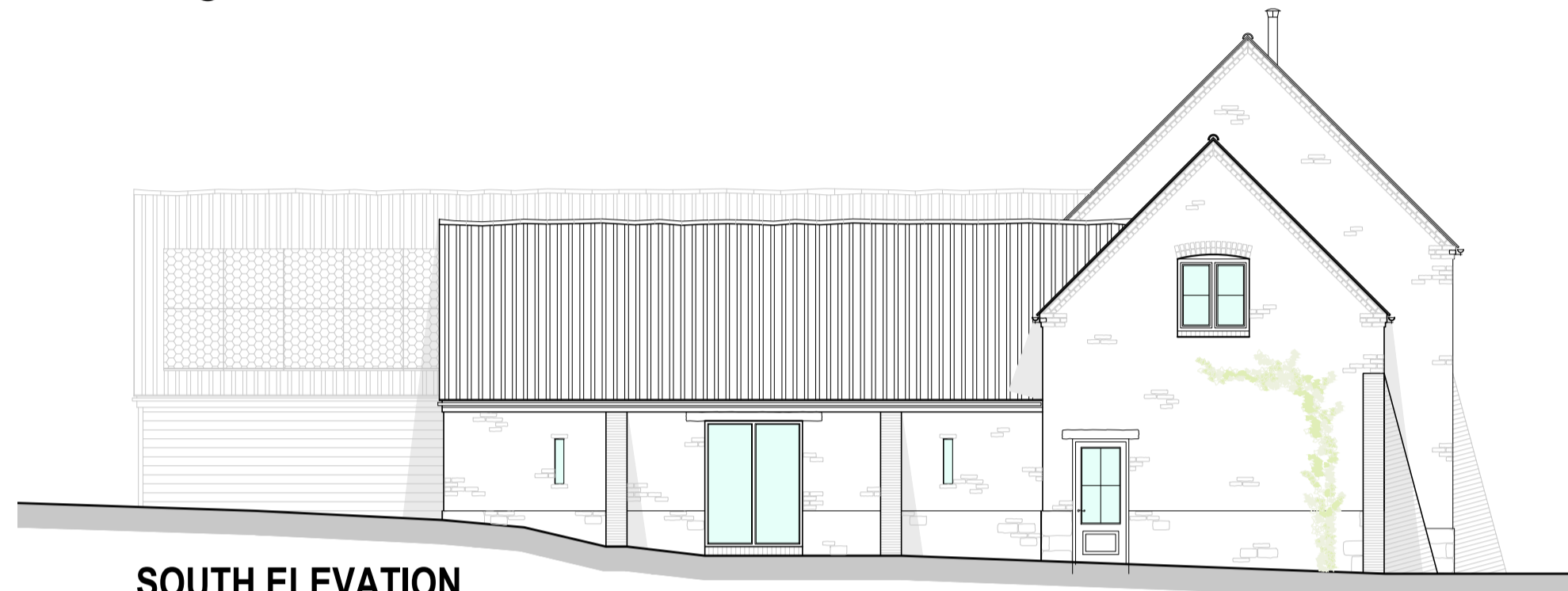
1:1	20mm	0mm	20mm	40mm	60mm
1:5	100mm	0mm	100mm	200mm	300mm
1:20	400mm	0mm	400mm	800mm	1200mm
1:50	1m	0.5m	0m	0.5m	1m
1:100	1m	0m	1m	2m	3m
1:200	2m	0m	2m	4m	6m
1:500	10m	5m	0m	5m	10m
1:1250	10m	0m	10m	20m	30m
1:2500	20m	0m	20m	40m	60m



EAST ELEVATION
Scale - 1:100 @ A1



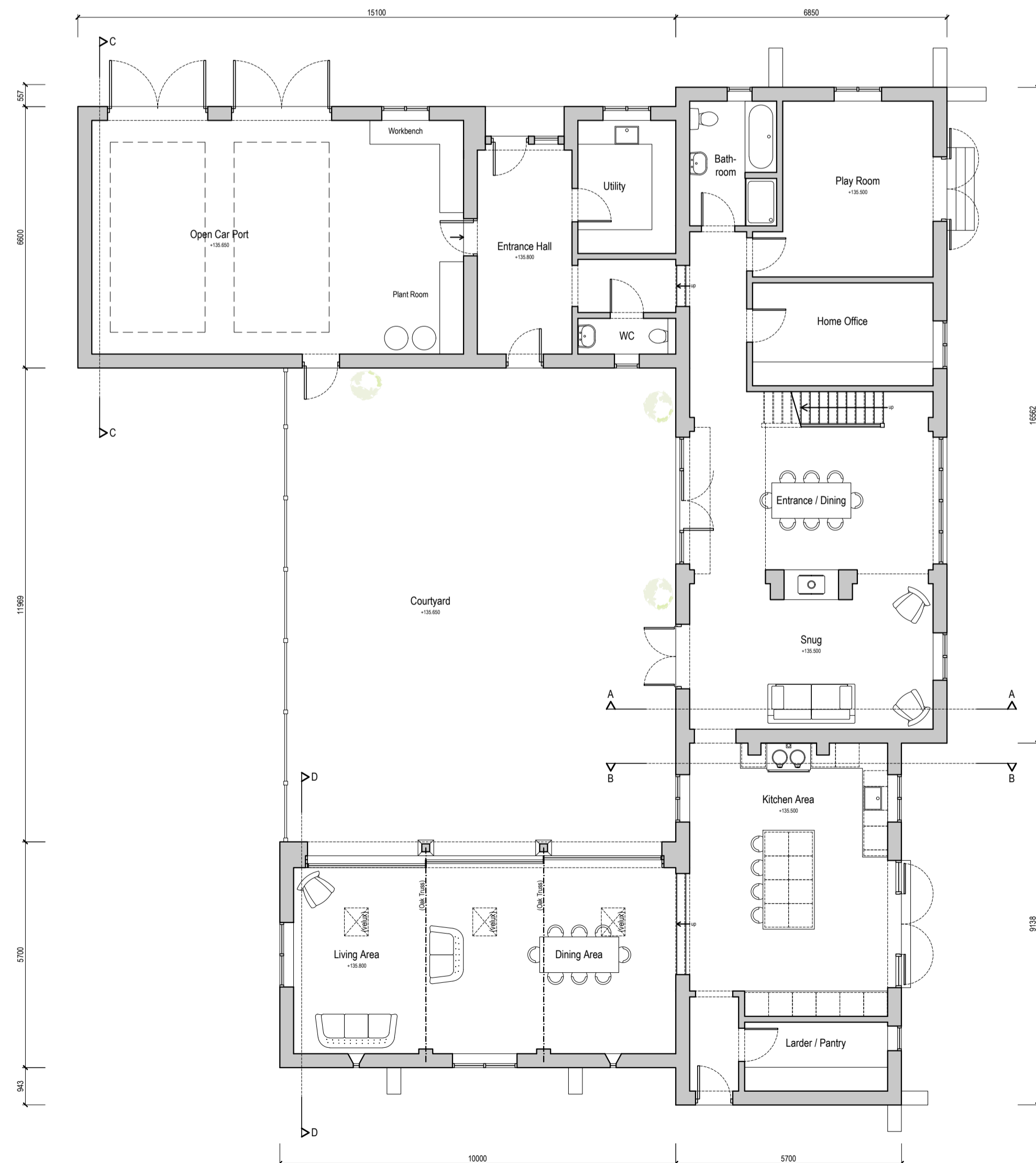
NORTH ELEVATION
Scale - 1:100 @ A1



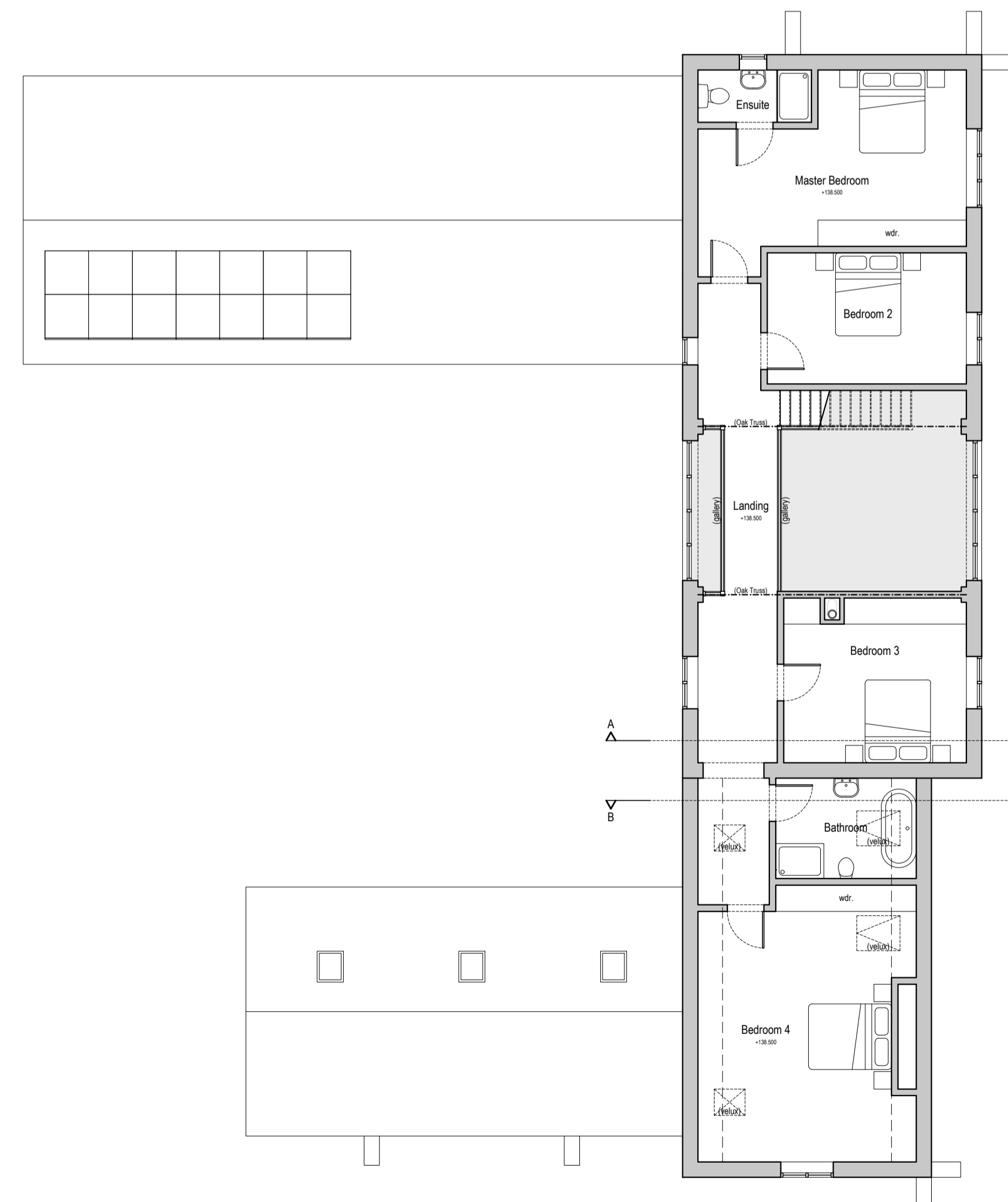
SOUTH ELEVATION
Scale - 1:100 @ A1



WEST ELEVATION
Scale - 1:100 @ A1



GROUND FLOOR PLAN
Scale - 1:100 @ A1



FIRST FLOOR PLAN
Scale - 1:100 @ A1

c.	14.09.23	Drawing updated to include detail on roof plan and section lines.
b.	12.05.23	Drawing altered in line with initial feedback from local authority.
a.	17.03.23	Minor amendment to master bedroom layout.

Rev	Date	Description
-----	------	-------------

Amendments

.mark Architecture

Mark Architecture Ltd
 e. mark@mark-architecture.co.uk m. 07968 049496 w. www.mark-architecture.co.uk

Client / Company Name

Mr & Mrs. Duffin

Site Address

New Dwelling; Black Hovel, Langham Road, Whissendine, Rutland

Drawing Title

Proposed Plans & Elevations.

Drawing Issue Date: March 2023 | Drawing Scales: 1:100

Plotted Paper Size: A1 | Completed by: MCA

Job Reference: 2302 | Drawing Number: -03 | Revision Letter: c.

2302 -03 c.



CDM Regulations 2015

! - Symbol denotes a significant hazard or difficult to manage procedure. Please refer to 'Designer Risk Assessment' for further information regarding mitigation or hazards.

CDM Regulations, require all projects to:
 - Have workers with the correct skills, knowledge, training and experience.
 - Contractors providing appropriate supervision, instruction and information.
 - A written Construction Phase Plan.

Mark Architecture Ltd. are appointed as 'Designer' only, unless formally appointed by the client in writing to confirm Mark Architecture Ltd. as the role of 'Principle Designer'.

Notes
 - This drawing is the copyright of the Mark Architecture Ltd. and may not be reproduced or used except by formal written permission.
 - Do not scale from drawing for construction. When printing drawings to scale, operator must print without scaling to print areas or paper sizes. Drawing not supplied by Mark Architecture Ltd. may not necessarily be to scale.
 - The Contractor is to check and verify all building, site & boundary dimensions before commencing onsite works or ordering materials.
 - The Contractor is to check and verify with all the Statutory Authorities and the Owner for the location and condition of any underground or overhead services, or confirm that none exist prior to work commencing on site.
 - The Contractor shall comply with enactments regulations and working rules relating to safety health and welfare of workpeople.
 - Client has the responsibility to check that any proposal does not conflict with any restrictive covenants which may be in their title deeds. A solicitor should have made you aware of these when purchasing your property.

Scale Rulers

1:1	20mm	0mm	20mm	40mm	60mm				
1:5	100mm	0mm	100mm	200mm	300mm				
1:20	400mm	0mm	400mm	800mm	1200mm				
1:50	1m	0.5m	0m	0.5m	1m	2m			
1:100	1m	0m	1m	2m	3m	4m	5m	6m	7m
1:200	2m	0m	2m	4m	6m	8m	10m	12m	14m
1:500	10m	5m	0m	5m	10m	20m	30m	40m	50m
1:1250	10m	0m	10m	20m	30m	40m	60m	80m	100m
1:2500	20m	0m	20m	40m	60m	80m	120m	160m	200m



NORTH ELEVATION
Scale - 1:100 @ A1



EAST ELEVATION
Scale - 1:100 @ A1



WEST ELEVATION
Scale - 1:100 @ A1



SOUTH ELEVATION
Scale - 1:100 @ A1

Rev	Date	Description
a.	12.05.23	Drawing altered in line with drawing package.

Amendments

.mark Architecture
 Mark Architecture Ltd
 e. mark@mark-architecture.co.uk m. 07968 049496 w. www.mark-architecture.co.uk

Client / Company Name

Mr & Mrs. Duffin

Site Address
New Dwelling; Black Hovel, Langham Road, Whissendine, Rutland

Drawing Title
Site Sectional Elevations.

Drawing Issue Date
March 2023

Drawing Scales
1:100

Plotted Paper Size
A1

Completed by
MCA

Job Reference
2302

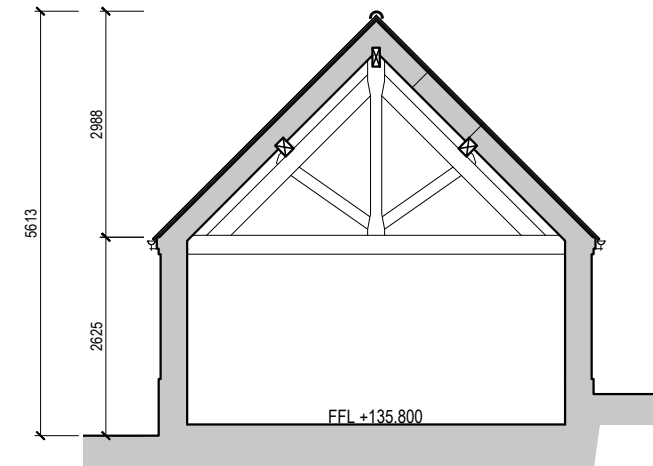
Drawing Number
- 05

Revision Letter
a .



Section A-A & Sectional South Elevation

Scale - 1:100 @ A3



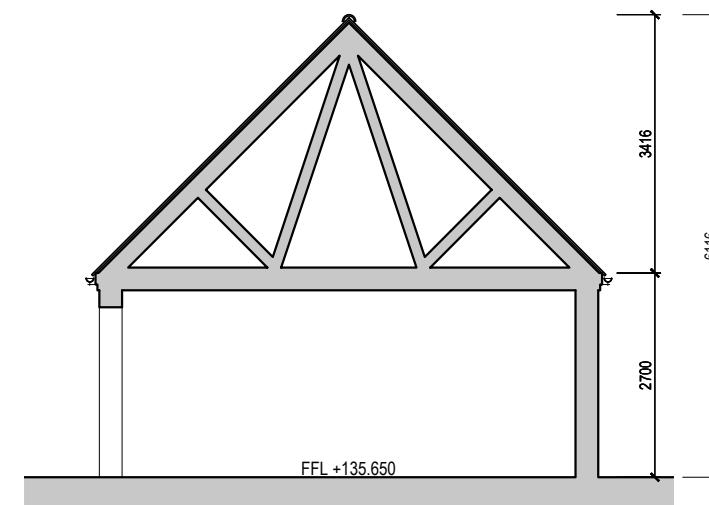
Section D-D

Scale - 1:100 @ A3



Section B-B & Sectional North Elevation

Scale - 1:100 @ A3



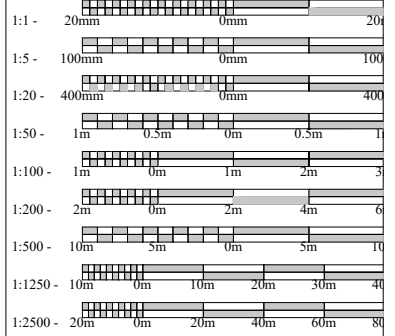
Section C-C

Scale - 1:100 @ A3

Notes

- This drawing is the copyright of the Mark Architecture Ltd. and may not be reproduced or used except by formal written permission.
- Do not scale from drawing. When printing drawings to scale, operator must print without scaling to print areas or paper sizes. Drawing not supplied by Mark Architecture Ltd. may not necessarily be to scale.
- The Contractor is to check and verify all building, site & boundary dimensions before commencing onsite works or ordering materials.
- The Contractor is to check and verify with all the Statutory Authorities and the Owner for the location and condition of any underground or overhead services, or confirm that none exist prior to work commencing on site.
- The Contractor shall comply with enactments regulations and working rules relating to safety health and welfare of workpeople.
- Client has the responsibility to check that any proposal does not conflict with any restrictive covenants which may be in their title deeds. A solicitor should have made you aware of these when purchasing your property.

Scale Rulers



Rev	Date	Description

Amendments

.mark Architecture

Mark Architecture Ltd
 e. mark@mark-architecture.co.uk m. 07968 049496 w. www.mark-architecture.co.uk

Client / Company Name

Mr & Mrs. Duffin

Site Address

**New Dwelling; Black Hovel,
 Langham Road, Whissendine, Rutland**

Drawing Title

Sections & Sectional Elevations.

Drawing Issue Date

September 2023

Drawing Scales

1:100

Plotted Paper Size

A3

Completed by

MCA

Job Reference

2302

Drawing Number

- 09

Revision Letter

.

PLANNING AND LICENSING COMMITTEE

16th January 2024

APPEALS

Report of the Strategic Director of Places

Strategic Aim:	Delivering Sustainable Development	
Exempt Information	No	
Cabinet Member Responsible:	Councillor Paul Browne - Portfolio Holder for Planning and Property	
Contact Officer(s):	Penny Sharp, Strategic Director of Places	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 None

3. DECISIONS

- 3.1 **APP/A2470/W/23/3320461 – Hereward Homes Ltd – 2022/1462/FUL**

Land adjacent to 17 Whitwell Road, Empingham
Construction of 2 No. Stone Dwellings
Delegated Decision

Appeal Dismissed – 4th December 2023

No application for costs

3.2 **APP/A2470/W/23/3319472 – Stamford Stone Company Ltd - 2022/0866/MAF**

Big Pits Quarry, Bidwell Lane, Clipsham, LE15 7WQ

Change of use from disused quarry to a sustainable holiday site including the installation of six holiday cabins and an honesty shop and associated works to provide vehicular parking and pedestrian access.

Delegated Decision

Appeal Dismissed – 5th December 2023

No application for costs

3.3 **APP/A2470/W/23/3319653 and APP/A2470/Y/23/3319654 - Miss Rebecca Patiniotis - 2023/0054/FUL and 2023/0055/LBA**

Stone Cottage, Ketton Road, Hambleton LE15 8TH

Creation of a new vehicular access with metal estate fencing and gates with new driveway. Alterations to the existing access to include widening the access.

Delegated Decisions

Appeals Dismissed – 11th December 2023

No application for costs

3.4 **APP/A2470/W/3323343 – Mr & Mrs David Semple – 2022/1150/FUL**

37 Cold Overton Road, Oakham, Rutland, LE15 6NT

2 New Bungalows in rear garden of 37 Cold Overton Road, Oakham, Rutland LE15 6NT.

Delegated Decision

Appeal Dismissed – 15th December 2023

No application for costs.

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.

This page is intentionally left blank