



# Rutland County Council

Catmose Oakham Rutland LE15 6HP.

Telephone 01572 722577 Facsimile 01572 75307 DX28340 Oakham

Minutes of the **DEVELOPMENT CONTROL AND LICENSING COMMITTEE** held in the Council Chamber, Catmose, Oakham, Rutland, LE15 6HP on Tuesday, 1st September, 2015 at 6.00 pm

**PRESENT:** Mr E Baines Mr J Lammie  
Mr J Dale Mr T King  
Mr A Mann Mr T Mathias  
Mr M Oxley Mr C Parsons  
Mr A Stewart Mr D Wilby

**APOLOGIES** Mr G Condé

**ABSENT:** Mr G Conde

**OFFICERS PRESENT:** Ms Robyn Green Acting Engineer Assistant  
Mr Nick Hodgett Principal Planning Officer  
Mr Mark Longhurst Planning Enforcement Officer  
Mr Gary Pullan Development Control Manager -  
Environment, Planning and Transport  
Mr Neil Tomlinson Senior Highways Manager -  
Environment, Planning and Transport  
Mr Dave Trubshaw Conservation Officer  
Mrs Hannah Vincent Planning/Highways Lawyer  
Peterborough City Council  
Mr Alex Daynes Community Governance Specialist

**IN ATTENDANCE:**

## 186 MINUTES

### RESOLVED:

That the minutes of the Development Control and Licensing Committee held on 4 August 2015 be confirmed and signed by the Chairman.

## 187 DECLARATIONS OF INTERESTS

Mr T King	Item 1 (2015/0272/FUL) Abbey Homes	Mr King declared on the grounds of probity that although he and his wife were members of the
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		group that was developing the Cottesmore Neighbourhood Plan, neither had contributed to the comments contained in the objection and he would therefore remain open minded in debate.
Mr M Oxley	Items 2 and 3 2015/0635LBA 2015/0636LBA Mr Kevin Hawkes	Mr Oxley declared on the grounds of probity that although he had previously supported sustainable energy production projects he would remain open minded during debate of this item.
Mr A Mann	Appeals Report	Mr Mann declared on the grounds of probity as item 2.1 under Appeals Lodged Since Last Meeting related to a property that he owned.

## 188 PETITIONS, DEPUTATIONS AND QUESTIONS

In accordance with Procedure Rule 93(5) the following late question had been received:

- In relation to Agenda Item 6, application 1, 2015/0272/FUL, Abbey Homes, a late question was received from Amanda Bowles.

## 189 DEPUTATIONS RELATING TO PLANNING APPLICATIONS

In accordance with Procedure Rule 93(4) the following deputation had been received:

- In relation to Agenda Item 6, application 1, 2015/0272/FUL, Abbey Homes, a deputation was received from Sara Atkin.

The Chair advised that the order of the agenda would change so that Report No. 159/2015, Planning Enforcement, would be considered after the Development Control Applications in Report No. 157/2015.

## 190 REPORT NO. 157/2015 DEVELOPMENT CONTROL APPLICATIONS

Report No. 157/2015 from the Director for Places (Environment, Planning and Transport) was received.

The Chair advised that Item No. 1 (2015/0272/FUL) All Green Space Around Harrier Close, Cottesmore, would be considered after Items 2 and 3 in the report.

**191 ITEM NO. 2 (2015/0635/LBA) 1 RECTORY FARM COTTAGE, ROOKERY LANE, STRETTON, LE15 7RA**

Application to fit Solar P. V. panels to extension roof east facing.  
(Ward: Greetham; Parish: Stretton)

Mr Begy spoke as Ward Councillor supporting the integrity of the conservation area.

**RESOLVED**

**2015/0635/LBA** In accordance with the recommendations set out within Report No. 157/2015 Item 2, that this application be **REFUSED**.

**192 ITEM NO. 3 (2015/0636/LBA) 1 RECTORY FARM COTTAGE, ROOKERY LANE, STRETTON, LE15 7RA**

Application to fit Solar P.V. panels to roof on extension west facing.  
(Ward: Greetham; Parish: Stretton)

Mr Begy spoke as Ward Councillor supporting the integrity of the conservation area.

**RESOLVED**

**2015/0636/LBA** In accordance with the recommendations set out within Report No. 157/2015 Item 3, that this application be **APPROVED**.

**193 ITEM NO. 1 (2015/0272/FUL) ALL GREEN SPACE AROUND, HARRIER CLOSE, COTTESMORE, RUTLAND**

A late question was received from Amanda Bowles, a summary of which is below:

It is common ground that the proposed development conflicts with the Rutland CSDPD (CS4) and SAPDPD (SP5). Since the CSDPD and SADPD are both written in accordance with the NPPF, including the presumption in favour of sustainable development, and in 2014 the planning inspector for the SADPD concluded that the exclusion of Harrier Close from the PLD was appropriate in line with the sustainability objectives in the plan, what are the material considerations that mean that the Council should ignore its plan, and the planning inspector, and approve the development?

The Principal Planning Officer responded that the material considerations were set out on pages 20 and 21 of the report. Officers needed to consider any harm that would be caused by the development and whether this would give rise to any potential reason for refusal. It was not considered that the development was in open countryside in the normal sense and was to be undertaken on infill plots in an existing development. The NPPF is a material consideration in itself. It was considered that in the current political climate, the application was likely to be allowed if appealed. There had been no highways, flooding or residential amenity issues identified. Since an appeal at a similar site in Greetham earlier this year, it was clear that policy had moved on since the previous appeal on this site in 2007.

A deputation was received from Sara Atkin on behalf of residents of Harrier Close, the content of which is included below:

The residents of Harrier Close ask for your support in our objection to this proposal. Planning has already been refused several times and this proposal contravenes many County and Village planning policies.

In 2007 an appeal to build 12 houses was dismissed. In 2012 all 7 sites were rejected and excluded from the Site Allocations and Policies DPD due to 'not being in or adjacent to the PLD' and therefore contrary to Core Strategy.

In the Planning Inspectorate Report to RCC in August 2014, Peter Willow states: "While I accept that the area cannot be properly regarded as countryside, its exclusion from the PLD is appropriate, in line with the sustainability objectives of the Plan".

This is why the sites are not included in the Site Allocations and Policies DPD – Preferred Options or the Emerging Neighbourhood plan. The Neighbourhood Plan is rightly recognised as a material consideration in the assessment but has been given little weight. Given that it is inline on these points with RCC policy it is surely premature to consider this application with a referendum likely to happen soon. This is particularly strange given that the assessment seems to be giving weight to a Government statement about the future direction of planning which at this stage has absolutely no policy content.

In addition, the inspector's report in March 2015 regarding Greetham garden centre concluded that there is a 5 year supply of housing land in Rutland and policies remain up-to-date. The Greetham site development has now been approved but it should be noted that the circumstances are entirely different to Harrier Close. The Greetham site directly adjoins the PLD and the land is brownfield.

It is our understanding that each planning application should be dealt with on its own merits and a single inspector's decision on a site in another village with very different circumstances should not be given the weight that it seems to have been in this assessment.

Harrier Close is located over 800m from the centre of the village. Public transport is minimal and this makes any development unsustainable. Kendrew barracks and Harrier Close should not be referred to as an enclave. We are separated by a high security fence. Kendrew barracks is self-sufficient and residents enjoy many facilities that are not accessible to Harrier Close residents.

When we purchased our properties 8 years ago we were aware that there could be future development of 12 houses not the proposed 22 homes which would increase housing density by over 50%. 12 properties are far more appropriate to preserve our environment. In addition the recreational space offered is wholly inadequate. Indeed, this space is as small as that offered in the 2007 plans which the planning inspectorate deemed to be unacceptable for 52 houses. I am therefore confused as to how this small recreational space can be adequate for 62.

We do not feel that the exceptional release of this land for development can in any way be justified.

In their application Abbey homes state: "It is believed that the proposed scheme can improve the quality of the residents' environment for both new and existing residents alike".

We refute this statement. We moved here to live in a village environment that is appropriately populated and do not wish to become yet another overcrowded urban-style development. We therefore ask you for your support in objecting to this unsuitable and unsustainable planning application.

## **RESOLVED**

**2015/0272/FUL** That contrary to the recommendations set out within Report No. 157/2015 and reasons contained therein, that this application be **REFUSED** on the following grounds:

1. Contrary to Development Plan as in countryside outside the PLD and not sustainable due to isolation from the main part of the village.

### **194 REPORT NO. 159/2015 PLANNING ENFORCEMENT REPORT TO CONSIDER ENFORCEMENT ACTION AGAINST UNAUTHORISED DEVELOPMENT AT ARMLEY LODGE FARM, KETTON ROAD, HAMBLETON**

In accordance with Procedure Rule 239(2) the Committee agreed that the public and press be excluded from the meeting during consideration of Report No. 159/2015 as exempt information relating to paragraphs 1, 2 and 7 of Part 1 of Schedule 12 A of the Local Government Act 1972 may be discussed during debate. In accordance with Procedure Rule 239(5) the Committee consented that Mr Gale was able to remain in the attendance during consideration of the report.

The meeting moved to exempt session.

The Committee was asked to consider enforcement action in relation to unauthorised development at Armley Lodge Farm.

It was officer's recommendation that enforcement action be taken. The Planning Enforcement Officer provided an overview of the report.

## **RESOLVED**

**159/2015** In accordance with the recommendation set out within the report that enforcement action be taken.

Following debate and resolution the meeting returned to public session.

### **195 REPORT NO. 158/2015 APPEALS REPORT**

Report No. 158/2015 from the Director of Places (Environment, Planning and Transport) was received.

## **RESOLVED**

That the contents of Report No. 158/2015 be **NOTED**.

**196 ANY OTHER URGENT BUSINESS**

No items of urgent business had been previously notified to the person presiding.

**DECISION SUMMARY, 1 SEPTEMBER 2015**

**Applications approved in accordance with the report of the Director for Places (Environment, Planning and Transport)**

<b>Minute No.</b>	<b>Application</b>	<b>Detail</b>
192	2015/0636/LBA	Application to fit Solar P.V. panels to roof on extension west facing. (Ward: Greetham; Parish: Stretton)
194	Report No. 159/2015 (Exempt)	Planning Enforcement to consider enforcement action against unauthorised development at Armely Lodge Farm, Ketton Road, Hambleton. (Ward: Exton; Parish: Hambleton)

**Applications approved NOT in accordance with the report and addendum of the Director for Places**

<b>Minute No.</b>	<b>Application</b>	<b>Detail</b>
None.		

**Applications refused in accordance with the report and addendum of the Director for Places**

<b>Minute No.</b>	<b>Application</b>	<b>Detail</b>
191	2015/0635/LBA	Application to fit Solar P. V. panels to extension roof east facing. (Ward: Greetham; Parish: Stretton)

**Applications refused NOT in accordance with the report and addendum of the Director for Places**

<b>Minute No.</b>	<b>Application</b>	<b>Detail</b>
193	2015/0272/FUL	Application for residential infill development comprising 22 dwellings including 8 affordable dwellings along with open space and parking. (Ward: Cottesmore; Parish: Cottesmore)

**Applications deferred in accordance with the report and addendum of the Director for Places**

<b>Minute No.</b>	<b>Application</b>	<b>Detail</b>
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None.

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**Applications deferred NOT in accordance with the report and addendum of the Director for Places**

<b>Minute No.</b>	<b>Application</b>	<b>Detail</b>
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None.

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**The Chairman declared the meeting closed at 7.58 pm.**

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