



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, 16th February, 2016** 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

A G E N D A

APOLOGIES

1) MINUTES

To confirm the minutes of the Special Development Control and Licensing Committee held on 10 December 2015.

To confirm the minutes of the Development Control and Licensing Committee held on 22 December 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 depute and if a response has been made, the applicant or agent, for a maximum of four minutes.

5) EXCLUSION OF THE PRESS AND PUBLIC

It is recommended to determine whether the public and press be excluded from the meeting in accordance with Section 100(A)(4) of the Local Government Act 1972, as amended, and in accordance with the Access to Information provisions of Procedure Rule 239, as the following item of business is likely to involve the disclosure of exempt information as defined in Paragraph 3 of Part 1 of Schedule 12A of the Act.

Paragraph 3: Information relating to the financial or business affairs of any particular person (including the authority holding that information).

6) REPORT NO. 45/2016 DEVELOPMENT CONTROL APPLICATIONS

To receive Report No. 45/2016 from the Director for Places (Environment, Planning and Transport).
(Pages 5 - 88)

7) REPORT NO. 46/2016 APPEALS REPORT

To receive Report No. 46/2016 from the Director for Places (Environment, Planning and Transport).
(Pages 89 - 92)

8) ANY OTHER 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

This page is intentionally left blank

REPORT NO: 45/2016

DEVELOPMENT CONTROL AND LICENSING COMMITTEE

DATE 16TH FEBRUARY 2016

**PLANNING APPLICATIONS TO BE DETERMINED BY THE
DEVELOPMENT CONTROL AND LICENSING COMMITTEE**

**REPORT OF THE DIRECTOR FOR PLACES
(ENVIRONMENT, PLANNING AND TRANSPORT)**

This page is intentionally left blank

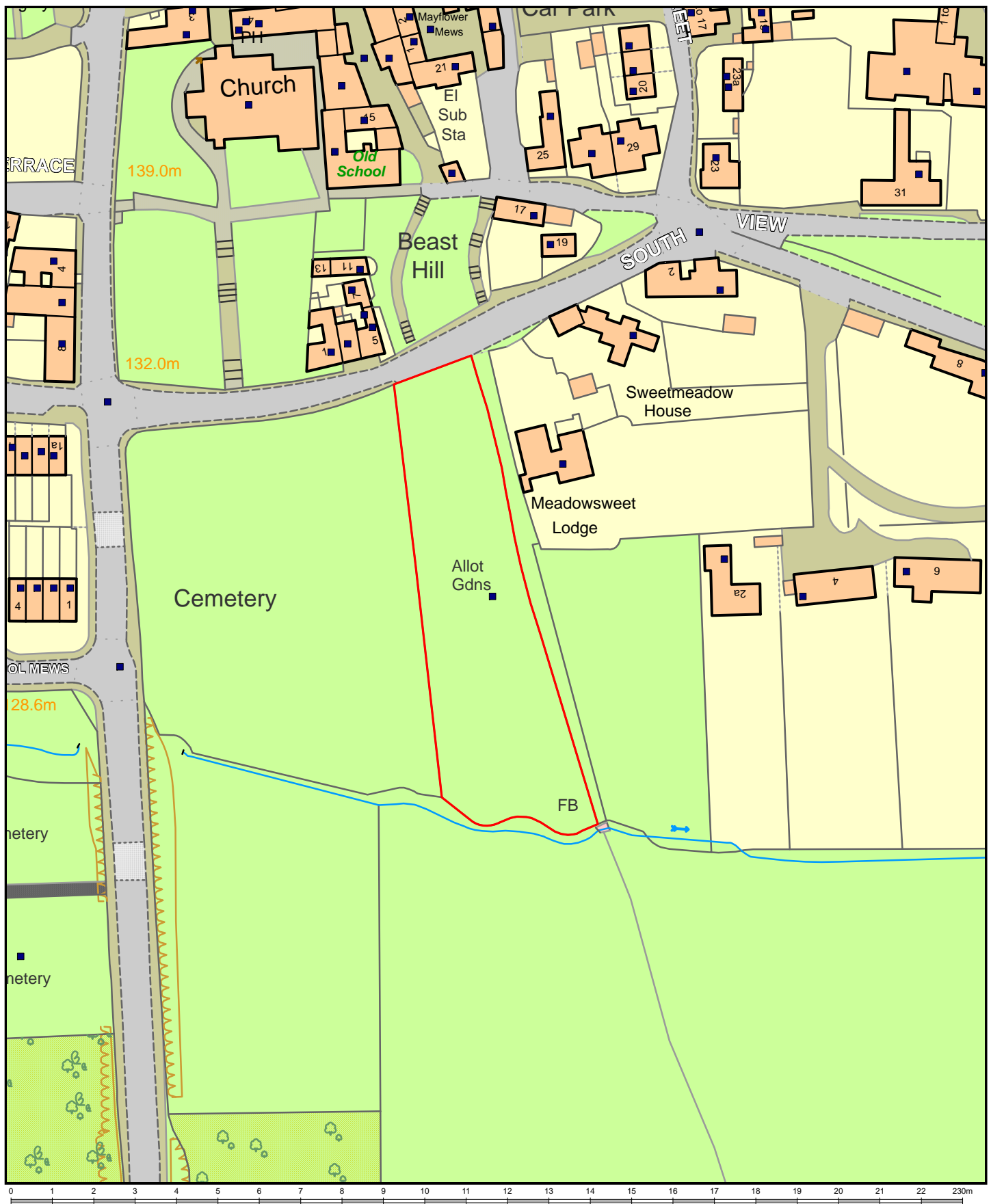
Rutland County Council

Development Control & Licensing Committee – 16th February 2016

Index of Committee Items

Item	Application No	Applicant, Location & Description	Recommendation
1	2015/0291/FUL	Rebecca Delaporte Allotment Gardens, South View, Uppingham, Rutland Proposed new dwelling at allotments on South View in Uppingham.	Approval
2	2015/0393/FUL	Mr Tim Haywood Cricket Club, Lyndon Road, Manton, Oakham, Rutland LE15 8SR Erection of 2 No. houses.	Approval
3	2015/0829/MAJ	Hawksmead Ltd/Aldi Stores Ltd Land West of, Lands End Way, Oakham, Rutland Proposed retail unit (A1 Use Class) with associated car parking, landscaping and servicing.	Approval
4	2015/0967/FUL	Mr Matthew Brown 2-4 Main Road, Glaston, Rutland 4 No. detached dwellings to be erected.	Approval

This page is intentionally left blank



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

Scale - 1:1250
Time of plot: 09:55
Date of plot: 02/02/2016



Rutland County Council

Catmose,
Oakham,
Rutland
LE15 6HP

Application:	2015/0291/FUL	ITEM 1	
Proposal:	Proposed new dwelling at allotments on South View in Uppingham.		
Address:	Allotment Gardens, South View, Uppingham, Rutland		
Applicant:	Rebecca Delaporte	Parish	Uppingham
Agent:	Mr Tom Runcorn, PW Architects	Ward	Uppingham
Reason for presenting to Committee:		Neighbour objections	
Date of Committee:		16 February 2016	

EXECUTIVE SUMMARY

The revised plans and access arrangements for this new dwelling can be accommodated on the site without detrimental impact on the adjacent Conservation Area, or views into and out of the Area. It therefore accords with the special duty imposed on the Planning Authority regarding Conservation Areas.

The proposed works to allotment gardens at the south of the site will enhance this public provision. Subject to conditions, the scheme is also in accordance with other relevant policies.

RECOMMENDATION

That delegated authority be granted to the Director for Places, on closure of the second consultation period (22 February 2016) for 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 2015/07 11, 12, 13, 14a, & 15.

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

3. No development shall be commenced until precise details of the manufacturer and types and colours of the external facing and roofing materials 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 materials of an acceptable quality appropriate to the area are used, and because these details were not submitted with the planning application.

4. No development shall commence until a programme of archaeological work, comprising an initial phase of trial trenching followed by an appropriate programme of investigation and recording, has been detailed within a Written Scheme of Investigation, submitted to and approved by the local planning authority in writing. The scheme shall include an

assessment of significance and research questions; and:

- The programme and methodology of site investigation and recording (including the initial trial trenching, assessment of results and preparation of an appropriate mitigation scheme)
- The programme for post-investigation assessment
- Provision to be made for analysis of the site investigation and recording
- Provision to be made for publication and dissemination of the analysis and records of the site investigation
- Provision to be made for archive deposition of the analysis and records of the site investigation
- Nomination of a competent person or persons/organisation to undertake the works set out within the Written Scheme of Investigation.

No demolition/development shall take place other than in accordance with the approved Written Scheme of Investigation.

Reason - To allow proper investigation and recording of the site, which is potentially of archaeological and historic significance, and because it would be unreasonable to require that such details be submitted with the planning application when the impact on any archaeological interests would not occur until the implementation stage.

5. The development shall not be occupied until the site investigation and post investigation assessment has been completed in accordance with the programme set out in the Written Scheme of Investigation approved under condition 4, and the provision made for analysis, publication and dissemination of results and archive deposition has been secured.

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

6. No development 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 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 new dwelling is assimilated into its well landscaped surrounds, in the interests of visual amenity and the character of the area, and because sufficient detail was not available with the planning application.

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 new dwelling is assimilated into its well landscaped surrounds, in the interests of visual amenity and the character of the area.

8. The allotment provision indicated on Plan 2015/07 -15 shall be laid out in accordance with the details indicated on that plan prior to the first occupation of the dwelling and thereafter retained as such.

Reason – To ensure that the development can be accommodated without detriment to the continued provision of this public amenity.

Notes to Applicant:

The advice of the Council's Public Rights of Way Officer and Ecological Consultant are both attached for your attention. Notwithstanding this grant of planning permission, various technical details will need agreement between the developer and the Rights of Way Officer before the proposed vehicular access is brought into use.

Further arrangements will be required between the developer and Highway Authority regarding access for contractors and construction traffic.

Site & Surroundings

1. The application site is within the Uppingham Planned Limits to Development. It is located on the southern side of South View, opposite the Beast Hill open space. The boundary of the Uppingham Conservation Area runs along South View, with the application site just outside.
2. Ground levels fall away southwards through the site into a valley at the edge of the town. To the west is a cemetery, with a public footpath at the east, extending southwards into the valley. This path is designated as an "Important Frontage" in Policy SP21 of the adopted Site Allocations and Policies DPD. There are a mixture of existing dwellings further east on South View and also on the opposite side of the highway, including on higher ground around Beast Hill.
3. The site has been previously used as privately controlled allotments, but is now largely overgrown, with only one allotment (at the south) remaining in use.
4. There is a stone boundary wall along the South View frontage.

Proposal

5. The current application proposes the construction of a single detached dwelling at the north of the site, on lower ground facing onto South View. The remainder of the landholding is to be brought back into allotment use.

6. The greater part of the new dwelling is three storeys in height, with the top storey located within the roofspace. There is a further two storey area at the rear, and a separate single storey element on each side. The rear of the proposed dwelling is on lower ground due to the falling ground levels. In total, the accommodation provides five bedrooms, a kitchen/diner and two reception rooms.
7. Vehicular access is taken from the public right of way at the side of the site. The front curtilage then provides a hardsurfaced courtyard and parking area, with the new dwelling on lower level to the south. Beyond the rear garden area, the remainder of the site is to be laid out as four allotments for public use.

Relevant Planning History

8. The site has a recent planning history of applications for a single detached dwelling. In 2007, the committee resolved to grant permission for a new dwelling of different design to the current proposal, subject to conditions and a Planning Obligation. The Obligation was intended to provide a commuted sum for replacement of two parking spaces on the site frontage that would be lost as a result of the new vehicular access for the proposed dwelling. This access also incorporated part of the public footpath at the side of the site but, as its ownership could not be established, the Obligation was never signed and the permission was never issued.
9. A revised application was then submitted in 2013 (2013/0232/FUL), with access now provided directly from South View, avoiding the need for access across the public footpath. However, this application was subsequently withdrawn as the revised access would require the loss of three on-street parking spaces with no land now available within the town for replacement via a commuted sum. Hence (unlike the 2006 application) a recommendation of approval, subject to a Planning Obligation wasn't appropriate.
10. This table summarises the full site history including these two applications.

Application	Description	Decision
79/0459	Two Dwellings	Refused Dec.1979
81/0187	Four Dwellings	Refused May 1981
FUL/2006/0822	One Dwelling and Associated Works	Resolution to approve in June 2007, but no decision issued.
2013/0332/FUL	One Dwelling and Associated Works	Withdrawn 15 July 2013

Planning Guidance and Policy

National Planning Policy Framework (NPPF)

Section 7 Design

Section 11	Natural Environment
Section 12	Historic Environment

The Rutland Core Strategy (2011)

Policies:

- CS1 Sustainable Development
- CS3 Settlement Hierarchy
- CS4 Location of Development
- CS19 Design
- CS21 Natural Environment
- CS22 Historic and Cultural Environment
- CS23 Green Infrastructure, Open Space, Sport and Recreation

Site Allocations and Policies DPD (2014)

Policies:

- SP1 Sustainable Development
- SP5 Built Development in the Towns and Villages
- SP15 Design and Amenity
- SP19 Biodiversity and Geodiversity
- SP20 The Historic Environment
- SP21 Important Open Space and Frontages

Uppingham Neighbourhood Plan

- Policy 1 Conservation Area
- Policy 3 Housing
- Policy 8 Design and Access
- Policy 10 Environment and Open Space

Consultations

11. Two consultations have been undertaken; one on receipt of the application and another on receipt of amended plans. The following is a summary of all comments received during the first consultation, with those from the second consultation added thus far. Members will be advised via the Update Report of any additional responses from the second consultation.
12. **Uppingham Town Council**
Recommend Approval
13. **Planning Policy Manager**
The new dwelling causes a loss of allotment provision, with neither a justification or an alternative provision.
Second Consultation – Amended Plan now accords with planning policy as it incorporates improvements to the allotment provision.
14. **Highway Authority**
No objections, subject to conditions.
Second Consultation – Access via the Public Right of Way is acceptable, subject to use of a hard bound surfacing material. The loss of one parking space from the site frontage will

not require any mitigation.

15. Public Rights of Way Officer

Detailed advice offered regarding protection of the public footpath during and after construction works.

Second Consultation – Various technical issues must be resolved regarding works to the existing Public Right of Way, before it can be used as a vehicular access.

16. Environment Agency

Low environmental risk; no further comments offered.

17. Ecology Consultant

The submitted ecological survey is satisfactory. No objections, subject to limited mitigation.

18. Archaeological Consultant

Conditions required on any approval to secure an investigation into the potential archaeological interests within the site.

Neighbour Representations

19. Four letters of objection were received during the first consultation period, raising the following concerns

- Visual impact on this semi-rural location and Conservation Area
- Impact on rural views from Beast Hill which is a major asset to the town
- Impact on ecological interests within the site
- Loss of green open space
- Loss of amenity and impact on the overall appeal of the town
- Scale of proposal is unclear
- Impact on setting of the Church, Cemetery and Beast Hill
- Additional traffic on South View
- Any residential development should be single storey and further downslope

20. One of these objectors has written again during the second consultation period, repeating concerns about impact on the character and outlook of Beast Hill, and highway safety for pedestrians. However, this letter also supports the re-provision of allotments and suggests that a smaller dwelling might be acceptable.

Planning Assessment

21. The main issues are

- Principle of development
- Impact on allotment provision
- Layout and Design
- Access and Parking

Other matters are then addressed at the end of the report.

Principle of development

22. The site is within the Planned Limits to Development of Uppingham. Residential development is therefore acceptable in principle (Core Strategy Policy CS4), subject to satisfying all the other site-specific issues below.

Impact on allotment provision

23. On receipt of this application, the Planning Policy Manager advised that the proposal was contrary to Core Strategy Policy CS23, in that it would cause the loss of (albeit disused) allotments.
24. However, the amended plans (and associated Allotment Report) now indicate that the southern area of the site will be set out as four allotments, with only the northern part of the site incorporated into the curtilage of the new dwelling. This is an improvement on the current situation on-site, where the allotment area is larger but with much poorer provision. Consequently, the Planning Policy Manager has now advised that the amended plans are in accordance with Policy CS23, subject to an appropriate condition on any approval to ensure that these allotments are made available and then maintained as such.
25. The submitted Allotment Report indicates that these allotments were always in private ownership and rented out on an ad-hoc basis. This declined from nine separate plots in the 1960s, to just one being used in the last three years. The applicant has also researched the public provision of allotments within the town. A total of 80 plots are available, with the Town Council indicating a capacity to provide a further 14 to 17 plots.

Layout and Design

26. As initially submitted, the layout and design of the new dwelling was similar to that which members resolved to approve in 2007. However, your officers consider that this is no longer appropriate today because of new case law in 2014 which clarified that Section 70(2) of the Town and Country Planning (Listed Buildings and Conservation Areas) Act 1990 imposes a duty on the Local Planning Authority to pay special attention to the desirability of preserving or enhancing the character or appearance of the Conservation Area. This now carries significant weight in decision making, rather than just being a single material consideration.
27. In this case, the application site is outside the Conservation Area, but is prominent in views out of the Area into the countryside at the south, and also within views into the Area from that open countryside. Development of the site also impacts on the existing character of Beast Hill which is a significant and characterful part of the Conservation Area.
28. The initial plans indicated a split level design with one and a half storeys at the front and two and a half storeys at the rear. The building was therefore rather squat on the site and also extended across most of the available width, potentially conflicting with existing boundary landscaping. Whilst previously considered acceptable, this does not satisfy the increased duty imposed by the recent case law.
29. Consequently, amended plans were requested to ensure that the scheme now accords with this duty. The dwelling is now taller and narrower, ensuring that it fits more comfortably into the bowl shaped gap on this side of South View, created by the dip in ground levels with taller vegetation on each side. Its design also takes reference from one

of the prominent dwellings on Beast Hill.

30. Although now a taller dwelling, its ground level is set down 4.5 metres from the pavement on South View. With the improved design, this positioning on the site and the hardsurfaced front courtyard, all improves the current derelict and overgrown character of this part of South View, whilst still allowing the longer views from the Conservation Area into the countryside beyond. This preserves and enhances the character and appearance of this part of the Conservation Area and accords with the duty set out in Section 70(2) of the Act. Unlike the previous applications, the current access proposals allow the characterful stone wall to be retained on the site frontage. This also enhances the character and appearance of the Area, in accordance with this duty.
31. That said, the use of the front of the adjacent Public Right of Way as vehicular access for the new dwelling will require levelling and resurfacing, which will create a more suburban character in this semi-rural area. On its own, this will not preserve or enhance the character or appearance of the Conservation Area. However, this can be accepted when balanced against the other aspects of the scheme, as discussed above.

Access and Parking

32. Previous applications for a dwelling on this site have either taken access direct from South View or have used the Public Right of Way at the side. Direct access is not acceptable as it would breach the existing boundary wall, and also cause the loss of on-street parking spaces. Such loss could, in principle be addressed via a commuted sum for replacement provision elsewhere in the town, but the Highway Authority has advised that no suitable locations are available.
33. Use of the Public Right of Way was previously discounted as it is outside the applicant's control. However, it is proposed again via the amended plans for this application, given that the applicant is now relying on Section 34 of the Road Traffic Act 1988 which prohibits the use of vehicles on such a path, unless for the purposes of access to its parking area.
34. The proposal is in accordance with this provision, but will require separate arrangements between the applicant and the Highway Authority to facilitate the necessary levelling and surfacing of this section of the path, before it can be used by vehicular traffic. These technical matters are covered by the Highway legislation and need not be incorporated into any grant of planning permission.
35. This arrangement will still require the loss of one on-street parking space, but the Highway Authority has confirmed that this is acceptable without any replacement provision

Other Matters

36. The revised plans allow for retention of existing trees and shrubs at the side of the proposed dwelling, but their protection is still subject to the recommended landscaping condition. Advice from the Archaeological and Ecological Consultants is addressed via recommended conditions and advisory notes. There are no concerns regarding impact on the residential amenity of neighbouring premises.
37. The Public Right of Way at the east of the site is designated as an Important Frontage, with Policy SP21 requiring that the proposal does not have a detrimental impact on its

value as such. As discussed in the “Layout and Design” section, above, the use of the northernmost end of the Way as vehicular access into the development will have some impact on its character. However, the revised plans reduce impact on vegetation along the Way and therefore maintain its value as an Important Frontage. In this context, the impact on the northernmost end of the Way can be accepted.



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

Scale - 1:1250
Time of plot: 08:51
Date of plot: 02/02/2016



Rutland County Council

Catmose,
Oakham,
Rutland
LE15 6HP

Application:	2015/0393/FUL	ITEM 2	
Proposal:	Erection of 2 no. houses		
Address:	Cricket Club, Lyndon Road, Manton, Oakham, Rutland, LE15 8SR		
Applicant:	Mr T Haywood	Parish	Manton
Agent:	Mr M Webber Nichols Brown Webber LLP	Ward	Martinsthorpe
Reason for presenting to Committee:		Contrary to Policy	
Date of Committee:		16 February 2016	

EXECUTIVE SUMMARY

This application for two detached single storey dwellings in the open countryside is intended to provide enabling development to fund the completion of restoration works at Martinsthorpe Farmhouse, an important heritage asset located on a Scheduled Monument, within the Gunthorpe Estate.

Enabling development can be approved, contrary to policy, if required to facilitate conservation of such a heritage asset. The current application is recommended for approval as the benefits of restoring Martinsthorpe Farmhouse outweigh the issues that would otherwise have resulted in the application being recommended for refusal.

RECOMMENDATION

APPROVAL, subject to a Planning Obligation intended to secure completion of the restoration works at Martinsthorpe Farmhouse, incorporating:

- Completion of the outstanding works at Martinsthorpe Farmhouse
- Timescales for occupation of Martinsthorpe Farmhouse (to ensure that the enabling development isn't completed without the Farmhouse restoration)
- Access to the deserted medieval village around Martinsthorpe farmhouse for educational visits
- No further applications for enabling development for the farmhouse

and 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 630/EM/ P1, P3B, P4B, P5B, P6B, P7B, P8B, P9B, P10B, P11B, P12B, P13 and P16.

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

3. No development shall be commenced until samples of the external facing and roofing materials 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 materials of an acceptable quality, appropriate to the area, are used.

4. No development 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, based on the landscaped areas indicated on Plan 630/EM/P3B. It shall include any proposed changes in ground levels 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 development is well screened and assimilated into the rural character of the immediate area.

5. 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 development is well screened and assimilated into the rural character of the immediate area.

6. 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.

7. The limit of the curtilage of each dwellinghouse, for the purposes of Article 3, Schedule 2, Part 1 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) is as defined by the boundary line on Drawing No. 1, attached to this permission.

Reason: For the avoidance of doubt and to avoid an expansion of householder development, detrimental to the character of the open countryside.

8. No development shall proceed other than in accordance with the provisions of the Ecological Mitigation Strategy set out in Section 6 of the Ecological Appraisal Report (July 2013) prepared by ADAS UK Ltd.

Reason: In order to safeguard the protected wildlife species that are known to exist

on site, and to enhance their habitat.

Notes:

1. With regard to Condition 4, the developer is asked to consider the attached advice of the Council's Forestry Officer.

Site & Surroundings

1. The application site is adjacent to the A6003, on the eastern side of Manton Top. It is of a broadly triangular shape, with the A6003 to the west, Lyndon Road to the north, and Lodge Lane (un-adopted) at the east, tapering southwards towards the A6003. The site is outside the Planned Limits to Development of Manton Village and therefore in the Open Countryside. Manton does not have a Conservation Area.
2. The site is open and grassed, currently used for agricultural grazing. It was previously rented by Manton Cricket Club until they disbanded in circa 1999. There are no obvious traces of this earlier use.
3. Ground levels drop southwards and westwards across the site, as Manton Top gradually gives way to the valley of the River Chater. There is tree and hedgerow cover on all boundaries and a single sycamore tree within the north-east area of the site. A telecommunications tower is located in the north-east corner.
4. There are two access points on Lodge Lane. Firstly, a hardsurfaced and gated entrance adjacent to the telecommunications tower, used by telecom operators, then secondly an unsurfaced gated entrance (now overgrown) further south.
5. Lodge Lane also serves Manton Lodge Farm and Manton Lodge Cottage at the south-east of the application site. Beyond here, the carriageway is gated, and impassable by vehicle.

Proposal

6. This application proposes two new detached dwellings at the north-east of the former cricket ground close to the sycamore tree, which is proposed for felling. Although the application site extends across the whole of the former ground (2.3 hectares), the proposed dwellings and associated development are within clearly defined residential curtilages (0.4 hectares in total).
7. The only other proposed development is a bund and acoustic fencing inside the north and west boundaries, located within a structural planting belt of 15 metres width. Land outside the residential curtilages remains in grazing use, with access available via the northernmost of the two entrances on Lodge Lane.
8. Both proposed dwellings take shared access from the southernmost of the two entrances on Lodge Lane. Each then has a hardsurfaced front curtilage with an

open-fronted double garage. Private garden areas are proposed at the rear (west). There is a shared outbuilding at the north, for use as wood pellet boiler and woodchip storage area. Amended plans have reduced the size of both plots and adjusted their layout.

9. Both proposed dwellings are now four-bedroomed and two-storey, with an additional single storey element on one side. They are designed in a plain form, intended to match the Rutland vernacular. The key materials are coursed local limestone and artificial stone slates.
10. The application has been submitted as “Enabling Development”, whereby the development value is intended to part-fund the restoration of Martinsthorpe Farmhouse, an iconic listed building within the Gunthorpe Estate and in the same ownership as the application site.
11. Various documents were submitted with the application, with some of these explaining the need for enabling development:
 - Design & Access Statement
 - Enabling Development Statement
 - Noise Survey
 - Ecological Appraisal

Relevant Planning History

Application	Description	Decision
<u>Martinsthorpe (Works to the Listed Building):</u>		
APP/2011/0633	Side extension and restoration works	Approved 18-10-11
APP/2011/0634	Extension, and external & internal alterations (LBC)	Approved 8-10-11
APP/2012/0154	Extension, and external & internal alterations (including new staircase & fire doors) (LBC)	Approved 07-09-12
2013/1132/FUL	Removal of Holiday Let Condition	Approved 15-05-14
2014/0095/LBA	New dormer onto extension	Refused 15-05-14 Appeal Dismissed 30-03-15
<u>Gunthorpe (Previous applications for Enabling Development):</u>		
2013/1130/FUL	New dwelling	Withdrawn

03-03-14

2013/1128/FUL New dwelling (part subterranean)

Refused
03-06-14

Manton (current application site):

None Relevant

Planning Guidance and Policy

National Planning Policy Framework (NPPF)

Paragraphs:

55	Housing in the Countryside
56 & 64	Design
118	Biodiversity
128, 129, 131 & 132	Heritage Assets
140	Enabling Development
215	Relationship of the NPPF to existing Development Plans

The Rutland Core Strategy (2011)

Policies:

CS3	Settlement Hierarchy
CS4	Location of Development
CS8	Developer Contributions
CS11	Affordable Housing
CS19	Design
CS21	Natural Environment
CS22	Historic and Cultural Environment

Site Allocations and Policies DPD (2014)

Policies:

SP6	Housing in the Countryside
SP15	Design and Amenity
SP19	Biodiversity and Geodiversity
SP20	The Historic Environment
SP23	Landscape Character in the Countryside

Other Material Considerations

Enabling Development and Conservation of Significant Places (English Heritage: 2008)

Enabling Development

The NPPF and English Heritage Guidance (both referenced, above) provide a framework for considering applications that are contrary to policy, but justified as necessary to provide funding for the conservation of a heritage asset. Following a restructure in 2015, the English Heritage Guidance is now administered by "Historic England", but, in the absence of a

replacement publication, is still referenced by its original title, below. The following paragraphs specifically examine the Guidance in greater detail to provide an appropriate background for consideration of the current application.

Firstly, any negative gap between the final value of the restored heritage asset and the cost of restoration is known as the “Conservation Gap”, with the additional proposals known as “Enabling Development”.

Secondly, it should be noted that enabling development is only applicable in situations where the cost of conserving the heritage asset cannot be met via developments that accord with policy. This is relevant to the current case where the landholding is wholly within the open countryside where new market housing would be contrary to policy.

The key guidance is set out in paragraph 140 of the NPPF:

“Local Planning Authorities should assess whether the benefits of a proposal for enabling development, which would otherwise conflict with planning policies but which would secure the future conservation of a heritage asset, outweigh the disbenefits of departing from those policies.”

The English Heritage Guidance “Enabling Development and Conservation of Significant Places” then provides detailed advice on how to address this. It commences with an overriding policy which establishes various criteria to be satisfied:

“Enabling development that would secure the future of a significant place, but contravene other planning policy objectives, should be unacceptable unless:

- a it will not materially harm the heritage values of the place or its setting
- b it avoids detrimental fragmentation of management of the place
- c it will secure the long-term future of the place and, where applicable, its continued use for a sympathetic purpose
- d it is necessary to resolve problems arising from the inherent needs of the place, rather than the circumstances of the present owner, or the purchase price paid
- e sufficient subsidy is not available from any other source
- f it is demonstrated that the amount of enabling development is the minimum necessary to secure the future of the place, and that its form minimises harm to other public interests”
- g the public benefit of securing the future of the significant place through such enabling development decisively outweighs the disbenefits of breaching other public policies.

These are robust criteria, to ensure that any permission granted for such enabling development can be accepted as a justifiable departure from normal policy. The final criterion is the most critical as it deals with the potential extent of departure from normal policy.

The Policy is then expanded into further guidance:

“If it is decided that a scheme of enabling development meets all these criteria, English Heritage believes that planning permission should only be granted if:

- a the impact of the development is precisely defined at the outset, normally through the granting of full, rather than outline, planning permission
- b the achievement of the heritage objective is securely and enforceably linked to it, bearing in mind the guidance in ODPM Circular 05/05, Planning Obligations
- c the place concerned is repaired to an agreed standard, or the funds to do so are made available, as early as possible in the course of the enabling development, ideally at the outset and certainly before completion or occupation.
- d. the planning authority closely monitors implementation, if necessary acting promptly to ensure that obligations are fulfilled.”

This is intended to ensure that anything granted permission as an exception to normal policy can be justified as providing a net gain as “enabling development” and then be implemented as such. For this reason, it is also implicit that the planning application(s) for enabling development be submitted at the same time as those for the heritage asset.

The current application is assessed against the English Heritage Policy and Guidance later in this report.

Consultations

12. Two separate consultations were undertaken; firstly on receipt of the application and then on receipt of amended designs for the proposed dwellings.
13. **Manton Parish Council**
First Consultation:
 Objection, as the public benefit of restoring Martinsthorpe Farmhouse is outweighed by the harm caused by breaching other policies. The submitted documentation does not justify enabling development in this case, especially as the application for works to Martinsthorpe Farmhouse and this application for enabling development were not submitted concurrently (in accordance with the English Heritage Guidance). The proposed location also contravenes Core Strategy Policies CS4 (Location of Development), CS10 (Housing Density & Mix) and CS19 (Design). Some of the supporting documentation is also out of date.
Second Consultation:
 The amended plans and additional landscaping do not overcome the Parish Council’s objection to the principle of development.
14. **Highway Authority**
First Consultation:
 No objection, subject to conditions and an advisory note on any grant of permission.

15. **Public Rights of Way Officer**
First Consultation:
No comments, given that proposal doesn't appear to impact on an adjacent bridleway.
16. **Environmental Health Officer**
Second Consultation:
No objections, given that noise levels within the proposed dwellings are likely to be lower than those indicated from the monitoring points used in the submitted survey report. However a mitigation scheme, supported by further assessment should be required by conditions on any grant of permission.
17. **Ecological Consultant**
First Consultation:
No objections subject to the mitigation measures set out in the applicant's Ecological Appraisal.
Second Consultation:
No additional Comments
18. **Archaeological Consultant**
Second Consultation
Due to known early medieval remains in the vicinity, a condition is recommended for any grant of permission, requiring archaeological investigation and mitigation.

Neighbour Representations

19. Again, two separate consultations were undertaken; firstly on receipt of the application and then on receipt of amended plans.
20. Seven letters of objection were received in response to the first consultation; five of these respondents wrote again after the second consultation. The various objections can be summarised as:

Site-specific concerns

- New residential development in such an unsustainable location in the open countryside is contrary to Development Plan policy
- Large "executive type" houses are out of place in this location
- Detrimental impact on the approach to the village from Oakham and Uppingham
- If subsequently extended, the dwellings would have greater detrimental impact
- A greater mix of housing, at affordable levels, is required for Manton
- The present no-through road would become busy with additional cars
- Approval of this application would effectively erase the Planned Limit to Development around this side of the village
- The proposed design and landscaping is inappropriate for this location

- Approval would be inconsistent with previous refusals of planning permission for new housing outside the Planned Limits to Development of Manton village.
- Justification for enabling development:
- This site was previously dismissed by the applicant when an earlier proposal was submitted for enabling development on a different site
- The application does not accord with English Heritage Guidance on Enabling Development
- The application for works to Martinsthorpe Farmhouse, and this application for enabling development, should have been submitted concurrently, in accordance with English Heritage Guidance; no mention of enabling development was made when the applications were submitted for restoration of Martinsthorpe Farmhouse
- Enabling development is no longer required as Martinsthorpe is now secure and in no danger of structural damage; is the current proposal intended to support the future use, not just restoration?
- Use of enabling development to fund a commercial operation such as the use of Martinsthorpe as a holiday let is inappropriate
- Even if accepted that the application accords with English Heritage Guidance, the benefits of the restoring Martinsthorpe Farmhouse do not outweigh the conflicts with established planning policy
- The benefits of the proposed enabling development seem greater than necessary to just secure the future of Martinsthorpe Farmhouse
- Any references to the benefits of Enabling Development for the Martinsthorpe Medieval Deserted Village cannot be justified if the only proposed works are to the Martinsthorpe Farmhouse
- English Heritage Guidance requires that other funding options for works to the heritage asset be explored before relying in enabling development
- The applicant should be directed towards funding sources for restoration of Martinsthorpe that do not contradict established planning policies
- Any Enabling Development would be more appropriately situated within Gunthorpe itself; Manton should not have to accept the impact of this proposal
- English Heritage should be consulted on the application
- Amended Design and Layout
- The amendments do not affect the key points raised earlier
- The smaller plot sizes leave further land available for future development

21. In response to the amended plans, solicitors acting for one of the objectors have referred to the absence of dialogue with English Heritage. They also suggest that enabling development has not been substantiated in this case, and specify that further actions would be considered if RCC concludes that enabling development is justified.

Planning Assessment

22. This application raises two overriding considerations. Firstly, an assessment of the justification for enabling development to secure the future of Martinsthorpe Farmhouse. Secondly an analysis of the current application, to establish if the extent of conflict with policy is justified because of the benefits arising from the restoration of Martinsthorpe.
23. A final section of this report then addresses any outstanding consultation comments.
24. **Principle of new Housing in the Countryside as a means of providing Enabling Development for Martinsthorpe Farmhouse**

(i) Housing in the Countryside

25. This proposal is for two new dwellings in the open countryside, not justified as required for an agricultural worker or to satisfy local affordable housing needs. It is therefore contrary to key national and local policies and could be recommended for refusal as a matter of principle.

(ii) Martinsthorpe

26. The applicant has specified, however, that this proposal is intended to provide “enabling development” for completion of restoration works at Martinsthorpe Farmhouse.
This is a late 17th Century listed building (Grade II) in an isolated location at the south of the Gunthorpe Estate, 1 km to the west of Manton Top and 1km south of Gunthorpe Hall. Located on higher ground, it is visible for some distance across open countryside, and provides a very distinctive and characterful feature. Its key materials are stone walls with a stone tiled roof.
27. It was initially constructed as a service wing to the former Martinsthorpe House, which was itself built on the site of the “Martinsthorpe deserted medieval village”. When the House was demolished in the 18th century, the service wing was converted into a separate farmhouse with livestock accommodation. It is surrounded by (but not included within) the earthworks of the deserted medieval village, now designated as a Scheduled Monument.
28. The only vehicular access is by a concrete track from Gunthorpe Hall. To the south of the building is a bridleway and footpath following the line of the ridge. This forms part of the Macmillan Way long distance footpath.
29. The farmhouse has been unoccupied since the 1950s, and has fallen into a state of disrepair, but was never regarded as an “abandoned dwelling”. Although its listed building status is no higher than Grade II, its appearance, setting and location contribute significantly to the character of Rutland. Given this, the recent efforts to restore the building to a habitable condition and secure its future, are welcomed.

(iii) Restoration

30. Planning Permission and Listed Building Consent (refs: APP/2011/0633 and APP/2012/0154) were granted respectively on 18 October 2011 and 7 September 2012, for works necessary to restore Martinsthorpe Farmhouse and use it as a holiday let. This included a two storey extension to the western side elevation to provide a store / boiler room on the ground floor, with new bedroom above. Works commenced later in 2012.
31. The developer has indicated that, at the time of applying for the restoration works on the farmhouse, he was not aware of any impending conservation gap. However, he subsequently provided a Written Statement indicating that financial figures were recalculated when the building contractor who commenced the restoration works ceased trading in February 2013 and works halted on site. In particular, a post-commencement inspection of the roof structure had indicated that significantly more restoration work would be required.
32. Consequently, the post-commencement costs had escalated significantly. The shell of the building and its extension were made watertight but without the works being completed.

(iv) The Case for Enabling Development

33. The developer entered pre-application discussions with your Officers to establish if it would be possible to submit applications for a package of enabling developments to fund the completion of these works.
34. As a first step, your officers sought independent advice (at the applicant's expense) from a quantity surveyor specialising in historic buildings, and from a property valuer. After an analysis of the developer's costings, their final reports indicated that there was a significant conservation gap between the cost of the restoration works and the final value of the property. A summary of key figures, and a full copy of the Quantity Surveyor's Advice is set out as Appendices One and Two, in the exempt papers for this report.
35. Appendix One identifies the likely market value of the new dwellings, then deducts the total build costs to establish the available profit for use in restoring Martinsthorpe. The quantity surveyor broadly agreed with the revised costs for each element of the building works at Martinsthorpe, although Appendix Two does identify areas where he revised the costs downwards. This was accepted by the owner.
36. Given this, it was accepted by your Officers that the extent and cost of restoration works necessary to secure the future conservation of this heritage asset, do warrant some enabling development.
37. The extent of the conservation gap requires additional housing as enabling development to provide the necessary funding. Mindful that enabling development is

not a justification for putting all planning policy to one side, your officers strongly advised the developer to seek locations close to the central part of the Gunthorpe Estate so that the new development would become part of the existing complex of buildings (Gunthorpe Farm, Gunthorpe Hall, and its associated dwellings), rather than sporadic development in an isolated location.

38. An enabling package was then submitted, including an application for one dwelling on higher ground at the north of Gunthorpe Farm (2013/1128/FUL) and an application for an additional dwelling adjacent to other estate dwellings on South Lane, the main driveway to Gunthorpe Hall (2013/1130/FUL).
39. The applicant accepted that the proposed enabling development would not bridge the entire conservation gap, but that he would be in a position to complete the restoration with the development value from these applications. However, the South Lane application was withdrawn on 3 March 2014, for estate management reasons. The other application was then refused permission on 3 June 2014 because the visual impact of the proposal was too significant to be justified as necessary to secure the restoration of Martinsthorpe Farmhouse.
40. NOTE: Further applications were submitted for removal of the restriction on use solely as a holiday let and for the addition of a rear dormer on the part-constructed side extension. Albeit not part of any enabling development, the applicant advised that these further proposals would increase the value of the property and help to make the restoration viable. A new planning permission without the holiday let restriction was granted on 15 May 2014. The application for listed building consent for an additional dormer was refused under delegated powers on the same day, due to its detrimental impact on the character and setting of the listed building. An appeal against this refusal was subsequently dismissed on 30 March 2015.

(v) Assessment

41. The restoration of Martinsthorpe offers public benefit, given that it is a “significant place” with a distinctive character arising from its open and isolated location. However, consistent with paragraph 140 of the NPPF, an assessment of any application for enabling development must commence with two key questions:
 - can the future conservation of this heritage asset be secured without enabling development ?
 - if not, does the public benefit of conserving this asset outweigh the disbenefits of the enabling development departing from normal policy ?
42. For reasons set out in the previous sub-section of this report, it is accepted that enabling development is justified due to the extent and cost of works necessary to restore Martinsthorpe Farmhouse. However, as with the two previous applications for enabling development at Gunthorpe, this application for enabling development was submitted after works had commenced, raising the question of why is it now necessary when the landowner was clearly in a position to commence the restoration works without (at that stage) requiring such enabling development. From the detailed advice given to your Officers by the independent quantity surveyor, it is clear that the

total estimated cost of works anticipated at the time of commencement were too low. It is also accepted that a significant element of these increased costs (ie: restoring the roof), only became obvious after commencement of the works.

43. If this had been realised at the outset, it is likely that any application for enabling development received at the same time as the applications for restoration would, in principle, have resulted in the same independent advice that enabling development is justified. Given the total figures involved, any small variation in individual costs during the intervening period is unlikely to affect this final conclusion. The figures considered by both the independent quantity surveyor and valuer were based on the costs and value of restoring the heritage asset, not the circumstances of the landowner. Also, there are no other subsidies available for the restoration of Martinsthorpe.
44. It can therefore be accepted that the need for enabling development is justified, even though the current application was submitted after commencement of the restoration works. It should also be noted that work ceased on Martinsthorpe Farmhouse and has not recommenced.
45. It is implicit in the key policy at the front of the English Heritage Guidance, that the works being funded by enabling development should be those necessary to conserve the heritage asset, not any additional works. This is pertinent to the current application, as the restoration works at Martinsthorpe Farmhouse include a new extension as well as works to the existing building. However, the extension is considered necessary for the restoration of the building and for its future viable use, as it accommodates ancillary equipment such as the heating system, in a manner that does not impact on the historic fabric. It also provides storage space and thereby reduces the pressure for detrimental external storage.
46. Further consideration must also be given to the fact that much external work has already been undertaken, given that asking for enabling development to cover these costs retrospectively, would be contrary to the English Heritage Guidance. Consequently, any enabling development at this stage can only be justified as necessary to fund the outstanding works, which are primarily (but not entirely) internal.
47. In response to this, the applicant has provided a detailed breakdown of the outstanding works. This schedule of outstanding works is included within the exempt papers as Appendix Three. Each item includes the costings previously accepted by the Council's independent quantity surveyor, adjusted downwards for any works that are already completed. A comment from the surveyor on why he accepted each figure is included within his report in Appendix Two. Following discussions with your Officers, some items within the schedule have been excluded from the justification for enabling development, as as they are desirable rather than essential for conservation of the building. The applicant has also acknowledged that any increased costs since that previous assessment will be borne by himself.
48. The remaining conservation gap established in Appendix Three can be compared against the likely development value from the two dwellings currently proposed (ie

the enabling scheme) as already identified in Appendix One of the exempt papers. This concludes that the proposed dwellings would bridge much, but not all, of the conservation gap.

49. The applicant has accepted that he will have to bear the cost of the remaining gap and that no further applications for enabling development will be submitted. This is incorporated into the recommended Planning Obligation.
50. Given all this, the current application satisfies the following criteria in the English Heritage Policy.
 - c. The heritage asset has a secure future in a sympathetic use
 - d. The enabling development addresses the needs of the place, not the circumstances of the landowner
 - e. No subsidy is available from other sources

NOTES:

1. Criteria a and b are considered in a later section, below.
 2. These criteria are all in the English Heritage Policy. English Heritage Guidance is considered later in this report.
51. Therefore, the principle of further development to enable the restoration of Martinsthorpe Farmhouse can be accepted. Consideration must now move on to whether the current proposal can be accepted as such enabling development. Although undertaken in a similar manner to the assessment of any proposal that isn't required as enabling development, this analysis must also take the English Heritage Policy and Guidance into account.

Analysis of the current application

52. To satisfy criteria "f" and "g" of the English Heritage Policy, consideration must be given to the issues that would normally be addressed in dealing with new housing proposals. This is to establish the extent to which the enabling development conflicts with normal restraint policies. If the current application is to be approved, the benefit of the enabling development should decisively outweigh the disbenefits of breaching those policies.

(i) Site Selection

53. Given the need for restoration of Martinsthorpe Farmhouse, the landowner has maintained regular dialogue with your Officers in recent years. This has focussed on potential sites for enabling development. In their pre-application advice, your Officers suggested that the Gunthorpe Estate would be the most appropriate location, given that new development can be more easily assimilated into a landscape that already contains a number of existing buildings, such as Gunthorpe Hall, Gunthorpe Farm and various other estate dwellings. Long distance views and the associated impact on the open countryside are then mitigated by the significant tree screening within this central part of the Estate.

54. That said, many potential locations within this area were discounted by the landowner because of conflict with the working farm or because other locations within the wooded areas would be very enclosed and not raise sufficient development value. Nevertheless, this initial analysis identified two potential sites and resulted in the two separate applications for individual detached dwellings, referenced above.
55. However, as these didn't succeed for reasons other than the need for enabling development, attention moved to other, less central, locations within the Gunthorpe Estate and associated landholdings, including the current application site. Your Officers advised against most of these as they would have created isolated, unsustainable development within the open countryside.
56. With regard to the currently proposed site, your Officers provided written advice on the issues to be addressed, whilst also repeating that any suitable site within the central area of the Estate would be preferable in principle.

(ii) Location

57. The application site is in the open countryside, but close to the village of Manton. If the current proposal were not being considered as enabling development, it is most likely that it would be recommended for refusal because it is contrary to the key principles that restrain new housing development in the open countryside.
58. However, if it is accepted that attempts to find a more suitable location within the central part of the Gunthorpe Estate were not successful, and that other locations within the same landownership would result in isolated and unsustainable development in the open countryside, it can be concluded that the current site is the best available. Unlike the more isolated sites considered at pre-application stage, it is close to road links and to the village of Manton, which is identified as a Smaller Service Centre via Core Strategy Policy CS3.
59. With specific regard to English Heritage criteria, there is some intervisibility between Martinthorpe Farmhouse and the proposed enabling development, but the distance of 1,000 metres between them (across the A6003), ensures that the proposed enabling development would not have any impact on the setting of Martinthorpe. It thereby satisfies these criteria within the English Heritage Guidance:
- a. No harm to the heritage asset or its setting
 - b. No detrimental fragmentation of the place

(iii) Bulk and Design

60. The design of these dwellings is based on the Rutland vernacular and is appropriate in the context of Manton village. The key finishing materials of coursed local limestone and artificial stone slates are also appropriate.

(iv) Landscaping

61. Although the site boundaries contain well established tree and hedgerow planting, this is thin in places and would allow views of the proposed new dwellings with associated impact on the rural character. Total screening of a new development is rarely justified and could often become a contrived and discordant feature by itself. In this case, however, it is justifiable to incorporate additional structural planting inside the site boundaries to enhance the setting of the new dwellings and ensure that any views are within a rural context dominated by soft landscaping.
62. The site is currently open to limited views through the existing boundary planting, from Lyndon Road at the north and Preston End at the east. It is not open to longer views from these directions. The site is open to similar restricted views from the A6003 at the west and also to longer views from open countryside to the west and south west. However, due to existing woodland planting, the site is not open to views across the Chater Valley from higher ground at the south, particularly from Preston and from the A6003 when traveling northwards.
63. Given all this, the applicant has proposed additional structural planting of 15 metres width along the western and northern boundaries of the site (ie the A6003 and Lyndon Road), incorporating native species. An additional group of such planting is then proposed at the north-east of the site, separating the new dwellings from the telecommunications mast and field access.
64. This is a significant extent of structural planting and, subject to appropriate conditions on any grant of planning permission, would achieve the objective of providing an appropriate setting for the development and minimising its impact on views from outside the site. However, it wouldn't have a significant immediate impact, as the new planting would take some years to mature.
65. Individual new tree planting is proposed on the eastern (front) boundary, facing Lodge Lane.
The curtilage of each plot is then demarcated by new shrub planting and further individual tree planting along post and rail stock fencing. Subject to conditions on any grant of planning permission, this is all appropriate to the location and proposed development. Given the extent of new planting, the loss of the existing sycamore can also be accepted.
66. A Tree Protection Condition is recommended above, given that construction of the driveway and front courtyards could impact on the root protection areas of existing trees along the eastern site boundary.

(v) Ecology

67. The Ecology Report submitted with the application concluded that the proposal is unlikely to impact on Rutland Water or any of the other wildlife sites within the area. It also concluded that the existing hedgerows around the site have ecological value as wildlife corridors, but that the proposed development would not cause any direct

impact on this provided the corridors are retained within the proposed development. However, further bat and reptile surveys would be required if the proposal is changed. Various mitigation measures are also recommended.

68. The Council's Ecology Consultant has raised no objections subject to these mitigation measures. The Applicant's Design and Access Statement confirms that all existing trees and hedgerows will be retained, albeit that the isolated sycamore tree will need to be felled to accommodate the northernmost new dwelling. This is all incorporated in the recommended condition and advisory note.

(vi) Noise Disturbance

69. Noise mitigation from A6003 traffic was assessed via a Noise Survey Report submitted with the application. This concluded that noise levels can be controlled internally, but that road noise would be audible within external areas. The application therefore includes a 2metre high acoustic fence located on a 1 metre high bund inside the northern and western site boundaries. As this is within the proposed 15 metre structural planting belt (see above), it would not have a detrimental visual impact.
70. The Environmental Health Officer has raised no objections to this, given that the to the source of road noise. Noise levels within the proposed dwellings are therefore likely to be lower than those indicated in those survey results. He has advised that, notwithstanding the proposed acoustic fencing, a mitigation scheme supported by further assessment is required by a condition on any grant of permission. This advice is not taken up within the recommended conditions above, as the proposed development does not cause any off-site impacts.

(vii) Highways and Access

71. The proposed access and parking arrangements are acceptable, and the Highway Authority has raised no objection. However, given that access is taken from an un-adopted road, there is no justification to impose conditions controlling such matters as sight lines.

(viii) Conclusion

72. Given all this, it is concluded that the site-specific issues arising from this proposal have all been addressed satisfactorily. However, such development in the open countryside is still contrary to the principle of resisting new dwellings in the rural area.
73. Therefore, the key consideration is whether the principle of two dwellings in this location (albeit with all other matters addressed) can be accepted as an exception to normal policy, given that this scheme would provide for completion of the restoration works at Martinthorpe Farmhouse.
74. Given that a suitable site is not available within the central part of the Gunthorpe Estate, and that other sites within the same landholding are isolated and more

unsustainable, it is now acknowledged that this site is the best available. Given the substantial landscaping proposals, softening the visual impact of the scheme, and given the benefits of this enabling development for the listed building at Martinsthorpe, an approval of the current application is recommended.

75. This requires acceptance of two new houses (otherwise unacceptable in principle within the open countryside), in order to secure the future of one dwelling. However, this is an appropriate “trade off” given the special characteristics of Martinsthorpe Farmhouse.
76. Albeit that this site wasn’t the “first choice” of your Officers during pre-application discussions, it is more appropriate than the site previously refused permission at the north of Gunthorpe Farm. That site was on higher ground, without the potential to provide the extent of tree screening that is possible here. Its individual non-traditional design, would have also been visible for some distance across the open countryside. The currently proposed site is in a less isolated location, but with the greater potential (demonstrated above) to be assimilated into its surroundings and not appear out of place.
77. That said, a Planning Obligation is required with any approval of enabling development to ensure that the specified benefits for the heritage asset are used in the agreed manner. The applicant’s supporting statement identifies his willingness to include the following commitments:
 - Completion of the outstanding works at Martinsthorpe Farmhouse
 - Timescales for occupation of Martinsthorpe Farmhouse (to ensure that the enabling development isn’t completed without the Farmhouse restoration)
 - Access to the deserted medieval village around Martinsthorpe farmhouse for educational visits
 - No further applications for enabling development for the farmhouse
78. Developer contributions and off-site affordable housing are not required with any grant of permission for enabling development, as this would deflect the benefits away from the intended purpose or possibly result in an application for greater development to cover these costs as well as restoration of the heritage asset. Hence no such contributions are requested with this application.

Outstanding Consultation Comments

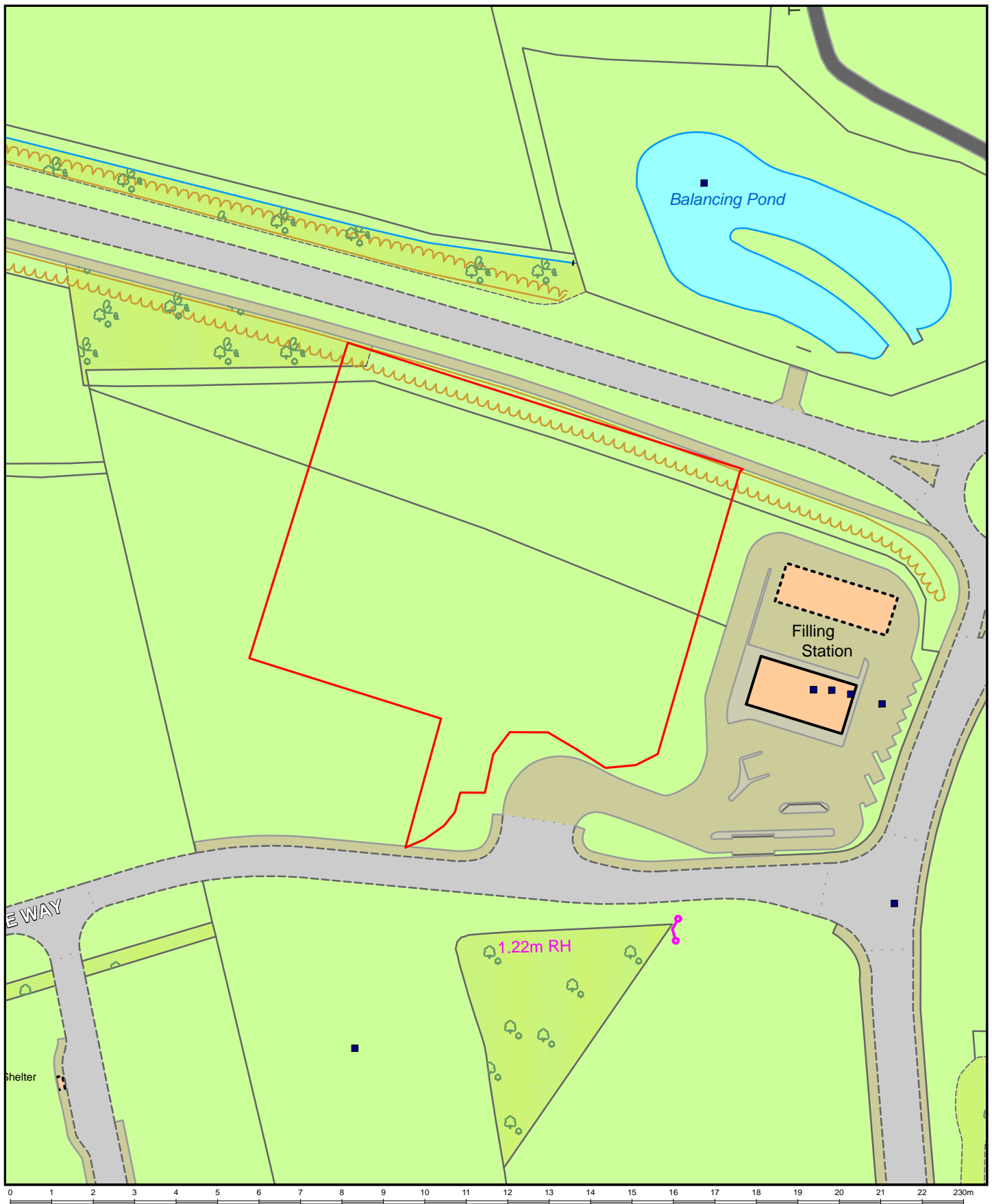
79. This final section of the report deals with comments offered by consultees and other third parties that have not been addressed above.
80. The Parish Council and various neighbours are factually correct that the current application contravenes the key policy of restraint on development in the rural area. This is accepted, but consideration must then move on to whether this is justified by the associated restoration of Martinsthorpe Farmhouse.

81. Comments regarding the size of the proposed dwellings are noted, but they are designed to fit in with the general character of Manton and to provide sufficient value for the landowner to complete the Martinthorpe restoration. A development of smaller dwellings could also be considered, but would require a greater number of properties and land area to achieve the same result. This would be a less justifiable conflict with current policies.
82. Given that the breach of current policy arising from approval of the current scheme is only justified by the enabling development, it does not establish any principle that other residential development in this area or any expansion of the Manton PLD would then be more likely.
83. Given that the most recent permission for restoration of Martinthorpe Farmhouse did not retain the holiday let condition, it cannot be argued that the enabling development would be subsidising a commercial operation.
84. Solicitors acting for one of the objectors have referred to the absence of dialogue with English Heritage, and specied that further actions would be considered if RCC concludes that enabling development is justified. It should be noted, however, that English Heritage was consulted on the restoration works at Martinthorpe and raised no objection. The English Heritage Guidance of 2008 was also followed closely in preparing this report; this has set out the necessary requirements for the current application which has no direct impact on a heritage asset and does not therefore warrant any further consultation.

By virtue of paragraph(s) 3 of Part 1 of Schedule 12A
of the Local Government Act 1972.

Document is Restricted

This page is intentionally left blank



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

Scale - 1:1250
Time of plot: 08:55
Date of plot: 02/02/2016



Rutland County Council

Catmose,
Oakham,
Rutland
LE15 6HP

Application:	2015/0829/MAJ	Item 3	
Proposal:	Proposed retail unit (A1 Use Class) with associated car parking, landscaping and servicing.		
Address:	Land West Of, Lands End Way, Oakham, Rutland		
Applicant:	Hawksmead Ltd / Aldi Stores Ltd	Parish	BARLEYTHORPE/ (OAKHAM ADJACENT)
Agent:	Stoas Architects	Ward	Oakham North West
Reason for presenting to Committee:		Contrary to the Development Plan	
Date of Committee:		16 th February 2016	

EXECUTIVE SUMMARY

Planning permission has been previously granted on the site for a supermarket, the additional loss of employment land to facilitate a larger store would not be significant. There would also not be a significant adverse impact upon the vitality or viability of Oakham Town Centre, subject to a section 106 agreement to secure a financial contribution towards public realm improvements in the town centre. In these circumstances an exception to the policies of the Development Plan is justified.

RECOMMENDATION

APPROVAL, subject to:

a) The satisfactory completion of a S106 Agreement to secure a financial contribution towards public realm improvements in the town centre (if an agreement is completed by 29th February 2016); and

b) 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; Site Location Plan C15A44-P001, Proposed Floor Plan C15A44-P200, Proposed Elevations C15A44-P201, Proposed Elevations C15A44-P202, Proposed Roof Plan C15A44-P203, Proposed Site Section C15A44-P204 Rev B, Site Plan C15A44-P003 Rev D, Drainage Plan C15A44-P004 Rev F, Landscaping Plan C15A44-P005 Rev E, Tree Constraints and Protection Plan GC.107305.201 Rev B, Cycle Stand Detail Ad5901, Loading Bay Ramp W208 Rev 2, Proposed Site Access Arrangements A1-12057-010 Rev A, 16.650m HGV Swept Path Analysis A1-12057-TR001 Rev A, Area of Flood Exceedance Plan 12057-SK160121.1. Reason - For the avoidance of doubt and in the interests of proper planning.
3. Within nine months of the first public opening of the retail unit, a Travel Plan based upon the provisions set out in the Framework Travel Plan submitted with the planning application shall be submitted to and approved in writing by the Local Planning Authority. The measures set out in the approved Travel Plan shall then be carried out within the timescales specified. Reason - To promote non-car modes of travel for staff, visitors and

shoppers, in the interests of sustainability.

4. No development shall be commenced until precise details of the manufacturer and types and colours of the external facing and roofing materials 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 materials of an acceptable quality appropriate to the area are used.
5. All planting, seeding or turfing shown on the approved landscaping plan C15A44-P005 Rev E shall be carried out during the first planting and seeding season, (October to March inclusive) following the commencement of the development or 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, which 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 satisfactory implementation of the approved landscaping scheme.
6. The building's services plant shall not exceed the noise emission limits and predicted noise levels as set out in section 7 of the revised Noise Assessment Report 2014 (Sandy Brown, 30 April 2014) as submitted as part of the planning application. Reason - To ensure that the plant services do not generate detrimental levels of noise pollution.
7. Prior to commencement of development, a scheme of external lighting shall be submitted to and approved in writing by the Local Planning Authority. The approved scheme shall then be implemented prior to the first public opening of the retail unit and be maintained thereafter in accordance with these details. Reason - To minimise skyglow and other light pollution, in the interests of the amenity of the area.
8. Prior to the first public opening of the retail unit, the car parking area (including disabled spaces) shall be laid out, hard surfaced and delineated in accordance with the approved details. Thereafter the spaces shall not be used for any other purposes including other parking within the disabled spaces. Reason - In the interests of highway safety and convenience, by ensuring that adequate off-street parking is provided and maintained thereby avoiding on-street parking, and to ensure convenient parking facilities for people with disabilities.
9. The development hereby permitted shall only be undertaken in complete accordance with the sustainable drainage scheme for the site, in accordance with the submitted plans, numbered 12057-SK160121.1, C15A44-P004F, and the permeability calculations dated 21/01/2016 03:22PM. Prior to the first public opening of the retail unit, a long term management and maintenance plan for the sustainable drainage scheme for the site shall be submitted to and approved in writing by the Local Planning Authority. The approved sustainable drainage system shall be retained and shall be managed and maintained in complete accordance with these approved details. Reason – To ensure that adequate drainage facilities are available and maintained for the site.
10. All surface water from the parking and manoeuvring area shall be passed through a petrol interceptor prior to disposal to groundwater, watercourse or surface water sewer and the interceptor shall be maintained in accordance with the manufacturers guidelines. Reason - To prevent pollution to the water environment.
11. The net sales area of the retail unit hereby permitted shall not exceed 1254 sqm, and no more than 80% of this area shall be used for the sale of convenience goods. Net sales area is defined as 'The sales area within a building (i.e. all internal areas accessible to the customer), but excluding checkouts, lobbies, concessions, restaurants, customer toilets and walkways behind the checkouts.' Convenience goods are defined as 'food and non-alcoholic beverages, tobacco, alcoholic beverages (off-trade), newspapers and periodicals, non-durable household goods.' That part of the net sales area used for

convenience goods shall be calculated as the shelving or other sales dispenser for such goods and the customer aisle in front of the shelf/dispenser (discounted to half its width where opposite a shelf/dispenser for comparison goods). Reason - To control the amount of convenience retail goods floor space in the new store in order to protect the vitality and viability of the town centres in Rutland.

Note to applicant

An application to discharge trade effluent must be made to Anglian Water and must have been obtained before any discharge of trade effluent can be made to the public sewer. Failure to enforce the effective use of petrol / oil interceptors could result in pollution of the local watercourse and may constitute an offence.

Road cleaning will need to be carried out during construction to ensure that the highway is kept clear of deleterious material.

Site & Surroundings

1. The application site (approximately 0.8 hectares) is greenfield land, located in north-west Oakham, by the roundabout junction of Lands End Way and the Oakham Bypass (A606). This is approximately 1.6km north of the town centre.
2. The site is part of a larger area (10.54 hectares) safeguarded in the Core Strategy as employment land and (known as 'Employment Site 1'). Outline Planning Permission for Business use (Class B1), Industrial use (Class B2) and Warehousing (Class B8) was granted for the whole area in November 2006.
3. The site is open, undeveloped and rises to the west. The Oakham Bypass forms the northern boundary, with Lands End Way to the east of the site. The southern boundary faces an existing access road (Panniers Way) which serves new residential and commercial premises to the west. There are small earth bunds to the north and south boundaries. The clearest views of the site are when approaching along the Bypass from the east.
4. Immediately east of the site is a petrol filling station with ancillary shop. The petrol station is considered a road side service use, an exception to the safeguards of the Employment Land. Further west into the employment land allocation is a pub/restaurant, and permission has also been granted for a 60 bed hotel. Beyond this is the Oakham North housing development.
5. There are bus stops along Lands End Way served by Route 3 of the Oakham Hopper. Future bus stops along Bosal Way to the south of the site have been constructed but are not currently part of the Hopper service.

Proposal

6. Members will recall that planning permission was granted last year for a discount food store (reference number 2014/0258/FUL), with a net retail area of 990sqm, and gross external area of 1481sqm.
7. The current proposal is to construct a larger store, with a net retail area of 1254sqm, and gross external area of 1811sqm. Aldi have purchased an additional 0.12 hectares of land to the west of the original site to accommodate this.
8. The vehicular and pedestrian access is to the south of the site off Panniers Way, using the same site access as the petrol station.

9. The building is positioned on the western side of the site, with the front elevation facing east over the car park, which provides 118 spaces. A cycle link adjacent to the north elevation of the store connects the site to the bypass cycleway.
10. The supporting information in the application states that the number of products sold in the store will not significantly change from the approved store (around 1,500 lines), and that the reason for the increase in floor space is to enable sufficient customer circulation space and well stocked, easily accessed display shelving.
11. The proposed plans are attached at **APPENDIX 1**.

Relevant Planning History

12. Prior to the 2014 Aldi application, planning permission was refused for a Sainsbury's Store in this location in 2011 (FUL/2010/0729). The reasons for refusal related to loss of Employment Land, and that the application failed to satisfy the sequential test. While Sainsbury's have since been granted permission for a store on the former Tresham College site on Barleythorpe Road, development has not been forthcoming, and the site put up for sale.

Planning Number	Description	Decision
OUT/2003/1181	Outline application for use of land as B1, B2, and B8 employment development	Approved 09/11/06
FUL/2010/0729	New retail unit (Class A1) with associated car parking, petrol filling station, vehicular and pedestrian access, highway works, landscaping and servicing.	Refused 14/03/11
2014/0258/FUL	Proposed retail unit (A1 Use Class) with associated car parking, landscaping and servicing.	Approved 30/01/15
<i>Neighbouring land</i>		
APP/2010/1170	Construction of Public House/Restaurant (Class A3) and associated works.	Approved 28/08/12
APP/2010/1216	Outline application for erection of hotel and associated works.	Approved 13/09/12
APP/2012/0011	Outline application for petrol filling station, car wash, sales building	Approved 27/06/12
2013/0601/FUL	Construction of a Petrol Filling Station	Approved 24/09/13

Planning Guidance and Policy

Development Plan

Rutland Core Strategy (2011)

CS1	Sustainable development principles
CS2	The spatial strategy
CS4	The location of development
CS8	Developer contributions
CS13	Employment and economic development
CS14	New provision for industrial and office development and related uses
CS17	Town centres and retailing
CS18	Sustainable transport and accessibility
CS19	Promoting Good Design
CS21	The natural environment

Site Allocations and Policies Development Plan Document:

SP3	Sites for retail development
SP15	Design and Amenity
SP17	Outdoor lighting
SP19	Biodiversity and geodiversity conservation

Other Material Considerations

National Planning Policy Framework – NPPF (2012)

Section 2	Ensuring the vitality of Town Centres
Section 4	Sustainable Transport
Section 7	Design

Rutland Planning Policy Documents

Rutland Retail Capacity Assessment (2010)
Rutland Retail Capacity Assessment Update (2013)
Employment Land Assessment Report (ELAR) (2013)
Supplementary Planning Documents on Developer Contributions (2010)
Planning Obligations Supplementary Planning Document (2016)

Consultations

13. Oakham Town Council – Recommend Approval, but with the proviso that lighting is left on for security reasons only.
14. Langham Parish Council – Recommend Approval. Detailed comments relate to consideration of increased number of disabled and parent/child parking spaces, the store being on the highest part of the site, provision of customer toilets, vehicular and pedestrian access, and landscaping.
15. Planning Policy –The principle for retail use in the employment allocation was established by the approved (2014) Aldi planning application. It was considered that a supermarket would have economic benefits and not be detrimental to the overall supply [of employment land] in Rutland in accordance with Core Strategy Policy CS13 proviso d. The loss of the additional 0.12ha [from the larger store] would not be considered detrimental to the overall supply, given the economic benefits.

The application passes the sequential test based on the applicant's justification of the alternatives, as the Tesco and Tresham sites are not considered suitable, having regard

to Aldi's 'fall-back position', and that the principle of retail use on the site has therefore been established.

More trade diversion will take place from the existing Tesco store, and the proposal will have a higher impact than before, but not to a level that constitutes a 'significant adverse' impact.

To minimise potential impacts on the vitality and viability of Oakham Town Centre, the Council should seek to secure appropriate developer contributions for improvement works to the town centre.

Recommend that the floor space split between convenience and comparison goods is controlled by way of planning condition.

16. Highway Authority—Following the submission of the revised Transport Assessment and Appendixes in October 2015, Highways are satisfied that the current infrastructure is able to support this development, subject to conditions.
17. Public Protection – The noise condition [for] the previous smaller development relating to the noise assessment should apply to this development as well. The lighting scheme should comply with the criteria for E2 zone of ILE guidance on obtrusive lighting.
18. Environment Agency – The proposal falls outside the scope of matters on which the Environment Agency is a statutory consultee. Therefore we have no comment to make on this application.
19. Anglian Water – No objection, subject to condition for surface water disposal, and note to applicant
20. Local Lead Flood Authority (LLFA) – No objection, subject to a condition for implementation and management/maintenance.
21. Ecology – Report found no evidence of Badgers or Great Crested Newts and the findings are accepted. Concerned over the cumulative impact of piecemeal development in the area on the local badger population. Where possible trees should be retained to meet local wildlife site criteria.
22. Forestry Officer – The trees within the landscaping plan will provide some tree cover, but there is concern about their long term retention due to their proximity to the hard surfacing and car parking arrangements.

Neighbour Representations

23. This application has resulted in 66 letters of support from the local community. These emphasise:
 - Would like to have an Aldi in Oakham as soon as possible
 - Having to currently drive to Corby/Grantham to use their Aldi stores / would prevent consumers travelling out of Rutland for food shopping (and therefore more sustainable/better for environment).
 - Will be a benefit to the town
 - Easier access and exit than the former Rutland College site
 - Would benefit the whole county, especially as Sainsbury's and Tesco developments not going ahead
 - Job creation
 - Increased choice, range and competition

- Public demand
- Bigger store would make for a better shopping experience
- Existing site is an eyesore
- Discount items/value for money for low income households
- Greater capacity, given Oakham extension/new housing
- New customers would be attracted into Rutland/Oakham
- Larger car park welcomed to ensure safety and car park space for customers
- Good competition for existing supermarkets, including on pricing.
- Its impact on the landscape will be far less intrusive than factory or warehouse units.
- Need a supermarket that offers value for money

One resident feels that the former Rutland College site is the preferable site for a supermarket (with 3 hours free parking for the town centre and railway station), and that the application site would be better as a small convenience store.

One response offers no objection, but highlights increasing congestion on the access roads to the site, and cars exceeding the speed limits, and HGVs parking. Wants more double yellow lines.

Tim Norton Motors has objected to the scheme, on the grounds that their motor services site in Oakham is available for store development, sequentially preferable to the application site, and that a supermarket on the application site would result in loss of trade to the Town Centre.

Planning Assessment

24. The key issues for consideration are:

- Principle of development;
 - Sequential test
 - Retail impact
 - Loss of employment land
- Highways and accessibility
- Layout and Design
- Sustainable Drainage Systems (SuDS)

Other issues are then addressed at the end of the report.

Principle of Development

25. While the principle for a supermarket in this location has been previously established by planning permission 2014/0258/FUL, the current application is considered against the NPPF, paragraphs 23-27, and the Core Strategy Policies, in particular CS13 – Employment and Economic Development and CS17 – Town Centres and Retailing. This covers the sequential test, the retail impact, and the fact that the site is on allocated employment land.

Sequential test

26. Supermarkets are classed as retail development (use class A1), which should in the first instance be located in the town centre. Outside of the town centre, the NPPF requires that a sequential test is submitted for major retail facilities on 'edge-of-centre' and 'out-of-centre' sites. An 'edge-of-centre' site is defined as being within 300m of the primary shopping frontage (PSF). The application site is approximately 1.6km from the Oakham PSF, and is therefore considered an 'out of centre' site. The NPPF also advises that potential alternative sites, within the town centre, on the edge of the town centre and also in out of centre locations should all be assessed for their availability, suitability and viability before drawing any conclusions on the appropriateness of the proposed site.

27. The previous application satisfied the sequential test, and the applicant has submitted an updated test which concludes that there are no suitable sites in more central locations and that therefore the application site is the most sequentially preferable. This has been independently assessed by the Council's consultants.
28. The major change in circumstances since the last application is the confirmation that both the Sainsbury's development at the former Rutland College, and the Tesco extension are not going ahead. This effectively means that two sites (one out of centre and one within the town centre) are now subject to the sequential test assessment.
29. The applicant's planning support statement suggests that the Sainsbury's site isn't sequentially preferable to the application site. However this is not the case as the Sainsbury's site is closer to the town centre, with more potential for links trips. It is also considered to be suitable for food retail, as it has an extant permission for a supermarket. However, the site is in excess of the area of land required by Aldi for this store, and the owner would be unlikely to sell only part of the site. Therefore, it would not be commercially as viable for Aldi to purchase a larger site at the values likely to be sought for it when there is an extant permission for their store on Lands' End Way.
30. The fall-back position (of an extant permission on Lands' End Way) is also applicable to the Tesco extension site. Additionally, the planning support statement submitted with the application sets out a number of reasons why the applicant's consider the site is not suitable for development, including that;
- it would be unlikely that Tesco would make the site available to a competitor,
 - the site is not large enough to accommodate an Aldi store and customer car parking
 - shared parking with Tesco would be unlikely to be acceptable
 - the site can only be accessed through Tesco car park, so Aldi would have no direct control over the operation of its store.
31. The points raised are noted, and while there are examples of mainline supermarkets trading successfully with discount stores adjacent, the issues of access and parking would be likely to result in a compromised trading position relative to the application site (and fall-back position). On this basis, the sequential test is satisfied.
32. The objection from Tim Norton Motors regarding the sequential test is noted. While the Tim Norton site is allocated for retail development in the Development Plan, it has been previously discounted as being suitable for food retail due to highway issues around the site; Access is constrained by the complex road system from Melton Road, via Cold Overton Road into Long Row. Queuing traffic, when the barriers are lowered at the Melton Road level crossing, adds further complications to this. Food retail here would generate greater volumes of traffic here than other potential forms of non-food retail development. This site is therefore not considered suitable for food retail.
33. There are no other available, suitable or viable sites that could reasonably accommodate the development, and therefore the current application site satisfies the sequential test criteria.

Retail Impact

34. It was concluded for the previous application that an Aldi store here would not result in a 'significant adverse' impact upon Oakham or Uppingham, however there would still be some impact on town centre trade. To mitigate against this identified impact, a financial contribution towards public realm improvements (as part of a Planning Obligation) was

agreed.

35. The applicant has submitted an updated retail impact assessment with the current application; this has been independently assessed. Whilst the enlarged store is not expected to sell a significantly greater number of product lines, the assessment considers potential turnover relative to the net sales area.
36. With regard to town centre vitality and viability, both Oakham and Uppingham are currently considered healthy destinations, exhibiting generally positive signs of vitality and viability. The proposed store would principally compete with the existing supermarkets, rather than the specialist retail offer in either town centre. In particular this impact would be focused on Tesco as the anchor food store within Oakham town centre. This loss of footfall from the anchor food store would result in subsequent loss of linked trips to other shops in the town centre.
37. While the Council's consultants do not agree with some of the figures and results put forward by the applicant, they have concluded that the impact against convenience goods turnover of the town centre is not high enough to constitute a 'significant adverse' impact.
38. The consequences of the proposed development on Oakham and Uppingham town centres are within acceptable parameters and are not of a level of significance that would lead to conflict with local or national policy. Notwithstanding this, an updated Planning Obligation has been agreed with the applicant, taking into account the larger floor space of the store.

Loss of employment land

39. The application site is safeguarded for employment use (B1 (business)/B2 (general industry) and B8 (storage/distribution)) under Core Strategy Policy CS13 (d), unless it can be demonstrated that an alternative use would have economic benefits and would not be detrimental to the overall supply and quality of employment land in the County.
40. However, the principle for retail development on this site has already been established as an alternative use under the terms of Policy CS13 (d). It was concluded that the previous application for a supermarket here would have economic benefits and not be detrimental to the employment land supply in Rutland.
41. The proposal involves an additional loss (0.12 hectares) of employment land to facilitate the larger store and parking area. However, given that the principle of a supermarket here has been established, and the resultant strong 'fall-back' position, the loss of 0.12 hectares is not considered to be detrimental to the overall supply and quality of employment land within Rutland. It is on this basis that an exception to the Development Plan is justified.

Highways and accessibility

42. The comments from the local resident regarding congestion/access and speeding around the site are noted, as are the parking comments from Langham Parish Council. A Transport Assessment has been submitted with the proposal, and been independently assessed by the Council's Consultants. It is agreed that the surrounding highway network has capacity to absorb the development. Turning provision for delivery vehicles has been incorporated into the design of the car park, and there are sufficient parking spaces for the size of the store. The proposal would not have a detrimental impact upon the highway network or highway safety, and the Highway Authority has no objection to the proposal in principle, subject to conditions.

Layout and design

43. The proposed store follows the corporate design and scale of modern Aldi stores. The previously approved store was approximately 61 metres long, 26 metres deep, and 5.5 metres high. The larger store would be approximately 4 metres longer and wider.
44. The store would be situated on the western side of the site, with the shop entrance on the north-east corner facing the bypass roundabout. The building would be located on higher land (between 0.5 - 0.75 metres) than the previous approval. This increase in height, particularly when combined with the greater bulk of the building, would mean that the store would be more prominent within the landscape, especially when travelling west along the bypass. Officer requests to reduce this visual impact by having the ground level of the store the same as previously approved have not resulted in revised plans with the developer citing concerns over a retaining wall needed to the boundary. Your officers consider the levels should preferably be reduced but this issue needs to be considered in the context of all the other issues. This issue on its own is not so serious that a reason for refusal on this ground alone is justifiable.
45. The store's entrance and northern elevation is largely glazed, with a flat roofed canopy. Part of the boundary hedging would be removed by the northern gable to facilitate a cycle link between the store and the bypass. It is acknowledged that this would have a greater visual impact than retaining the entire length of hedgerow, however the public benefits of creating a cycle link here would outweigh this impact. Cycle stands are provided adjacent to this cycle link.
46. While the design of the store is utilitarian in appearance, it is functional in its design. The larger store would have a greater impact upon this sensitive edge of countryside location, however, given the fall-back position of the previously approved store, this impact is not significant enough to warrant refusal.
47. The car park has 118 parking spaces, however originally 122 spaces were proposed. This was an overprovision of spaces (only 113 spaces are needed to satisfy the Council's parking standards), and therefore a reduction of spaces in the north-east and south-east corners has been negotiated to facilitate a greater level of landscaping around the site and its boundaries. This includes a mix of tree (hornbeam and birch) and shrub planting. The Forestry Officer's concerns about the retention of the landscaping are noted. Aldi's agent have advised that the trees would be managed so that they do not outgrow their context, however a tree preservation order could be imposed when the trees are planted to ensure their long term protection.

Sustainable Drainage Systems (SuDS)

48. In May 2015 legislation was changed to make the Local Lead Flood Authority (LLFA) a statutory consultee to planning on all major applications regarding surface water flood risk and the implementation of SuDS through planning. As stated in the ministerial statement from December 2014, all major planning applications must ensure that sustainable drainage systems for the management of run-off are put in place, unless demonstrated to be inappropriate.
49. Additional information has been sought from the agent during the lifetime of the application, in order to meet the above requirements. Permeable paving is now proposed, and the LLFA are content that the proposal would comply with the SuDS requirements. A condition is included to ensure that SuDS are delivered, and maintained.

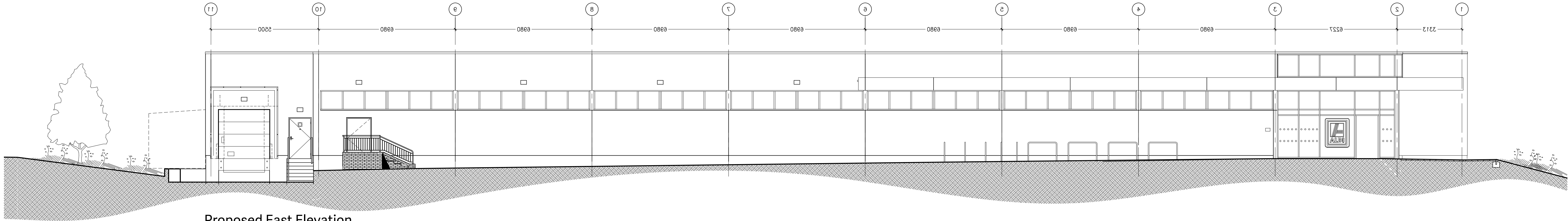
Other issues

50. The ecological report submitted with the application found no evidence of badgers or Great Crested Newts and these findings are accepted. Some of the trees to the west have a medium to high probability of bat interest, however these are outside of the application site, and unlikely to be adversely affected by the store. The concern from Leicestershire Ecology colleagues regarding the cumulative impact of development in the area on the local badger population to the south is noted, however given that badgers are not using the application site, this carries limited weight, and would be more relevant for future schemes to develop other areas of the employment land where they are present.
51. The comments from Oakham Town Council are noted. Positioning of lighting columns are shown on the proposed plans, however final lighting details could be controlled by condition, to ensure that any lighting would not adversely affect the surrounding area, or bat commuting/foraging areas.
52. A noise impact assessment has been submitted and agreed with Environmental Health Officers. The store would not have an adverse impact upon the residential amenity of the nearby new housing.

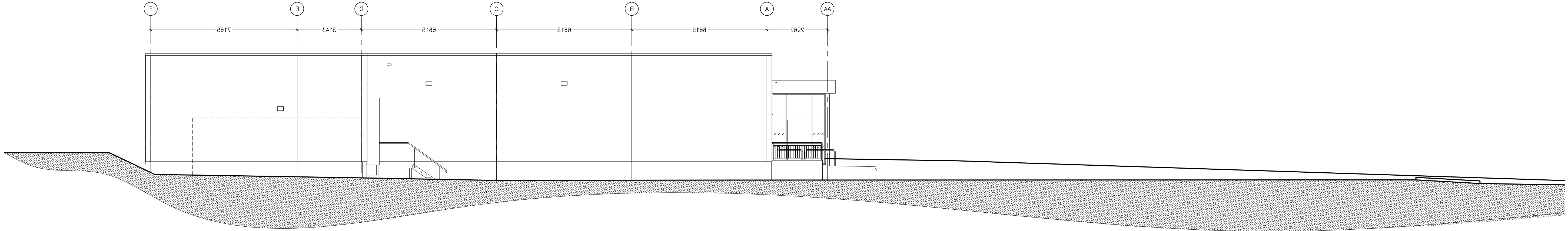
Planning Obligation

53. It has been established that the proposal would have an impact upon Oakham town centre (see retail impact above). While this impact is not significant enough to warrant refusal of the application, consideration must be given to mitigating this impact through improvements to the town centre.
54. The Core Strategy makes provision for developer contributions to play a part in the delivery of the Councils overall vision for the town centre. This vision derives from assessing the total impact of the growth the plan is making provision for. It prioritises infrastructure investment and identifies financial pressure points where there is a funding gap to be filled by developer contributions (where this is viable).
55. The June 2011 Improvement Scheme sets out scheme objectives, along with consultation proposals including one-way traffic circulation options, an outline programme and cost estimates. These were drawn on in considering additional growth related funding contributions for the Council's CIL Infrastructure Priority List drawn up in 2013.
56. The overall key priority for Oakham is to secure investment in public realm improvements in the town centre. There is scope to improve the vitality and vibrancy of the central area of the town to both increase local spend retention on goods and services and to attract increased visitor/tourism expenditure to the benefit of all retail outlets operating in the town.
57. It is therefore appropriate that any grant of planning permission be linked to a Planning Obligation to secure a financial contribution towards public realm improvements in the town centre.
58. A sum of £126,600 towards the delivery of public realm improvements, primarily in the central area of Oakham has been agreed with the applicant, and a Section 106 Agreement drafted to secure this. This contribution would be pooled with other committed contributions from other developments.

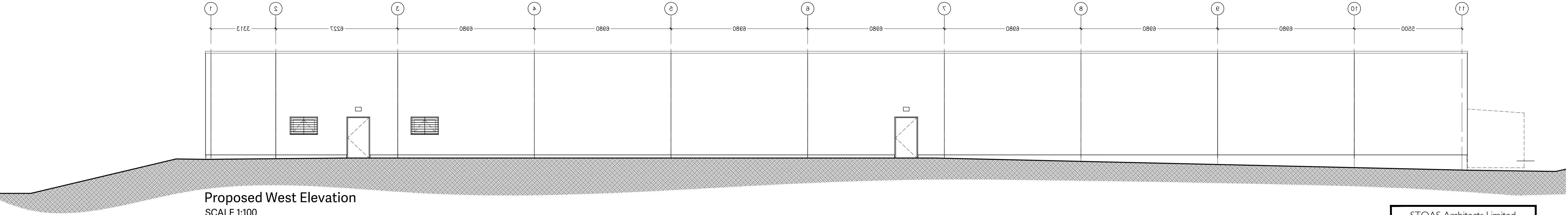
59. Provision towards public transport has also been assessed. While the bus service to Aldi could be improved, this could only be achieved by investing in a second Hopper service; there is no improvement possible with just the single service. Given the significant scale of this in relation to the development, the contributions are focused on the key priority of public realm improvements.
60. The Section 106 Agreement is drafted and awaits signing. Provided that this is completed before the end of February this will be relevant. If it is not completed and permission granted by the end of February then the Agreement will not be applicable as the development will be CIL liable.



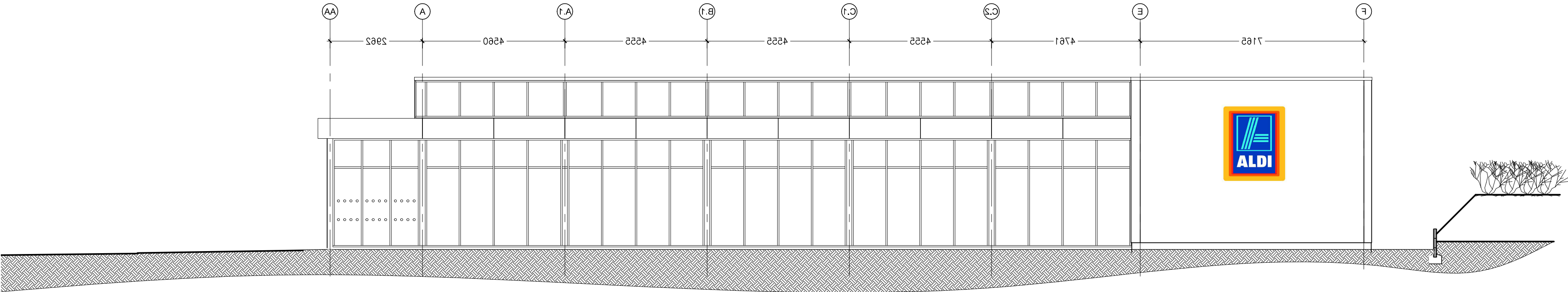
Proposed East Elevation
SCALE 1:100



Proposed South Elevation
SCALE 1:100



Proposed West Elevation
SCALE 1:100



Proposed North Elevation
SCALE 1:100

STOAS Architects Limited

PLANNING ISSUE



216 FORT DUNLOP - FORT PARKWAY - BIRMINGHAM - B24 9FD - TEL 0121 747 1943
1 DUNSTON PLACE - DUNSTON ROAD - CHESTERFIELD - S41 8NL - TEL 01246 389 860

CLIENT ALDI STORES LIMITED

PROJECT LANDS END WAY
OAKHAM, RUTLAND
LE15 6US

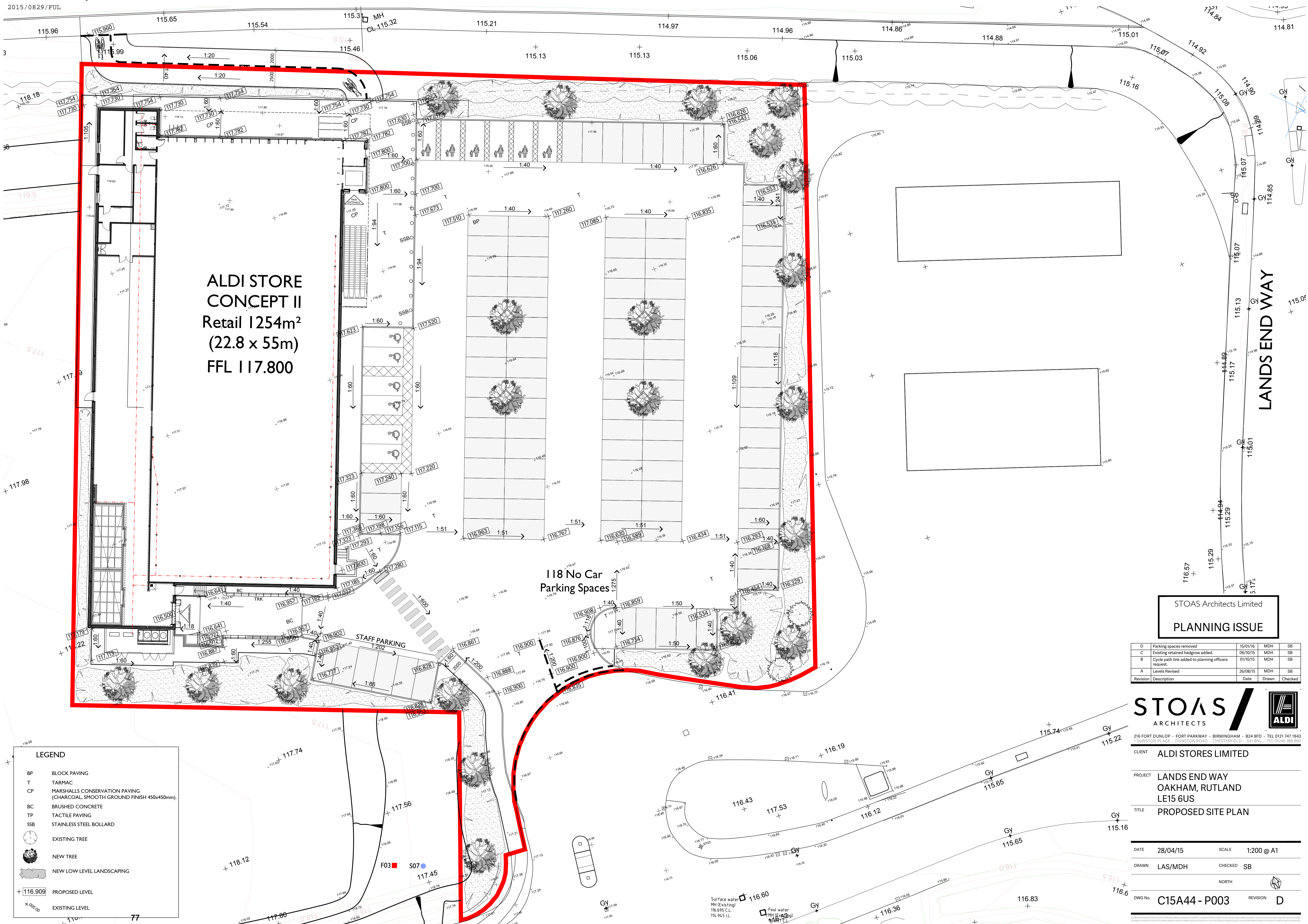
TITLE PROPOSED ELEVATIONS

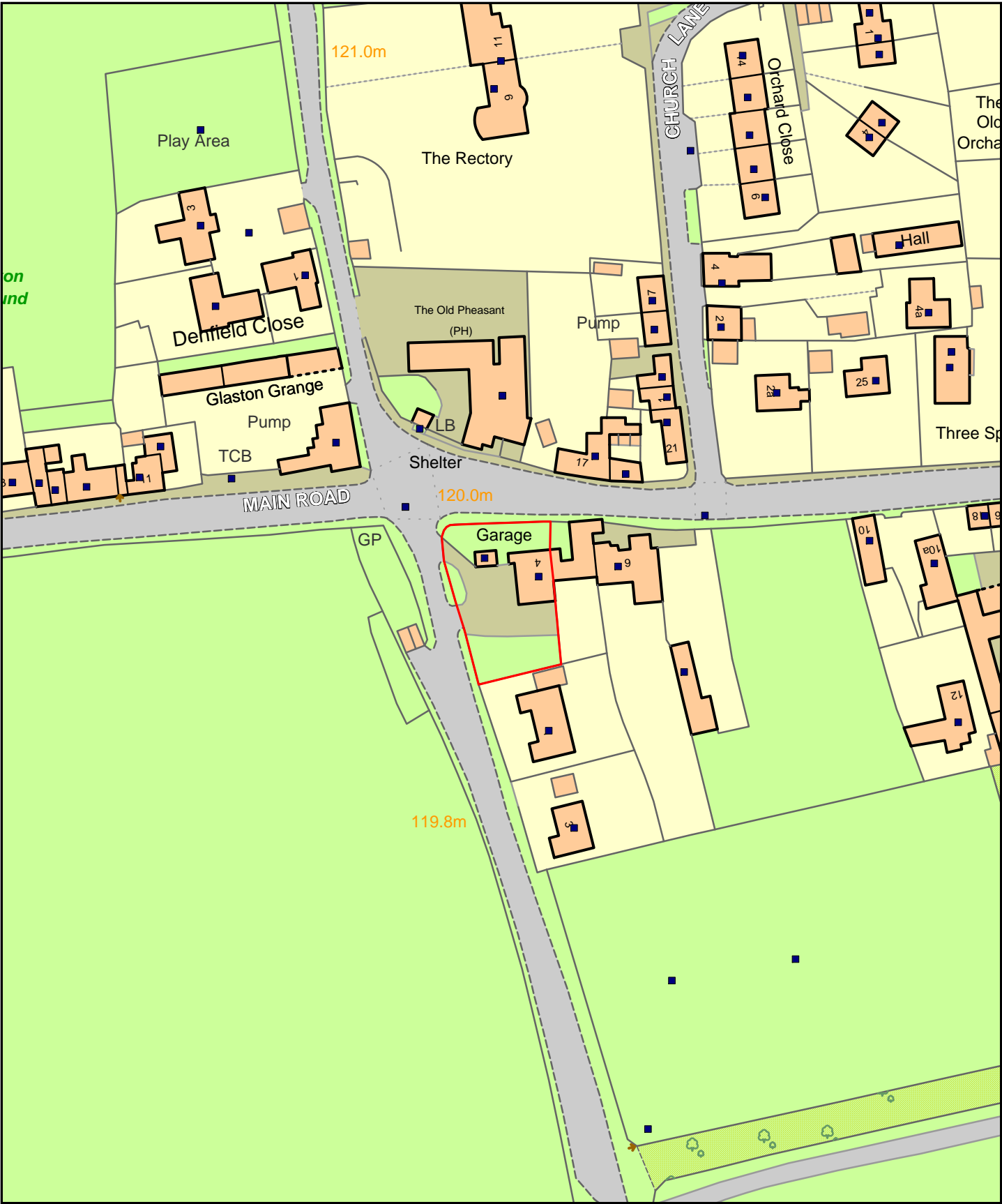
DATE 28/04/15 SCALE 1:100 @ A1

DRAWN MH CHECKED SB

NORTH

DWG No. C15A44 - P201 REVISION





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

Scale - 1:1250
Time of plot: 09:54
Date of plot: 02/02/2016



Rutland County Council

Catmose,
Oakham,
Rutland
LE15 6HP

Application:	2015/0967/FUL	ITEM 4	
Proposal:	4 No. detached dwellings to be erected.		
Address:	2-4, Main Road, Glaston, Rutland		
Applicant:	Mr Matthew Brown	Parish	Glaston
Agent:	Mr Tony Ansell, Rutland Planning	Ward	Lyddington
Reason for presenting to Committee:		Neighbour Objections	
Date of Committee:		16 February 2016	

EXECUTIVE SUMMARY

4 dwellings are proposed on this prominent corner site which is subject to objections from adjacent residents. The scheme has been amended to overcome some concerns and whilst these remain the scheme is considered to be acceptable and in accordance with the Development Plan.

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 B&J/Glaston/01C/Planning/2015, B&J/Glaston/02C/Planning/2015 and the 1/500 plan showing visibility splays, all received on 1 February 2016.
Reason - For the avoidance of doubt and in the interests of proper planning.
3. No development shall be commenced until precise details of the manufacturer and types and colours of the external facing and roofing materials 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 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. No development shall take place until the Monkey Puzzle tree on the site, shown to be retained on the approved plan, has been protected by the erection of a temporary protective fence in accordance with BS5837:2012 and of a height, size and in positions which shall previously have been agreed, in writing, with the Local Planning Authority. The protective fence shall be retained throughout the duration of building and engineering works in the vicinity of the tree. Within this area 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 area, 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 tree is subject to a Tree Preservation Order and is an important feature in the area and this condition is imposed to make sure that it is properly protected while building works take place on the site.

6. The final driveway surfacing beneath the canopy of the protected tree shall be completed before the protective fencing is removed and in accordance with details which shall have been submitted for the approval of the local planning authority. The design shall take account of the recommendations set out in the British Standards Institute publication "BS 5837: 2012 Trees in Relation to Construction."

Reason - To minimise disturbance to and help to ensure the satisfactory retention of the tree and because no details have been submitted with the application.

Site & Surroundings

1. The site is located on the corner of Main Road (A47) and Seaton Road in the centre of Glaston. The former garage premises have been empty for around 10 years. Access to the current site is from Seaton Road at 2 points, one close to the A47 junction and one further along Seaton Road.
2. The existing buildings are essentially single storey with shallow sloping roofs. There is an interesting stone element with a vertical parapet attached to 4 Main Road. This element has been retained partly for interest and partly to avoid demolishing a structure attached to the adjacent house.
3. To the east is a 2 storey house at 4 Main Road which was once in the same ownership as the garage but is now separately owned.
4. There is a semi mature Monkey Puzzle Tree (*Araucaria araucana*) in the front centre of the site which is subject to a Tree Preservation Order. There is no Conservation Area in Glaston.

Proposal

5. The proposal is to partially demolish the garage premises, retaining a small element attached to 4 Main Road, and erection of 4 new dwellings partly using the retained structure.
6. There would be a row of 3 units facing on to Main Road with parking for 5 cars in front. 2 of these would abut the boundary with 4 Main Road and there would be an increase in the height of the boundary wall to prevent lights shining into the lounge of No.4.
7. The 4th unit would face onto Seaton Road at the rear. The buildings would typically be 8.5m high to the ridge and use a mix of stone, render, slate and timber framing. The existing low stone wall fronting the A47 would be raised in height to 1.8m. The scheme has been amended during the life of the application to delete a row of 3 garages and part of the raised wall at the front to allow better visibility onto the A47 from Seaton Road. The scheme has also been amended to reduce the height of Plot 1 in relation to 4 Main Road, to move plot 4 further south onto the boundary, leaving parking for 3 spaces off Seaton Road. There has been a final plan submitted on 1 February showing improved visibility to the 3 parking spaces directly off Seaton Road and correcting elevational discrepancies. The latest details are in the Appendix.

Relevant Planning History

Application	Description	Decision
2005/0273	Erection of 4 houses	Refused, August 2008
2011/0719	Part demolition and conversion of garage and erection of 2 storey extension to form 5 residential units	Approved Feb 2015
2016/0079	Erection of 4 dwellings	Pending validation

Planning Guidance and Policy

National Planning Policy Framework

Para 14: Presumption in favour of Sustainable development. Para 7 explains that there are 3 dimensions to sustainability; economic, social and environmental.

The Rutland Core Strategy (2011)

Policy CS3 (The Settlement Hierarchy) of the adopted Core Strategy identifies Glaston as a Smaller Service Centre, which means it is one of the smaller villages with a more limited range of facilities than the Local Service Centres.

Policy CS4 (The location of development) states that the Smaller Service Centres can accommodate a minor scale level of development, mainly on previously developed land on a limited scale appropriate to the character and needs of the village concerned. Paragraph 2.19 defines minor level development as an individual development of up to 5 dwellings.

Policy CS19 – Promoting Good Design

Site Allocations and Policies DPD (2014)

Policy SP1 (Presumption in Favour of Sustainable Development) states the Council will take a positive approach when considering development proposals that reflect the NPPF presumption in favour of development. The NPPF also highlights that housing should be located where it will enhance or maintain the vitality of rural communities.

Policy SP5 (Built development in the towns & villages) states that sustainable development within the Planned Limits of Development of the villages will be supported provided that:

- It is appropriate in scale and design to its location and to the size and character of the settlement;
- It would not adversely affect the environment or local amenity
- It would not individually or cumulatively with other proposals, have a detrimental impact upon the form, character, appearance and setting of the settlement or neighbourhood and its surroundings
- It would not be detrimental to features and spaces which contribute to the important character of the settlement and the locality.

Policy SP15 - (Design & Amenity) states that development should reflect the characteristics of the site, complement the character of the surrounding area, protect the amenities of neighbours, be of a suitable scale form and mass, use appropriate materials and make safe provision for access and parking.

Consultations

8. RCC Highways On February 2016 revision - No objection confirmed but final formal comments awaited.
9. LCC
Archaeology The Leicestershire and Rutland Historic Environment Record (HER) shows that the application site lies in an area of archaeological interest. It occupies a street frontage site, inside the medieval and post-medieval historic settlement core of the village (HER ref. MLE9062). It lies approximately 100m south-east of the find spot of an exceptionally rare late Palaeolithic activity area (HER ref. No. MLE9061), and c. 50m north-east of the cropmark of a probable Bronze Age round barrow (MLE17220). In addition, c. 120m to the west are the recorded remains of an Anglo-Saxon cemetery (MLE5274). There is a likelihood that buried archaeological remains will be present within the application area and, consequently will be affected by the development. The development proposals include works (e.g. foundations, services and landscaping) likely to impact upon those remains. In consequence, the local planning authority should require the developer to record and advance the understanding of the significance of any heritage assets to be lost (wholly or in part) in a manner proportionate to their importance (NPPF Section 12, paragraph 141).

We therefore recommend that any planning permission be granted subject to conditions, to safeguard any important archaeological remains potentially present.

The Historic and Natural Environment Team, as advisors to the planning authority, will monitor the archaeological work, to ensure that the necessary programme of archaeological work is undertaken to the satisfaction of the planning authority.

Neighbour Representations

10. Whilst there is some support for the principle of re-developing this semi derelict site, and indeed for this scheme from one neighbour on Seaton Road, there have been objections from residents adjoining, nearby and opposite the site.
11. The main issues raised are as follows:
 - Loss of privacy, light and views to 6 Main Road
 - Parking difficulties, access close to junction with A47
 - Poor visibility onto A47
 - School Bus stop on Seaton Road opposite the site
 - Impact of parking spaces on amenity of 4 Main Road
 - Vehicles will reverse onto Seaton Road
 - Unclear where the boundary to 4 Main Road is
 - Loss of privacy to 4 Main Road
 - Over-dominance and loss of light to 4 Main Road
 - Inappropriate and unsympathetic to their setting in terms of scale, height, density, layout, appearance, materials, and their relationship with other buildings
 - The design as proposed is overbearing when considered in proper regard to the streetscene
 - missed opportunity for a key site within Glaston, which needs a well conceived quality scheme of one or maybe two dwellings
 - No protected species surveys
 - Overdevelopment
12. The occupiers of 4 Main Road have commented on the latest amended plans in the following terms:
 1. *Roof height of plot 1*
If there is no intention to put a further room in the roof space then there is no reason not to drop the height down to the same level as our property.
 2. *Parking and access*
Having three cars backing onto Seaton road is plainly dangerous.
Parking and access at the front of the plot still a major concern.
 3. *Position of plot 4*
This reposition does not address the privacy issue for us or Lonsdale Farm and is more intrusive for our neighbour at No 1 Seaton Road.
 4. *Access*
The revised plans cut off our access completely which will result in more cars having to park on the roadside.

There has not been a thorough appraisal the impact of the access at the front of the plot may have and we feel this is an imperative.

The elevations drawings are incorrect.
13. Reconsultations on the amended details run until the day of the meeting so any further comments will be included in the Addendum.

Planning Assessment

14. The main issues are policy/principle of development, design, residential amenity and highway safety.

Planning Policy/Principle

15. The proposal is for the development of 4 houses, on brownfield land, within the planned limits of development of Glaston. The development plan identifies Glaston as a Smaller Service Centre which can accommodate a minor scale level of development, mainly on previously developed land. As such, the main consideration will be whether the proposal is appropriate to the character of the village and meets the criteria set out in policy SP5 and SP15.

Design

16. The design seeks to use local stone on the majority of walls with render on others. There is a timber frame on the frontage, following a large timber extension to a house opposite. Slate would be used on the roof.
17. The design is a blend of traditional and modern but is considered to be appropriate for this location to comply with policies CS19 and SP15.

Residential Amenity

18. The scheme has been amended to lower the ridge on unit 1 to lessen the impact on the neighbour at 4 Main Road. That property has recently erected a 7m deep single storey extension on the rear which has a solid tiled roof. The new dwelling would be considerably higher than this extension but the solid roof and its extent back into the garden of No.4 lessens the overall impact on that property.
19. No.4 has a bedroom at first floor level with windows facing the rear, side and front. Whilst the proposal will again be visible from the high level window on the rear, the other windows will allow adequate light into the room, which would not normally be occupied during the day. There would be no loss of privacy beyond normally acceptable levels.
20. The occupiers of No.4 are also concerned about loss of privacy from the parking spaces in front of their ground floor windows. It is currently proposed to raise the boundary wall to 900mm above the application site (which is higher than the neighbour's front garden path) to prevent headlights shining into the lounge and other windows. However this will not prevent looking in from people getting in and out of vehicles. The previous scheme had this area as front garden with no specific boundary treatment shown. Mutual neighbours can erect a means of enclosure up to 2m high as 'permitted development' to maintain privacy. A new application on this site which has yet to be validated shows a willow hurdle type screen on the boundary, where the land at the front is again only designated as garden, not parking.
21. Other neighbours have raised concerns but the proposals will not have a direct impact on other neighbours. No.6 Main Road is concerned about loss of privacy from the rear windows on Plot 4 but these would be 12m from the boundary with No.4, and some distance more to No.6. This is within normally acceptable limits. The scheme is considered to comply with policy SP15.

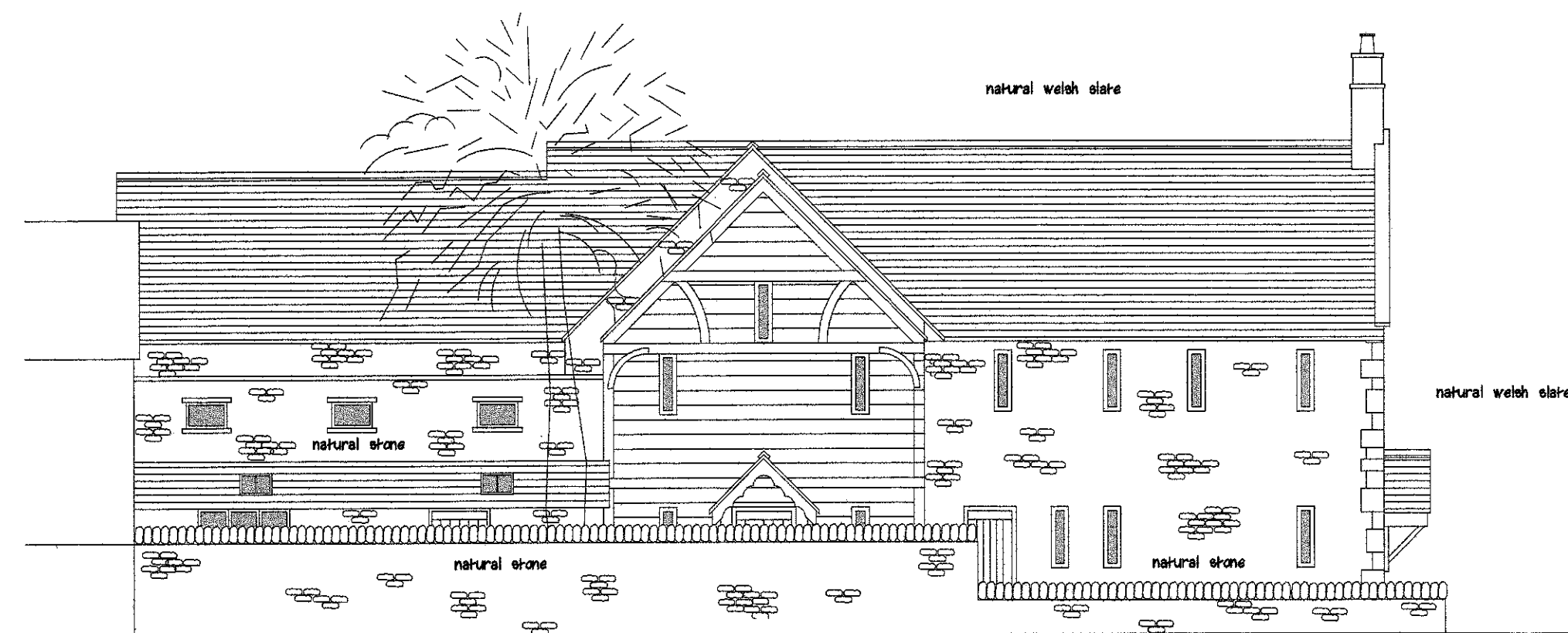
Highway Safety

22. The accesses and parking spaces have been the subject of lengthy discussions with the highway authority. Neighbours remain concerned about the access nearest the A47 and

consider it unsafe. The highway authority now considers that the scheme is acceptable.

Other issues

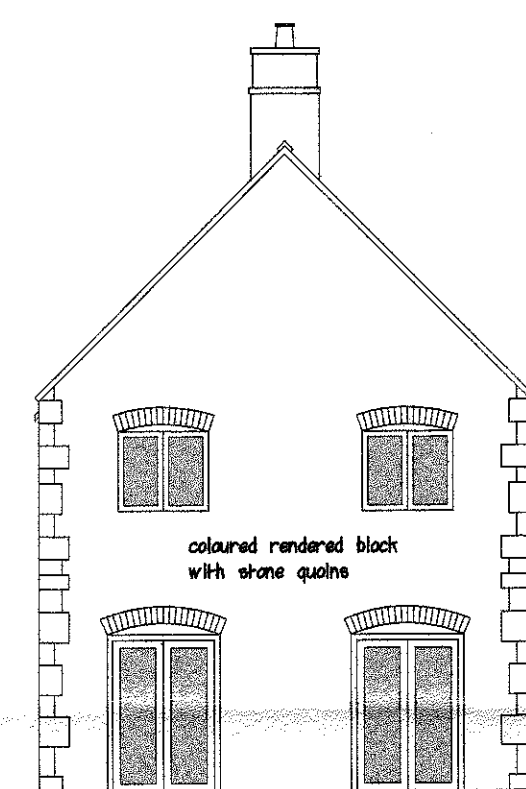
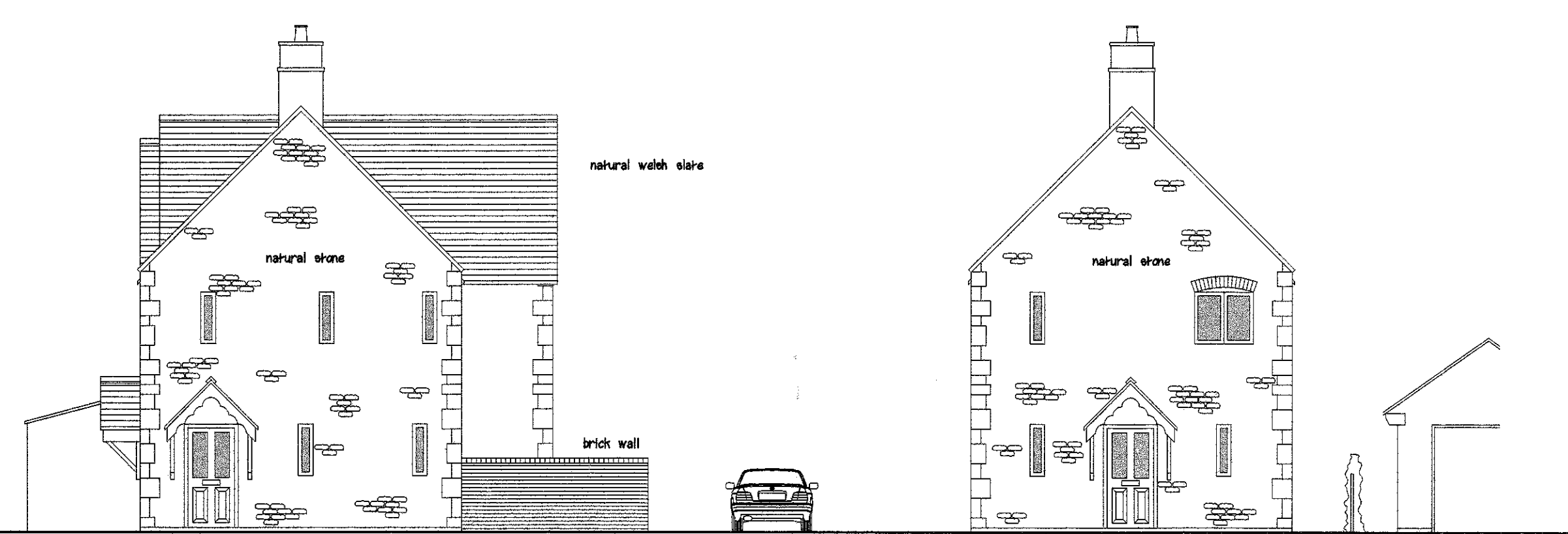
23. The driveway to the 2 parking spaces in front of 4 Main Road would run over the Root Protection Area of the Monkey Puzzle Tree. It is proposed to use a cellweb type surface whereby the existing level is not disturbed and root compaction is avoided. This may raise the level slightly in relation to the neighbours concerns about privacy.



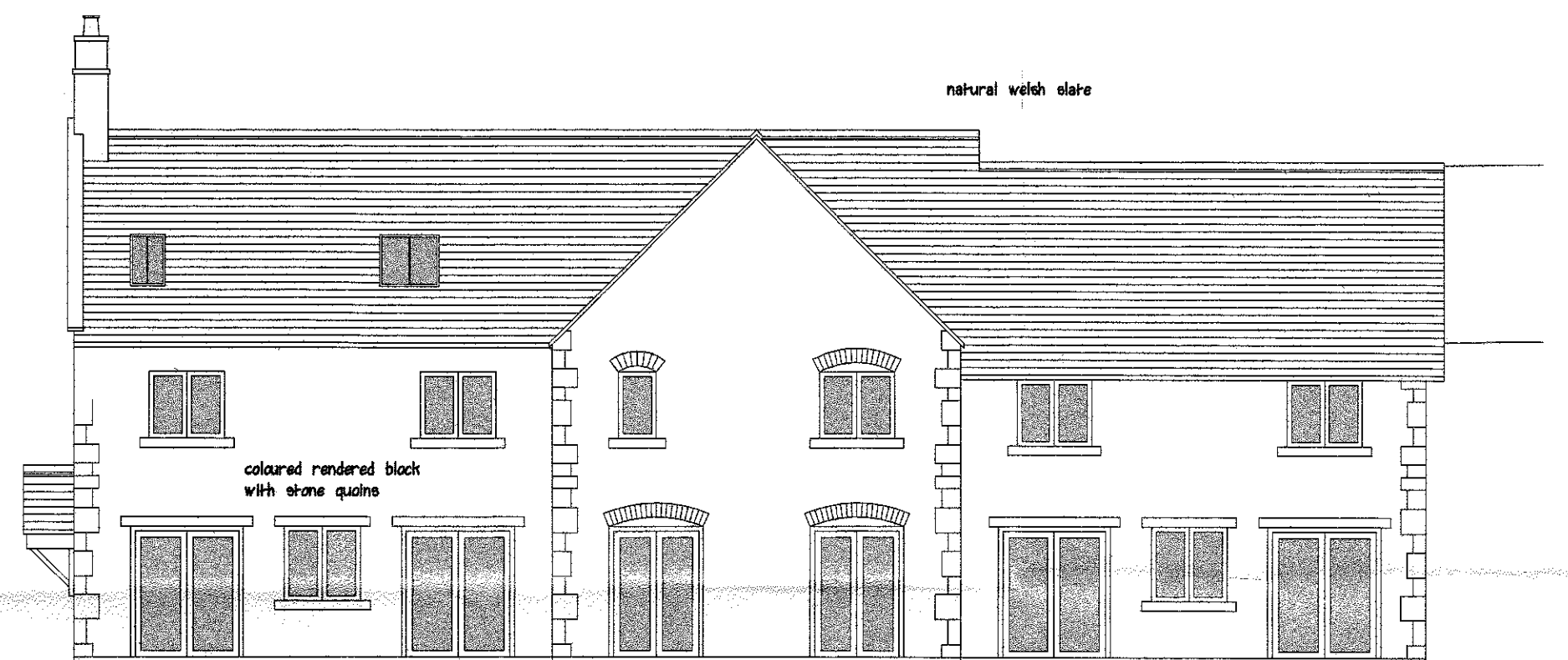
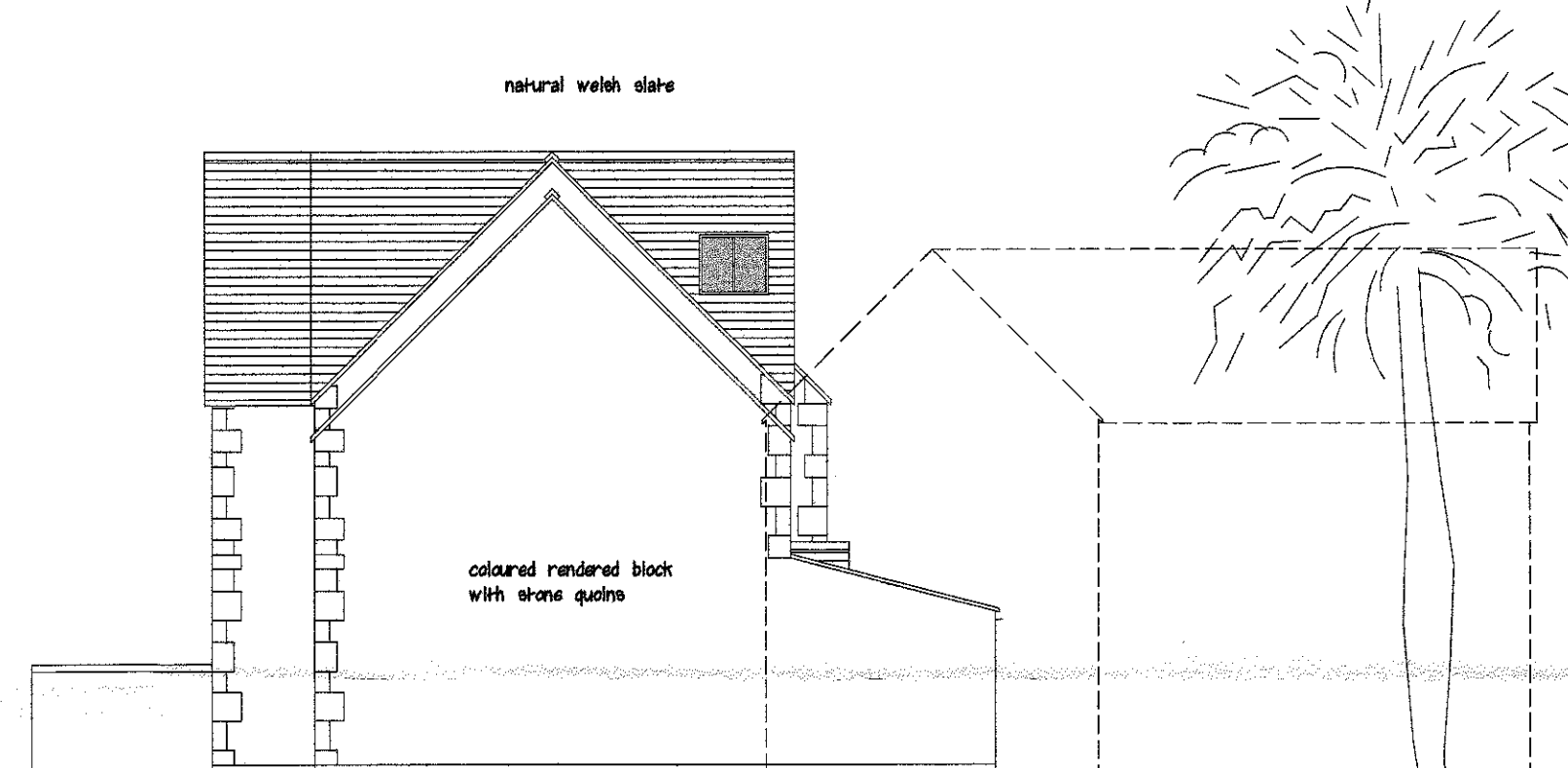
Proposed Front Elevation (Street Scene) 1:100



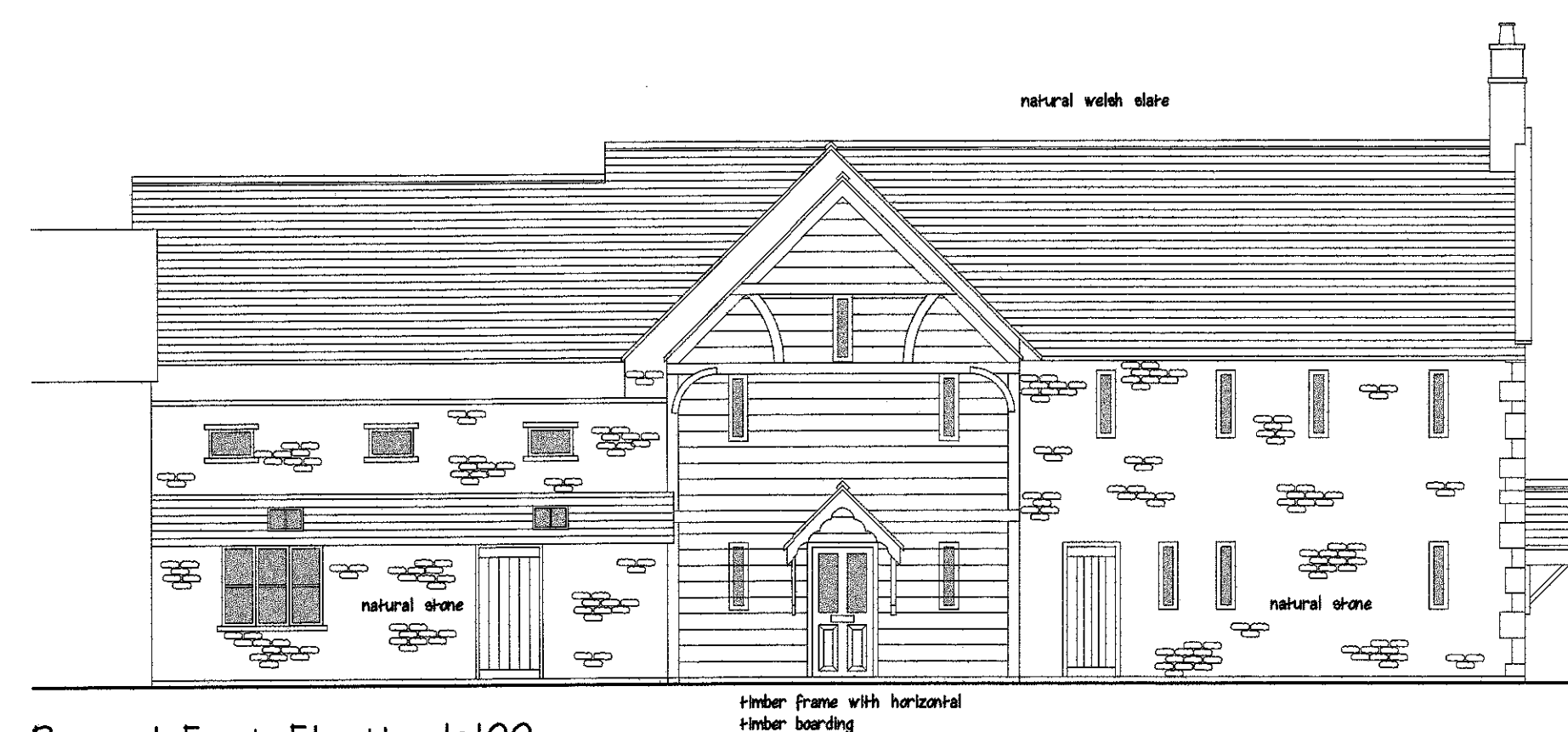
Proposed West Elevation



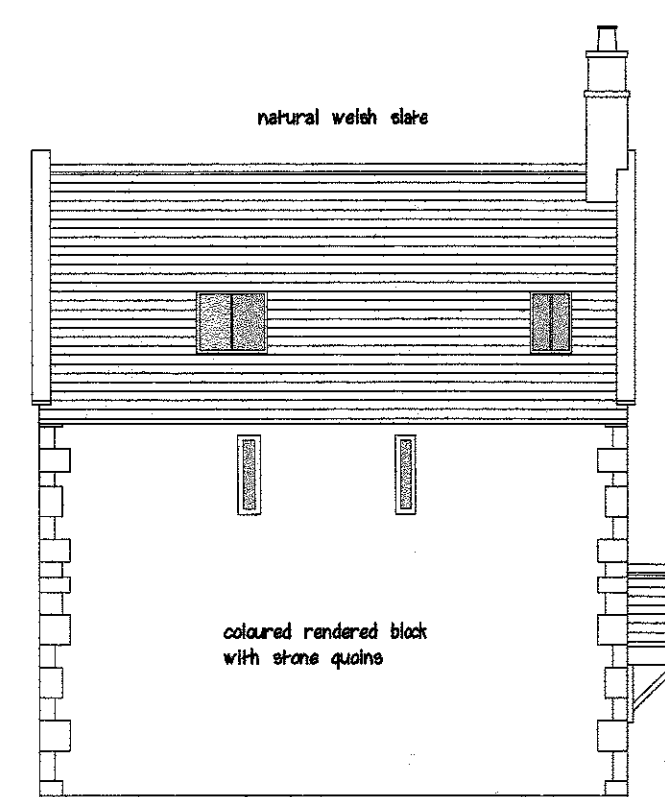
Proposed East Elevation



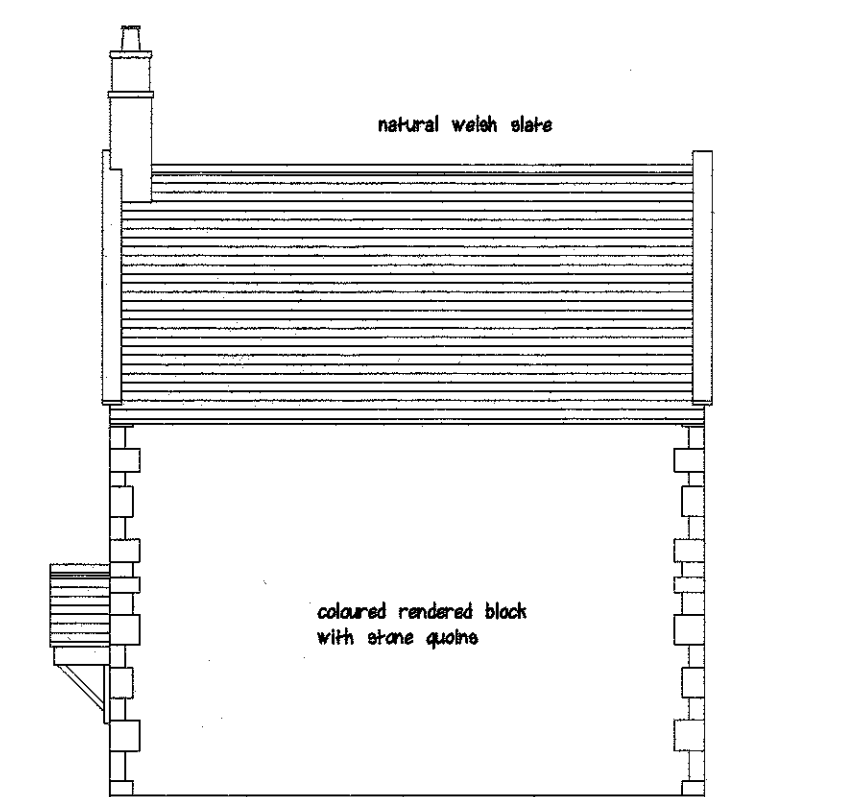
Proposed Rear (Garden) Elevation



Proposed Front Elevation 1:100

timber frame with horizontal
timber boarding

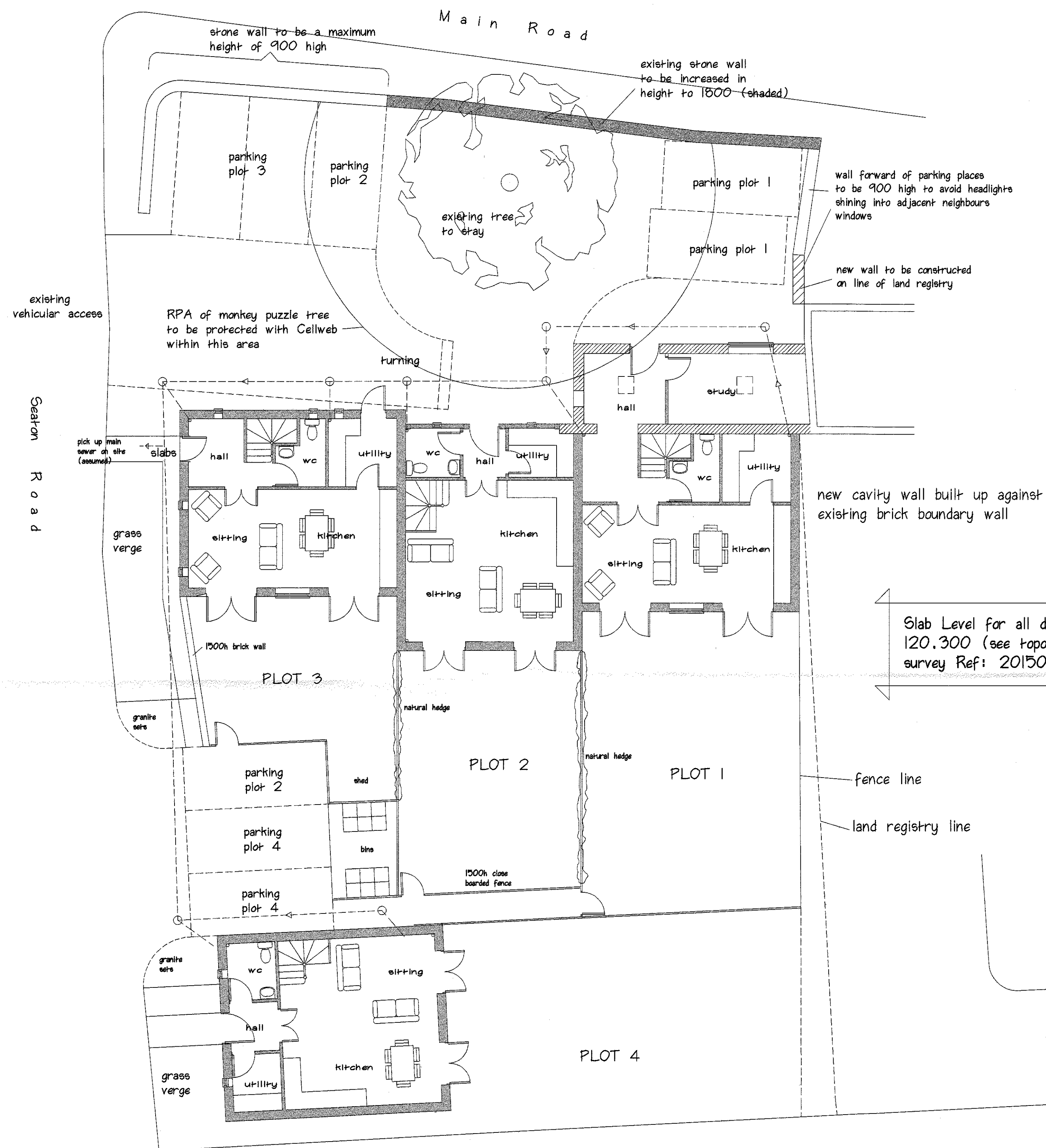
Proposed Side Elevation Plot 4 (North)



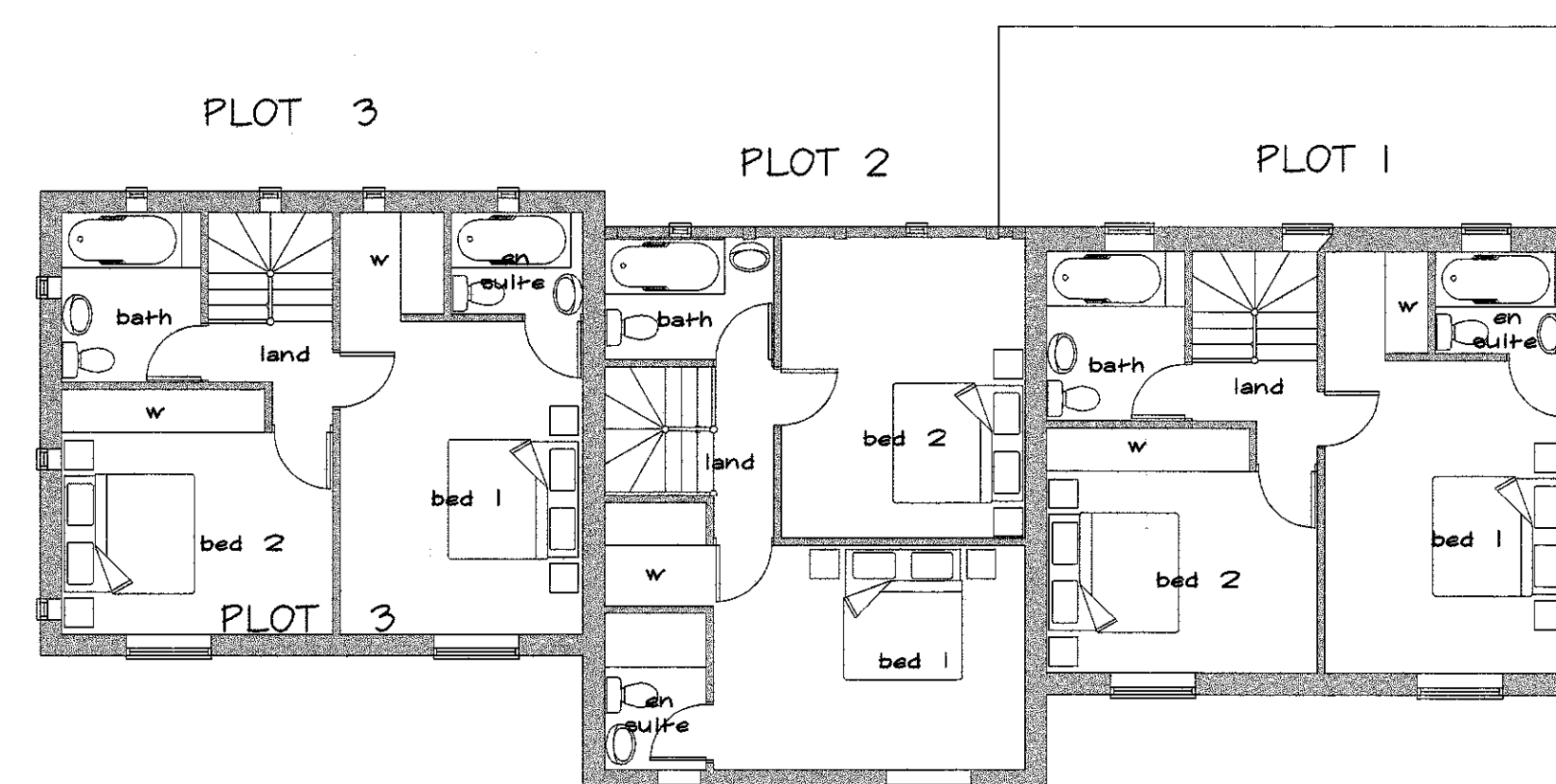
Proposed Side Elevation Plot 4 (South)

Revision A, Dec/2015: boundary wall height altered, garages omitted, plot 4 back 500mm into site etc.
 Revision B, Dec 2015: Parking arrangement altered
 Revision C, Jan 2016: Plot 3 roof lowered plot 4 siting altered

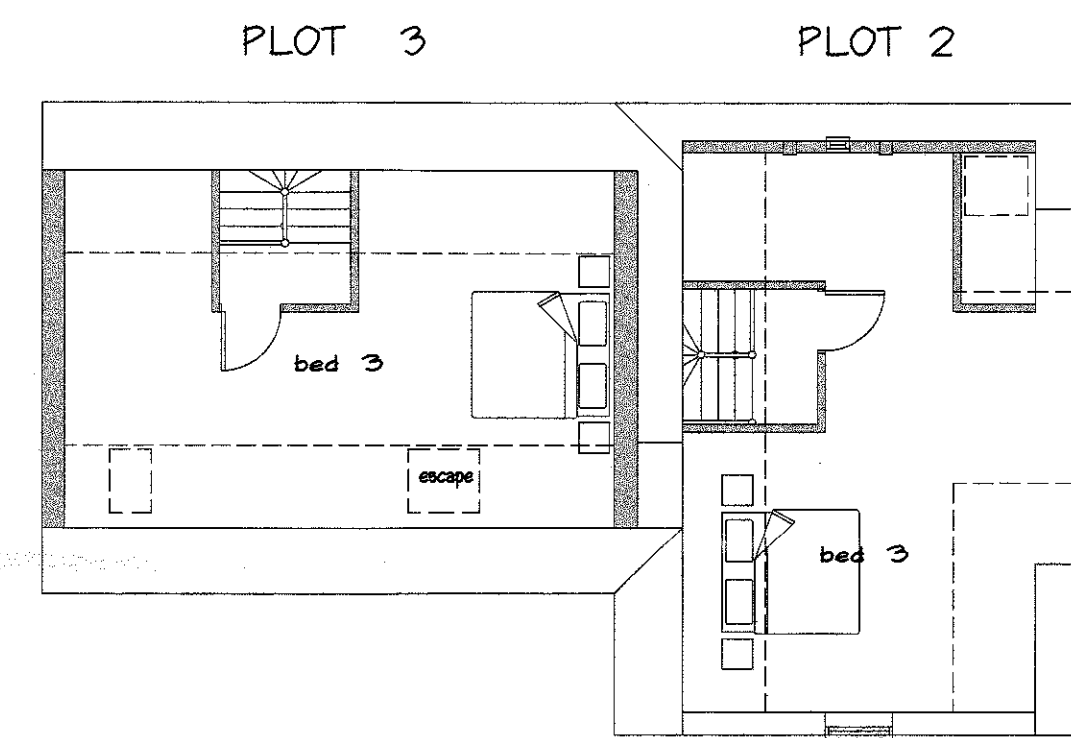
Ref: B&J/GLASTON/OIC/PLANNING/2015



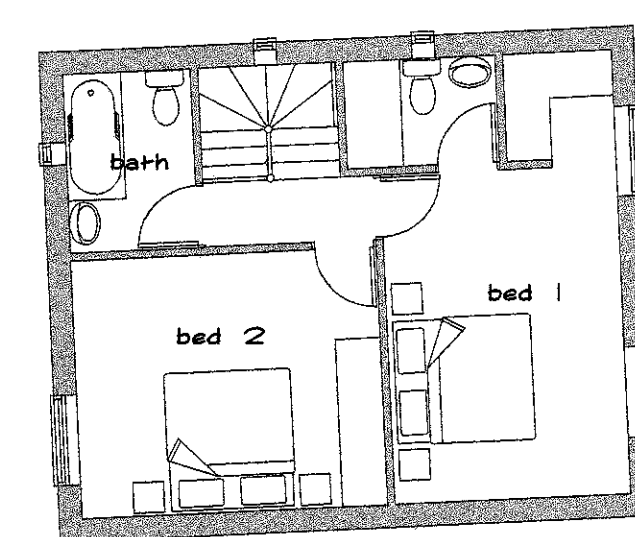
Proposed Ground Floor/Site Plan 1:100



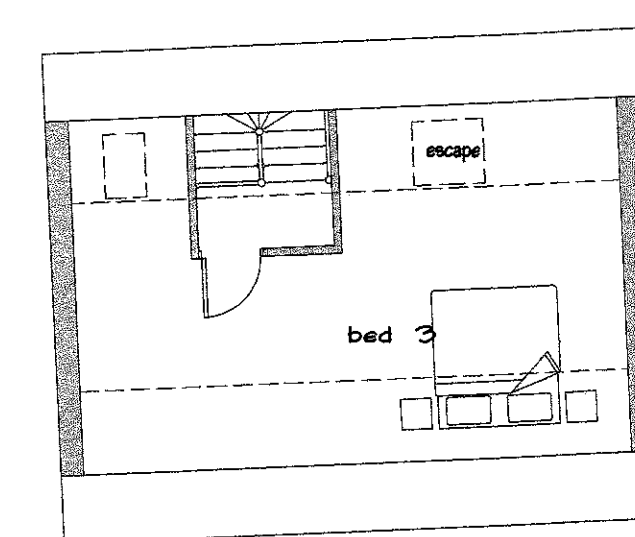
Proposed First Floor Plan Plots 1-3



Proposed Second Floor Plan Plots 1-3



Proposed First Floor Plan Plot 4



Proposed Second Floor Plan Plot 4

Revision A, Dec/2015: boundary wall height altered, garages omitted, plot 4 back 500mm into site etc.

Revision B, Dec 2015: Parking arrangement altered

Revision C, Jan 2016: Plot 3 roof lowered plot 4 siting altered

Ref: B&J/GLASTON/02C/PLANNING/2015

REPORT NO: 46/2016

DEVELOPMENT CONTROL AND LICENSING COMMITTEE

Date 16th February 2016

APPEALS

Report of the Director for Places (Environment, Planning and Transport)

Strategic Aim:	Ensuring the impact of development is managed	
Exempt Information	No.	
Cabinet Member Responsible:	Councillor Terry King, Portfolio Holder for Places (Development) and Finance	
Contact Officer(s):	Dave Brown, Director for Places (Environment, Planning and Transport)	Tel: 01572 758461 dbrown@rutland.gov.uk
	Gary Pullan, Development Control Manager	Tel: 01572 720950 gpullan@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 Development Control & Licensing Committee and summarises the decisions made.

2. APPEALS LODGED SINCE LAST MEETING

2.1 APP/A2470/D/16/3142129 – Mr David Styles – 2015/1104/FUL
 2 Mallard Close, Essendine, Rutland
 Extension – first floor over garage and ground floor to rear
Delegated Decision

- 2.2 APP/A2470/X/16/3141867 – Mr Philip Kerry – 2013/1088/CLE**
Land Adjacent to Lyndon Top, Lyndon Lane, Hambleton, Rutland
Certificate of Lawful Existing Use for the erection of a timber shed for use ancillary to fruit growing.
Delegated Decision

3. DECISIONS

- 3.1 APP/A2470/D/15/3134080 – Mr & Mrs L Greaves – 2015/0482/FUL**
6 Northwick Road, Ketton
Erection of Extensions
Delegated Decision
Appeal Allowed
- 3.2 APP/A2470/W/15/3131727 – Mr Richard Gale – 2015/0289/PAD**
Meadowsweet Farm, Knossington Road, Braunston in Rutland
Convert 3 No. existing brick built/concrete tiled buildings into 3 no. dwellings
Delegated Decision
Appeal Allowed
- 3.3 APP/A2470/W/15/3022931 – Mr Tony Wray – 2014/1096/FUL**
Plot 3, Land adjacent to 1 Church Street, Braunston, Rutland
Detached dwelling
Delegated Decision
Appeal Dismissed
Appeal Cost Dismissed
- 3.4 APP/A2470/W/15/3133259 – Wing Commander J Heatherill – 2015/0515/OUT**
Kintyre, 15 Langham Road, Ashwell, Rutland
Proposed Detached Dwelling
Delegated Decision
Appeal Dismissed
- 3.5 APP/A2470/W/15/3134756 – Mr Nicholas Grindley – 2015/0013/FUL**
Rear of 17 High Street East, Uppingham, Rutland
Erection of new detached 3 bedroom dwelling within the land to the rear of No. 17 High Street utilising existing store.
Delegated Decision
Appeal Dismissed and award of costs refused
- 3.6 APP/A2470/Y/15/3134774 – Mr Nicholas Grindley – 2015/0014/LBA**
Rear of 17 High Street East, Uppingham, Rutland
Erection of new detached 3 bedroom dwelling within the land to the rear of No. 17 High Street utilising existing store.
Delegated Decision
Appeal Dismissed and award of costs refused

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.