

# Public Document Pack



## Rutland County Council

Catmose, Oakham, Rutland, LE15 6HP.  
Telephone 01572 722577 Facsimile 01572 758307 DX28340 Oakham

Ladies and Gentlemen,

A meeting of the **DEVELOPMENT CONTROL AND LICENSING COMMITTEE** will be held in the Council Chamber, Catmose, Oakham, Rutland, LE15 6HP on **Tuesday, 29 September, 2015** commencing at 6.00 pm when it is hoped you will be able to attend.

Yours faithfully

Helen Briggs  
**Chief Executive**

Recording of Council Meetings: Any member of the public may film, audio-record, take photographs and use social media to report the proceedings of any meeting that is open to the public. A protocol on this facility is available at [www.rutland.gov.uk/haveyoursay](http://www.rutland.gov.uk/haveyoursay)

### **A G E N D A**

#### **APOLOGIES**

##### **1) MINUTES**

To confirm the minutes of the Development Control and Licensing Committee held on 1 September 2015.

##### **2) 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.

##### **3) PETITIONS, DEPUTATIONS AND QUESTIONS**

To receive any petitions, deputations and questions from members of the Public in accordance with the provisions of Procedure Rules.

The total time allowed for this item shall be 30 minutes. Petitions, deputations and questions shall be dealt with in the order in which they are received. Questions may also be submitted at short notice by giving a written copy to the Committee Administrator 15 minutes before the start of the meeting.

The total time allowed for questions at short notice is 15 minutes out of the total time of 30 minutes. Any petitions, deputations and questions that have been submitted with prior formal notice will take precedence over questions submitted at short notice. Any questions that are not considered within the time limit shall receive a written response after the meeting and be the subject of a report to the next meeting.

**4) DEPUTATIONS RELATING TO PLANNING APPLICATIONS**

To receive any deputations from members of the Public in accordance with the provisions of Procedure Rule 94(4).

There will be no limit on the total number of deputations to be received but no more than two deputations will be permitted in respect of each planning application one of which, if required, will be from a statutory consultee.

Deputations which relate to a planning application included on the agenda for this meeting will be deferred until the application is considered by Members.

Following the deputation, the applicant or his agent will have a right of reply, the maximum time for which will be three minutes. Members will then have the opportunity to question the deputee and if a response has been made, the applicant or agent, for a maximum of four minutes.

**5) REPORT NO. 180/2015 DEVELOPMENT CONTROL APPLICATIONS**

To receive Report No. 180/2015 from the Director for Places (Environment, Planning and Transport)

**6) ANY OTHER URGENT BUSINESS**

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

---oOo---

**DISTRIBUTION**

**MEMBERS OF THE DEVELOPMENT CONTROL AND LICENSING COMMITTEE:**

Mr E Baines (Chairman)	
Mr J Lammie (Vice-Chair)	
Mr G Conde	Mr W Cross
Mr J Dale	Mr T King
Mr A Mann	Mr T Mathias
Mr M Oxley	Mr C Parsons
Mr A Stewart	Mr D Wilby

**OTHER MEMBERS FOR INFORMATION**

# Agenda Item 5

Rutland County Council

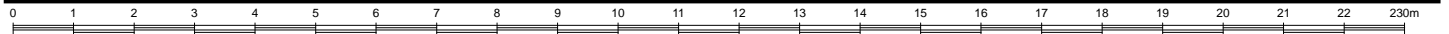
Development Control & Licensing Committee – 29<sup>th</sup> September 2015

## Index of Committee Items

Item	Application No	Applicant, Location & Description	Recommendation
1	2013/0583/FUL & 2013/0585/LBA	Mr & Mrs D Coleman The Old Rectory, 6 Ridlington Road, Preston, LE15 9NN Construction of two storey and single storey extensions to the east elevation of dwellinghouse.	Approval
2	2015/0699/FUL	Mr M Cutbush 1 Horn Close, Oakham, LE15 6FE To remove a fence between the garage and house and replace with a brick wall.	Approval

Appeals Report

None



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

Scale - 1:1250  
Time of plot: 09:51  
Date of plot: 15/09/2015



**Rutland County Council**

Catmose,  
Oakham,  
Rutland  
LE15 6HP

Application:	<b>2013/0583/FUL &amp; 2013/0585/LBA</b>	<b>ITEM 1</b>	
Proposal:	<b>Construction of two storey and single storey extensions to the east elevation of dwellinghouse.</b>		
Address:	<b>The Old Rectory, 6, Ridlington Road, Preston, Rutland, LE15 9NN</b>		
Applicant:	<b>Mr &amp; Mrs D Coleman</b>	Parish	<b>Preston</b>
Agent:	<b>Mr Martyn Jones, Martyn Jones &amp; Associates</b>	Ward	<b>Braunston &amp; Belton</b>
Reason for presenting to Committee:	<b>Objections received</b>		
Date of Committee:	<b>29<sup>th</sup> September 2015</b>		

## EXECUTIVE SUMMARY

**The proposed extensions will have an acceptable impact on the character of the grade II listed building and Preston Conservation Area and on the amenity to neighbouring properties and comply with national and local planning policy in respect of the historic environment. The applications are recommended for approval.**

## RECOMMENDATION

### **APP/ 2013/0583/FUL**

**APPROVAL**, subject to the following conditions:

1. The development shall be begun before the expiration of three years from the date of this permission.
2. The development hereby permitted shall not be carried out except in complete accordance with the details shown on the revised plan number 13/016.10b received by the local planning authority on 13/8/2015.
3. Notwithstanding the provisions of Article 3, Schedule 2 Part 1 of the Town and Country Planning (General Permitted Development) Order 2015 (or any Order revoking and re-enacting that Order with or without modification), no windows shall be inserted in the first floor rear elevation of the extension except in accordance with details which shall previously have been submitted to and approved, in writing, by the Local Planning Authority.

### **Reason for the conditions:**

1. 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. For the avoidance of doubt and in the interests of proper planning.
3. In the interests of the amenity of occupiers of adjacent properties.

## **APP/2013/0585/LBA**

**APPROVAL**, subject to the following conditions:

1. The works shall begin before the expiration of 3 years from the date of this consent.
2. The development hereby permitted shall not be carried out except in complete accordance with the details shown on the revised plan number 13/016.10b received by the local planning authority on 13/8/2015.
3. No new materials shall be placed on site until such time as samples of the stone to be used on the external walls and the roofing slate have been submitted for the agreement of the local planning authority. Only materials agreed in writing by the local planning authority shall be used in carrying out the development.
4. All new external and internal works and finishes and works of making good to the retained fabric shall match the existing work in respect of materials, coursing, detailed execution and finished appearance.

### **Reasons for the conditions:**

1. To comply with the requirements of Section 18(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990, as amended by the Planning and Compulsory Purchase Act 2004.
2. For the avoidance of doubt and in the interests of proper planning.
3. To ensure that the materials used are appropriate to the character of a listed building
4. To protect the special character and architectural interest and integrity of the building in accordance with the requirements of Section 16 of the Planning (Listed Buildings and Conservation Areas) Act, 1990.

## **Site & Surroundings**

1. The applications relate to the former Rectory in Preston, a grade II listed building to the north of Ridlington Road and within Preston Conservation Area. The building dates from the early 19<sup>th</sup> century and is symmetrical in design with a shallow pitched slate roof. The building is set within its own grounds but there are residential properties adjoining the north and east (rear) boundary.
2. The property was sold by the Diocese of Peterborough in 2012 and is now a private house. There are the remains of two original rear outbuildings visible on site and which are shown on historic plans of the building. These were partially demolished to single storey height and altered in the 1950s, although the roof line can be seen on the rear elevation of the main building.

3. The nearest neighbouring property is a converted former outbuilding at 4b Ridlington Road, which is approximately 15 metres to the east of the proposed extensions. Properties to the north-east (a bungalow at 3 Church Lane) and south-east (a house at 4 Ridlington Road Lane) are 20 metres away. The adjacent properties are at a lower level.

## Proposal

4. The applications are a revised proposal for planning permission and listed building consent for two-storey and single-storey extensions on the rear (east) elevation to provide an entrance porch, kitchen and family room on the ground floor with two bedrooms with en-suites in wings at first floor level. The extensions will incorporate surviving historic fabric from the rear outbuildings with demolition of more recent additions.
5. The applications were originally submitted in 2013. Consideration was deferred at Development Control Committee in September 2013 following receipt of an objection from English Heritage, who considered that the significance of the surviving outbuildings (which were to be demolished) had not been fully investigated. The scale and bulk of the rear extensions was also considered excessive and would impact on the listed building and conservation area. This was in addition to objections from neighbours and Preston Parish Meeting in respect of the impact on light, privacy and on the appearance of the listed building and the conservation area.
6. Following deferral, the surviving fabric was assessed by an independent historic building specialist. The ensuing report considers that the angled alignment of the north wall possibly indicates a structure that pre-dates the main house and is of historic importance as a survivor of a low two-storey structure, now reduced to a garden wall. The surviving south wall has been cut back to little more than half its original width and was originally the outer wall of a service range accessed from the main house. On the basis of the evidence of the historic significance of the surviving fabric, the proposal has been re-designed to retain the sections of original wall on the north and south elevations.
7. The main section of the house is largely unaffected by the proposal. The proposed extensions now comprise two, two-storey wings with a single-storey glazed link, built in ironstone to match the surviving ground floor walls. The shallow pitched hipped roofs to the wings will be in Welsh slate, with the ridge at eaves level to the main building. The north wing is at a slight angle and will project 8 metres from the rear of the house. The south wing projects 5.6 metres with an additional 2.5 metre deep single storey entrance porch. The two storey extensions will be between 10 and 12 metres from the eastern site boundary (the boundary is not a straight line), with the single storey porch 8 metres from the boundary. Bedroom windows will be on the north and south elevations of the wings, with no windows on the first floor rear elevation. Wherever possible, existing window and door openings are retained to avoid new openings being made in the external wall of the building.

8. The footprint matches the depth of the previous rear wings of the building, but is partly in-filled by an inset glazed link that provides the entrance from the original house; this is intended to allow the rear wings to “read” as separate elements and for the rear wall of the original building to be seen.

## Relevant Planning History

Application	Description	Decision
1982/0401	Demolition of rear porch; construction of utility room extension	Approved January 1983 (not implemented)
2014/0040 & 2014/0794	Various work to trees	Approved Feb & Oct 2014
2015/0252	Formation of new vehicular access and driveway from Ridlington Road	Approved June 2015

## Planning Guidance and Policy

### National Planning Policy Framework

Paragraph 126 – heritage assets are an irreplaceable resource;

Paragraph 129 – local planning authorities should require an applicant to describe the significance of any heritage assets affected;

Paragraph 132 – great weight to be given to conservation of heritage assets;

Paragraph 134 - Where a proposal will lead to less than substantial harm to the significance of a heritage asset, the harm should be weighed against the public benefits of the proposal including securing its optimum viable use.

### The Rutland Core Strategy

CS19 – Promoting good design

CS22 – Historic and cultural environment.

### Rutland Local Plan Site Allocations and Policies Development Plan Document

SP15 - Design and amenity

SP20 - The historic environment

## Consultations

9. Preston Parish Meeting  
Two responses received:

June 2015: Holding reply:

Village welcomes this important historic building getting much needed attention to its fabric; improvement work to the south, west and north elevations have been completed and restoration of the east elevation to same standard would be



welcome, but:

- information is incomplete as English Heritage comments on potential damage to fabric of the building is not available;
  - scale of extensions still intrude into privacy of properties on Church Lane from north facing windows and to 4 Ridlington road from south facing windows;
  - property to the east of the Rectory (4b Ridlington Road) appears to suffer significant light deprivation; height of vegetation is excessive and should not be considered in mitigation;
  - wider impact on Preston Conservation Area needs to be considered;
  - details of materials and appearance are not included ;
  - application states that substantial element of eastern elevation will be visible when 90% will be hidden.
- Although better than 2013 plan, it is still detrimental to the village and neighbours for very limited community benefit; plans should be further scaled back.

August 2015 (re-consultation following receipt of more detailed plans):

- Preston residents welcome much needed attention to the buildings' fabric, but: object to:
- scale of revised plan is still excessive and will be a major eye-sore in the conservation area, visible from the road and the church;
- adverse impact on views of Preston church.
- proposal will significantly intrude into privacy of neighbouring properties through bedroom windows on north and south elevations;
- detracts from original building and is unacceptable;
- existence of original footprint is irrelevant in planning process and is not a valid consideration (Greenside case, 2005);
- loss of light to 4b Ridlington Road;
- proposal has dragged-on since 2013, causing stress to residents – final closure is needed;

The village would welcome sympathetic refurbishment - this appears to be a speculative development from property developers. The firm view of village is that the application must be rejected.

10. Historic England  
June 2015:

Historic England note that the scheme has been revised and amended in an attempt to address some of their previous concerns and are pleased that surviving historic fabric from earlier wings is to be retained and incorporated into the proposed new extensions. But the proposed extensions are still a sizeable addition and they are disappointed that the single-storey glazed link still remains; omission of this would allow the entire two storeys of historic fabric to remain totally un-obscured. HE remains of the view that the proposal would result in harm to the grade II listed building.

Section 16 of the Planning (Listed Building and Conservation Areas) Act 1990 contains a statutory requirement for the local planning authority to have special

regard to the desirability of preserving the building and its setting, which must be taken into account when making a decision. Paragraphs 126, 132, 133 & 134 of the NPPF are relevant

Historic England recommends that, in determining this application, the authority should weigh any harm against the public benefit that might accrue from the proposal and, if it is minded to approve the application, it must be satisfied that the benefits outweigh the harm that has been identified.

August 2015 (Re-consultation following receipt of more detailed plans):

No further comments in addition to previous response. Historic England recommend that the applications be determined in accordance with national and local policy guidance and on the basis of local specialist conservation advice.

11. Conservation Officer

The footprint of the proposed rear wings largely replicate the previous outbuildings which were altered and reduced to single storey height in the late 1950s. The revised proposal now retains the surviving original sections of walling and only removes modern brick walls of no historic interest and which detract from the building. The height of the wings has been reduced to bring them beneath the eaves of the main house and this allows more of the original eastern elevation to be seen.

I consider that the scale and design of the extensions, which largely replicate the form of the original building, are appropriate to its historic character. It will also safeguard surviving historic fabric by re-incorporating existing sections of walling within the building. The harm to the building would be less than substantial but, in accordance with paragraph 134 of the NPP, would be outweighed by the wider public benefit of safeguarding historic fabric.

## Neighbour Representations

12. Five objections from neighbouring residents were received in respect of the 2013 proposal. These stated:

- The scale and style of the extension is out of keeping and disproportionate to the original Georgian building; the extension is too large and would virtually double the size of The Rectory;
- The extension is inappropriate to the village and will not blend in with surrounding properties;
- upper floor windows on north and south elevations overlook adjacent gardens;
- over-looking and bearing impact on 4b Ridlington Road.

13. Neighbouring properties were re-notified of the revised proposal and three objections have been received. These state:

- Extension will still overlook garden and windows of 3 Church lane;
- increase in noise from activities closer to the boundary;
- Trees are not a permanent boundary;

- Preston is a conservation area and the building is listed – the extension should observe this;
- Proposal enlarges the Rectory to twice its size;
- Previous applications have been refused;
- extensions will be significantly closer to adjoining properties, reducing privacy and light;
- Re-building on the original footprint does not take account of changes since the rectory was built;
- Development is too large, out of keeping with the Rectory and will; detract from the appeal of the historic building;
- Significant invasion of privacy for neighbours; bedroom windows on north and south elevations will have direct views into gardens and rooms;
- loss of light due to proximity of extension to neighbouring properties;
- Proposal will have a negative impact on conservation village.

## Planning Assessment

14. The main issues are:

- Impact on the character of the listed building and the character or appearance of Preston Conservation Area;
- Impact on residential amenity

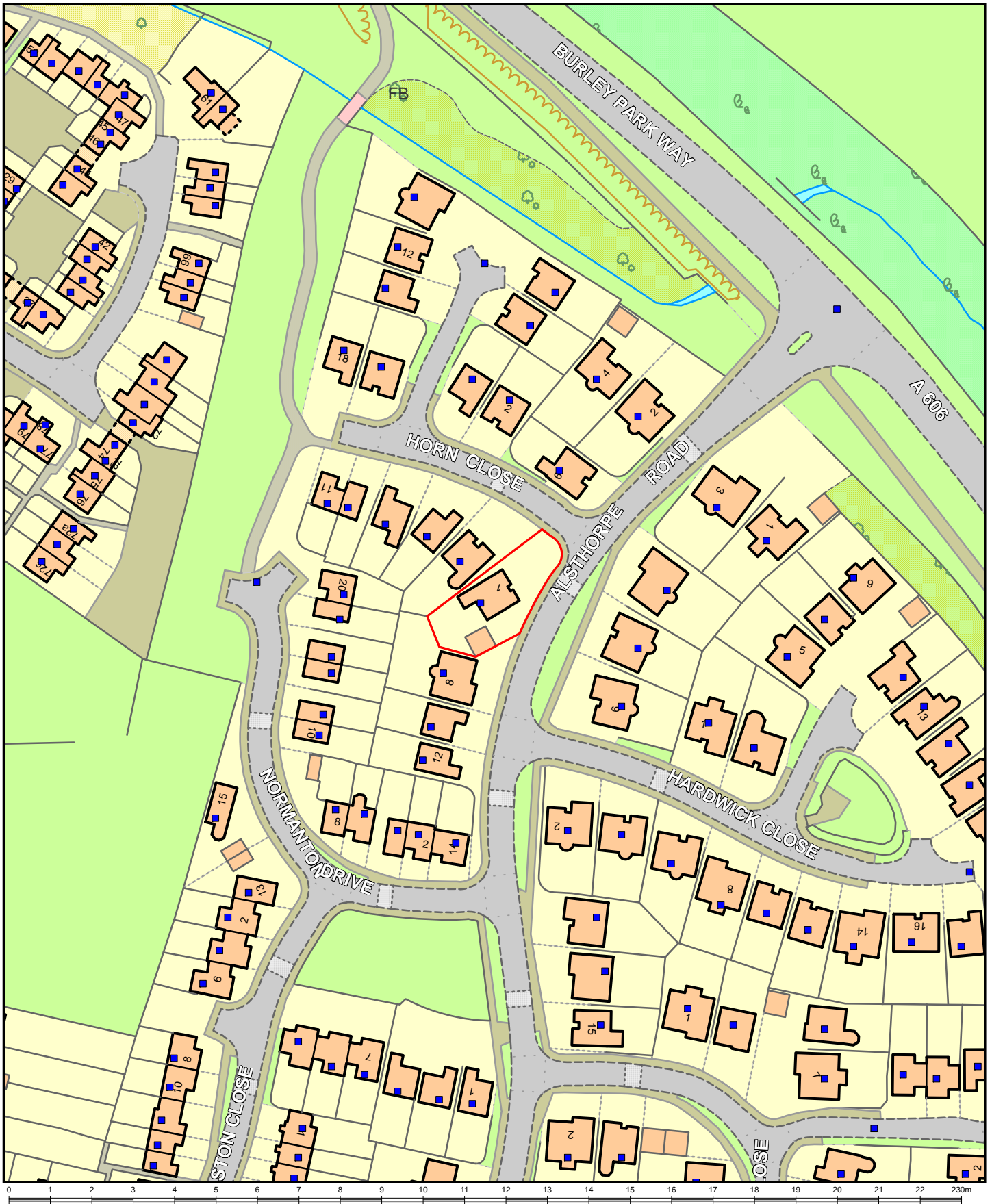
### Impact on the character of the listed building and Preston Conservation Area

15. The proposed extension is largely on the footprint of the original rear wings to the building, which appear to have been reduced in height and substantially altered in the 1950s. In its present form, and with a more recently added brick entrance porch, the rear elevation detracts from the appearance and character of the listed building. Whilst the proposed extension is large, it is considered that the design reflects the symmetry characteristic of a Georgian rectory and will appear as a subservient addition to the main building. The proposal will also ensure retention and incorporation within the building of historic fabric that is otherwise vulnerable.
16. In accordance with national policy on the historic environment contained in the National Planning Policy Framework, the possible harm to the listed building requires special consideration. It is considered that the harm to its special character and interest would be less than substantial but is outweighed by the wider public benefit of securing the retention of historic fabric. It is also considered that the proposal complies with policies CS22 and SP20 of the Rutland Local Plan, which seek to protect the character of historic assets.
17. The extensions will be visible along the existing driveway to the Rectory from Ridlington Road. However, the design is appropriate to the main building and it is not considered that they will have an adverse impact on the character or appearance of Preston Conservation Area. It is also not considered that the extensions will have a harmful impact on the setting of Preston church.
18. There has been a comment received that previous proposals to extend the building have been refused. There have been no previous refusals, although pre-application advice given to a prospective purchaser in 2012, in respect of a

possible two storey extension across the rear of the building, was that the scale and suggested largely glazed design would be unlikely to be considered appropriate to the character of the building; no subsequent application was received. It is considered that the current proposal does not have the same adverse impact.

Impact on residential amenity

19. The impact on residential amenity of neighbouring properties requires careful consideration and it is recognised that some of these properties are likely to have been built since the previous rear extensions to the Rectory were demolished. It should be noted that this issue is only relevant to the planning application.
20. The proposed wings will have bedroom windows on the north and south elevations, with no first floor windows on the end elevation closest to the rear site boundary. As such, the first floor windows will be at an oblique angle to the nearest properties at 3 Church Lane and 4 Ridlington Road, with a distance to the site boundary of approximately 15 metres and 20 metres to the nearest windows. Although the proposed windows will be nearer than the existing windows on the side elevations of the Rectory, the separation distance is considered to be acceptable to minimise overlooking. The house directly north of the Rectory (5 Church Lane) is over 20 metres from the extension. In view of the distances involved, it is also considered that the proposed extensions will not have an over-bearing impact on the outlook from neighbouring properties.
21. The impact on the residential property at 4b Ridlington Road requires careful consideration, since this is the nearest property and would not have been in separate residential use when the previous rear wings were in situ. The south wing will be in line with the converted former outbuilding; the distance from the two-storey wing to the boundary fence will be 12 metres and approximately 18 metres to the principal window in the west elevation of No. 4b. The existing Rectory is a tall building, being almost 7.5 metres to the ridge and, although No. 4b is approximately one metre below the ground level of the application site, the separation distance is such that officers are satisfied that there will be no discernible increase in loss of light, other than that which already occurs due to the orientation of the respective properties. The single storey entrance porch will be 8 metres from the boundary. There is a 2 metre high close boarded fence and substantial vegetation screens the site. The extensions have been designed to have no bedroom windows on the rear elevation to avoid direct overlooking and the only windows at first floor level of the Rectory are existing. It is considered that the proposal will not result in loss of privacy to No.4b Ridlington Road and, given the distance involved, will not have an overbearing impact.
22. In conclusion, it is considered that the design of the proposed extensions is acceptable and in accordance with policies in the local plan which seek to promote good design and will not have a harmful impact on the amenity of adjacent properties.



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

Scale - 1:1250  
Time of plot: 09:55  
Date of plot: 15/09/2015



## Rutland County Council

Catmose,  
Oakham,  
Rutland  
LE15 6HP

Application:	2015/0699/FUL		ITEM 2
Proposal:	To remove a fence between the garage and house and replace with a brick wall.		
Address:	1, Horn Close, Oakham, Rutland, LE15 6FE		
Applicant:	Mr M Cutbush	Parish	Oakham
Agent:		Ward	Oakham South East
Reason for presenting to Committee:	A joint owner is an Officer of RCC		
Date of Committee:	29 September 2015		

## EXECUTIVE SUMMARY

The proposal requires planning permission due to a condition on the original permission for the estate. The replacement of a timber fence with a wall is more appropriate on this exposed side elevation of the house.

## 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, number LPA 1.  
Reason - For the avoidance of doubt and in the interests of proper planning.

## Site & Surroundings

1. The property is located on the corner of Horn Close and Alsthorpe Road, just off the Oakham bypass. The side elevation of the property faces Alsthorpe Road and a garage is situated forward of the side elevation. The garage is linked to the house by a section of white timber fence and a gate. There is a low hedge on the roadside boundary.

## Proposal

2. It is proposed to replace the fence with a wall in bricks to match the house. It would be 2.43m in length and 1.87m high. Planning permission would not normally be required other than for a restrictive permitted development condition on the original permission for the property. A new gate would be installed similar to the existing. See photo below.

## Relevant Planning History

Application	Description	Decision
97/0062	Res Matters for 44 dwellings	Approved June 97. PD limitations attached
98/0587	Erection of conservatory to rear	Approved Nov 98

## Planning Guidance and Policy

Site Allocations and Policies DPD (2014)

SP15 – Design & Amenity

## Consultations

3. Oakham Town Council – Recommends Approval.

## Neighbour Representations

4. None

## Planning Assessment

5. The main issues are the design and visual impact. The proposal is set back around 6m from the roadside boundary. As the wall will be in brick to match the house it is considered to make an improvement to the appearance of the property, replacing white painted fencing. There is no impact on any neighbours.



**This page is intentionally left blank**