



Rutland County Council

Catmose Oakham Rutland LE15 6HP.

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Minutes of the **MEETING of the PLANNING AND LICENSING COMMITTEE** held in the Council Chamber, Catmose, Oakham, Rutland, LE15 6HP on Tuesday, 19th April, 2022 at 7.00 pm

PRESENT:

Councillor E Baines	Councillor N Begy
Councillor D Blanksby	Councillor K Bool
Councillor G Brown	Councillor P Browne
Councillor W Cross	Councillor J Dale
Councillor A MacCartney	Councillor M Oxley
Councillor K Payne	

APOLOGIES: Councillor A Brown

OFFICERS PRESENT:

Justin Johnson	Development Manager
Julie Smith	Interim Highways Engineer
Nick Hodgett	Principal Planning Officer
Sherrie Grant	Planning Solicitor
David Ebbage	Governance Officer
Tom Delaney	Governance Manager

IN ATTENDANCE:

Councillor L Toseland	Ward Member
Councillor P Ainsley	Ward Member

1 APOLOGIES

Apologies were received from Councillor A Brown.

2 MINUTES

Consideration was given to the minutes of the meetings held on 8th March and 15th March 2022.

RESOLVED

That the minutes of the meetings on the 8th March and 15th March be **APPROVED**.

3 DECLARATIONS OF INTERESTS

There were no declaration of interests.

4 PETITIONS, DEPUTATIONS AND QUESTIONS

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

In relation to Item 5 – Planning Applications, application 2021/1124/MAO, Sammy Munton would be speaking as a member of the public opposed to the recommendation, Councillor Jane Ellis would be speaking on behalf on Braunston-in-Rutland Parish Council, Councillor Leah Toseland and Councillor Paul Ainsley would be speaking as the Ward Members, and Andrew Gore and Alistair Weir would be speaking as the agent and applicant.

5 PLANNING APPLICATIONS

Report No. 78/2022 was received from the Strategic Director of Places.

Item 1 – 2021/1124/MAO - Land North of Braunston Road, Oakham Outline application for the development of up to 100 no. dwellings including up to 30% affordable housing, open space, green infrastructure, children's play area and SuDS. All matters reserved except access.

(Parish: Oakham; Ward: Oakham North West)

Nick Hodgett, Principal Planning Officer, addressed the Committee and gave an executive summary of the application and additional information set out in the addendum, recommending approval subject to the conditions set out in the report and addendum.

Prior to the debate the Committee received deputations from Sammy Munton as member of the public opposed to the recommendation, Jane Ellis as a Parish Councillor of Braunston-In-Rutland, Councillor L Toseland and Councillor P Ainsley as the Ward Members and Andrew Gore and Alistair Weir as the agents. The Committee also had the opportunity to ask questions of these speakers.

In response to the questions asked by Members to the agent, the following points were made: -

- The sustainability of the proposed site was queried. The developer referred to several amenities and services that were within walking distance such as the nearest shop, bus stop which provides an hourly service throughout Oakham and made point that the site is situated on the edge of Oakham where more amenities are available.
- Flooding risks was mentioned by several Committee Members, the report indicated there was no record of flooding in the area and the site is outside of the known flooding area. It was pointed out that the flood risk test is nil detriment. A flood risk cannot be caused and then a development be accepted. The service water would drain off the site as green field run off rates, of which would improve how the water gets intercepted. The rates were referred to in the planning officers' presentation. The agent stated that no detrimental impact of flooding would take place because of the development being approved.
- Any development that gets approved, a detailed drainage assessment/strategy gets carried out. Any further work that would be required regarding increasing the capacity would need to be provided by the developer.

- A travel plan was submitted within the application to encourage sustainable transport movements. Any new development does put pressure on the transport network, to refuse the development on highway impact must be severe to warrant a refusal.
- A response to a question around capacity of sewage works, Anglian Water had sufficient capabilities to deal with the extra pressure. The current system could meet the additional demands placed on it for this development.
- The confidence on being able to deliver affordable houses with current building materials on the increase in the current climate was raised. The new properties would be set at the market value, any additional increase to the cost of the house would reduce the residual land value, would not affect the individual house, would decrease the land value.
- The only obligation as the developer for issues around the education sector is to contribute financially to the CIL charges that go towards creating capacity within education sector.

The Chairman opened the debate up to Members where the following points were made:

Members agreed that the proposed development was outside the plans for permitted development and in open countryside.

It was also felt that the lack of infrastructure within the area would not be able to deal with the added pressures of this development being approved. The health and education sectors would not benefit from the extra volume that would be added upon them and this would also affect the local neighbourhood not being able to access these services.

Members raised concerns over the impacts to the highway's infrastructure, in particular the junction of West Road and Cold Overton Road. The highways officer explained to Members that junctions are assessed and a value is added to them. It is measured by Ratio of Flow to Capacity (RFC) to the value of 1. The junction at West Road and Cold Overton Road was measured at 0.62 out of 1, this included the development traffic added and the proposed development time of 2026. The assessment had determined that there was capacity. If a junction was at capacity, then the developer would have to put forward an improvement scheme to see how they would improve that capacity.

Several Members brought up the issue of potential flooding on the proposed development. The proposed site was a low surface flood risk area. The planning officer explained to Members that the surface water drainage system would improve matters where residents had complained previously of surface water running off the field into adjacent properties in relation to a previous planning application south of Braunston Road. With the proposed development, the water would be intercepted and then discharged at lower rate to the water cause. The surface water would discharge at greenfield rate to existing water courses 4.3l/s.

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At 9:26pm the Chair proposed that an extension of 15 minutes be taken, and this was unanimously approved by the Committee.

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Discussions were had around the weight that could be given to the emerging Oakham and Barleythorpe Neighbourhood Plan. The planning officer advised Members that

Paragraph 11d of the National Planning Policy Framework would still be engaged as the Council does not have a 5-year housing supply and the Oakham and Barleythorpe Neighbourhood Plan did not allocate any land for housing within it. The weight to be given to the Oakham and Barleythorpe Neighbourhood Plan was considered low, therefore the local plan policy remains out of date which resulted in paragraph 11d still being engaged.

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At 9:42pm the Chair proposed that an extension of 15 minutes be taken, and this was unanimously approved by the Committee.

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It was moved by Councillor M Oxley that the application be refused on the grounds of the environmental landscape impact of the development and with it being outside of planned limits to development and in the open countryside, the impact the development would have on the general character of the neighbourhood and secondly the impact on residential wellbeing and quality of life due to the lack of infrastructure around health, leisure, and schools. This was seconded and upon being put to a vote, with 9 votes in favour and 2 against, the motion was carried.

RESOLVED:

That application 2021/1124/MAO be **REFUSED** on the following grounds:

1. The environmental landscape impact of the development and with it being outside of planned limits to development and in the open countryside. The impact the development would have on the general character of the neighbourhood.
2. The impact on residential wellbeing and quality of life due to the lack of infrastructure around health, leisure, and schools.

The full list of reasons can be found on the planning application page of the Council's website

<https://www.rutland.gov.uk/my-services/planning-and-building-control/planning/view-planningapplications-and-decisions/>

As it was approaching 10:00pm, it was agreed due to a lack of time left in the meeting that the two remaining applications be deferred to a future meeting.

RESOLVED

That applications 2021/1373/FUL and 2021/1339/FUL be **DEFERRED** to a future meeting.

6 APPEALS REPORT

Due to the lack of time left in the meeting, it was agreed that the Appeals Report be deferred to a future meeting.

RESOLVED

That the Appeals Report be **DEFERRED** to a future meeting.

7 ANY OTHER URGENT BUSINESS

There was no urgent business.

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The Chairman declared the meeting closed at 9.57pm

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