

# PLANNING AND LICENSING COMMITTEE

23<sup>rd</sup> August 2022

## APPEALS

### Report of the Strategic Director of Places

Strategic Aim:	Delivering Sustainable Development	
Exempt Information	No	
Cabinet Member Responsible:	Councillor Rosemary Powell - Portfolio Holder for Planning, Highways and Transport	
Contact Officer(s):	Penny Sharp, Strategic Director of Places	Tel: 01572 758160 <a href="mailto:psharp@rutland.gov.uk">psharp@rutland.gov.uk</a>
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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/W/22/3298868 - Mr Hugh Burnaby-Atkins - 2021/1147/FUL**  
Manton Lodge Farm, Lodge Lane, Manton  
Resubmission of refused application number 2021/0503/FUL, Change of use of part of a field to a tennis court with surrounding fence  
**Delegated Decision**

Reason - The change of use of agricultural land to extend the residential curtilage and create the tennis court is an undesirable extension of the domestic curtilage. The development would result in an intrusive and prominent incursion into the surrounding open countryside that would adversely affected the character of the open countryside. Therefore the current proposal, due to its area, location and encroachment into 'the open countryside' would fail to accord with Policy CS4 (The location of development), CS19 (Promoting good design), CS21 (Natural environment) and of the Core Strategy (2011), and Policies SP6 (Housing in the countryside, Policy SP7 (Non-residential development in the countryside), SP15 (Design and amenity) and Policy SP23 (Landscape character in the countryside) of the Site Allocations and Policies Development Plan Document(2014), and the adopted Supplementary Planning Documents 'Garden Extensions' (March 2015).

**2.2 APP/A2470/W/22/3299719 – Mr Richard Drewnicki – 2020/0059/FUL**

Land on the North East side of Pingle Lane, Morcott  
1 no. new Dwelling.

**Committee Decision:**

Reason - The proposed dwelling is located adjacent to the village of Morcott so does not meet the requirement of Paragraph 80(e) of the NPPF in that it is not an isolated dwelling. The Local Planning Authority considers that there is insufficient evidence to demonstrate that the proposal would help to raise standards of design more generally in rural areas or that it would significantly enhance its immediate setting or be sensitive to the defined characteristics of the Conservation area within which it sits.

Furthermore the proposed dwelling does not meet the requirements of Paragraph 134 of the NPPF as it does not fit in with the overall form and layout of the village which is described in the Heritage Appraisal as being a compact settlement with a sense of enclosure. The proposal would be outside this compact form and open to views from the countryside, unlike other buildings in the village. The scale and character of the dwelling would be significantly different from those in the conservation area. The impact of the dwelling on the character of the village and conservation area would be less than substantial but this would not be outweighed by any public benefits.

The proposed construction route and compound would result in the loss of historic ridge and furrow, a non-designated heritage asset, which would never be replaced in its original form.

The proposal would thereby be contrary to Policies CS4 and CS19 of the Core Strategy (2011), Policies SP6, SP15, SP20 of the Site Allocations and Policies DPD (2014), the advice in paragraphs 80(e), 134, and 202 of the NPPF 2021 and Para 15.8 of the Morcott Conservation Area Appraisal and Management Proposals (2014).

**3. DECISIONS**

**3.1 APP/A2470/W/21/3283970 – A Hinch - 2021/0479/FUL**

Retrospective planning permission for the redevelopment of an agricultural building to form 1 no. dwelling.

Glebe Farm, Empingham Road, Tinwell

**Refused – Delegated Decision**

## **Appeal Dismissed – 1<sup>st</sup> August 2022**

### **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.