

# PLANNING AND LICENSING COMMITTEE

24<sup>th</sup> August 2021

## APPEALS

### Report of the Director of Places

Strategic Aim:	Ensuring the impact of development is managed	
Exempt Information	No	
Cabinet Member Responsible:	Councillor Ian Razzell - Portfolio Holder for Planning	
Contact Officer(s):	Penny Sharp, Director of Places (Environment, Planning & Transport & Highways)	Tel: 01572 758160 <a href="mailto:psharp@rutland.gov.uk">psharp@rutland.gov.uk</a>
	Justin Johnson, Development Control Manager	Tel: 01572 720950 <a href="mailto:jjohnson@rutland.gov.uk">jjohnson@rutland.gov.uk</a>
Ward Councillors	All	

### DECISION RECOMMENDATIONS

That the Committee notes the contents of this report

#### 1. PURPOSE OF THE REPORT

- 1.1. This report lists for Members' information the appeals received since the last meeting of the Planning & Licensing Committee and summarises the decisions made.

#### 2. APPEALS LODGED SINCE LAST MEETING

- 2.1 **APP/A2470/D/21/3275261 – Mr Richard Dilworth – 20/1381/FUL**  
15 Melton Road, Langham, Rutland, LE15 7JN  
Replace 3 no. wooden windows with UPVC sash windows.  
**Delegated Decision - Reason for refusal:**

The use of UPVC units fronting the highway is not justified here, being an unsustainable material, and having a detrimental impact upon the character and appearance of Langham Conservation Area and the village's Article 4(2) Direction, with no overriding public benefits. As such the proposal would be contrary to Sections 12 and 16 of the National Planning Policy Framework (2019), Policies CS19 and CS22 of the Rutland Core Strategy (2011), Policies SP15 and SP20 of the Site Allocations and Policies Development Plan Document (2014), and Policies CH1, D3a, D3e and D3h of the Langham Neighbourhood Plan (2017).

- 2.2 **APP/A2470/D/21/3277430 – Mr Paul Cooper – 2021/0147/FUL**  
122 Welland Way, Oakham, Rutland LE15 6SZ  
Two storey extension to front elevation.

**Delegated decision – Reason for refusal:**

By virtue of the design and position of the extension, and the close proximity to the boundary of the site, the development would appear squeezed into, and constitute overdevelopment of, this part of the site, and appear as an incongruous addition within the street scene. As such the proposal would be contrary to Section 12 of the NPPF (2019), Policy CS19 of the Rutland Core Strategy (2011) and Policy SP15 of the Site Allocations and Policies Development Plan Document (2014), and the Council's Supplementary Planning Document on Extensions (2015).

- 2.3 **APP/A2470/D/21/3275746 – Mr Peter Woods – 2021/0101/FUL**  
Waterlea, Brookdene, Ashwell, Rutland  
Replace 2 no. windows on south elevation and 5 no. windows plus 3 no. within bay window on east elevation with residence 7 PVCU flush casement windows

**Delegated decision – Reason for refusal:**

The use of UPVC units fronting the highway is not justified here, being an unsustainable material, and having a detrimental impact upon the character and appearance of Ashwell Conservation Area and the village's Article 4(2) Direction, and well as the setting of adjacent Listed Buildings, and would therefore be contrary to Sections 12 and 16 of the National Planning Policy Framework (2019), Policies CS19 and CS22 of the Rutland Core Strategy (2011), Policies SP15 and SP20 of the Site Allocations and Policies Development Plan Document (2014).

### 3. DECISIONS

- 3.1 **APP/A2470/W/21/3266583 – Mr Stephen Fenn – 2020/0612/FUL**  
Land at Bridge Street, Ryhall, Rutland, PE9 4HH  
Construction of 1 no. single dwelling.

Reason for refusal:

1. The land subject to this application is important in its present undeveloped state to both the setting of nearby historic buildings and to the character and appearance of the Conservation Area. The proposed

development of this open land would result in a significant change of character to this part of the Conservation Area and would detract from the setting of nearby designated and non-designated heritage assets. The majority of the frontage to Bridge Street being used for car-parking/manoeuvring would also be harmful to the street scene. The harm to heritage assets would be less than substantial but this harm would not be outweighed by the public benefit of a couple of dwellings to the local housing stock. Given this, the proposal would be contrary to Sections 12 and Section 16 of the NPPF (2019), Policies CS19 and CS22 of the Rutland Core Strategy (2011) and Policies SP15 and SP20 of the Site Allocations and Policies Development Plan Document (2014).

2. The Leicestershire and Rutland Historic Environment Record (HER) notes that the site lies within the medieval and post-medieval historic settlement core of Ryhall (HER ref.: MLE10188), with the findspot of a Post-medieval (Civil War) coin hoard found immediately to the east (MLE7364). The survival of well preserved archaeological remains is indicated by an appraisal of the available historic maps and plans, which suggests the site has remained undeveloped since the 19th century. The proposals include operations that may destroy any buried archaeological remains that are present, but the archaeological implications cannot be adequately assessed on the basis of the currently available information. Since it is possible that archaeological remains may be adversely affected by this proposal, an archaeological desk-based assessment and a field evaluation, is required. This has not been provided during the lifetime of the application, and therefore the proposal is contrary to planning policy CS22 of the adopted Core Strategy (2011), Policy SP20 of the Site Allocations and Policies Development Plan Document (2014), and paragraphs 189 & 190 of the National Planning Policy Framework (2019).

#### **Delegated Decision**

**Appeal Dismissed – 29<sup>th</sup> June 2021**

- 3.2 **APP/A2470/W/21/3272588 – Mr Peter Bradley – 2020/1150/FUL**  
**The Rutland Dog Walker Ltd, Stretton Road, Greetham, Oakham, Rutland, LE15 7QX**

Proposed amenity accommodation for staff and public to support the previous change of use from 5.1 acre paddock for use as a dog walking area – the permission for the change of use was granted on 29 March 2018 under planning application ref. 2018/0037/FUL.

#### **Delegated Decision**

**Appeal Dismissed – 27 July 2021**

## **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.