

PLANNING AND LICENSING COMMITTEE

25th October 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 psharp@rutland.gov.uk
	Justin Johnson, Development Control Manager	Tel: 01572 720950 jjohnson@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 Planning & Licensing Committee and summarises the decisions made.

2. APPEALS LODGED SINCE LAST MEETING

- 2.1 **APP/A2470/D/3304857 – Dr Hayley Travers – 2022/0089/FUL**
 19 Main Road, Barleythorpe, Rutland, LE15 7EE
 Increase roof height to provide second floor accommodation, front and rear dormers, single storey front and rear extensions.
Delegated Decision

Reason - The plot that the house sits on is tight, with the house spanning almost the full width of the plot, and the neighbouring properties are of a similar height to the existing dwelling. By virtue of the design, scale of the increase in the roof height of the original dwelling the proposed development would result in an incongruous addition and result in overdevelopment of the original dwelling, and have an adverse impact on the streetscene and the amenities of neighbouring properties contrary to NPPF (Section 12), Policy CS19 of the Rutland Core Strategy (2011) and Policy SP5 and SP15 of the Site Allocations and Policies Development Plan Document (2014) as well as the guidance within the Council's Supplementary Planning Documents (SPD) on Extensions (2015), Design Guidelines for Rutland & South Kesteven (2021) and Policy 2 (delivering Good design) of the Oakham & Barleythorpe Neighbourhood Plan.

No bat survey has been submitted with the application. It is considered that the proposed conversion and alteration of the existing property including some demolition works is likely to affect the existing roof space/roofline of the property. The application site is located in an area with good bat foraging habitat. There is therefore a strong possibility that bats are roosting in the roof space of the existing property and could be disturbed by the proposed works. Notwithstanding that it might be possible to mitigate the impact on any protected species should they be found, without the requisite surveys, the scheme would conflict with planning policies CS21 of the adopted Core Strategy (2011), and SP19 of the Site Allocations and Development Plan Document (2014), Policy 10 (protection of the natural environment) of the Oakham & Barleythorpe Neighbourhood Plan, NPPF Chapter 15 (2021) and Guidance on the conservation of protected species given in ODPM Circular 06/2005.

2.2 APP/A2470/D/22/3305714 – Mrs Angela Lashbrook – 2022/0407/FUL

7 Cedar Street, Braunston in Rutland, Rutland, LE15 8QS

Replacement windows to front elevation and to entrance porch

Delegated Decision

Reason - The use of the proposed range of UPVC windows on the façade and porch of the building would introduce an alien material to this prominent building within the conservation area. The proposed units, would by reason of materials and detailing, have a detrimental impact upon the appearance of the Conservation Area and the Article 4(2) Direction. The proposal would be contrary to Sections 12 and 16 of the National Planning Policy Framework (2021), Policies CS19 and CS22 of the Rutland Core Strategy (2011), Policies SP15 and SP20 of the Site Allocations and Policies DPD 2014 and s.72 of the Planning (Listed Buildings and Conservation Areas) Act 1990.

2.3 APP/A2470/W/22/3301737 – Jeakins Weir Ltd – 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.

Committee Decision

Reasons - The site is outside the Planned Limit to Development on rising land to the west of the established town boundary. The development would, by reason of its location, form and character, constitute an unacceptable intrusion into this rural landscape contrary to policies CS4 and CS19 of the Core Strategy (2011), Policies

SP6, SP15 and SP23 of the Site Allocations and Policies DPD (2014) and the advice in NPPF Para 130(c).

Notwithstanding the Community Infrastructure Levy requirements, the development would also add to the existing severe pressure on local services that already fail to meet residents expectations and would have a detrimental impact on the wellbeing and quality of life of the proposed residents. It is therefore considered that acceptance of the proposal would not comply with the overarching policies within the NPPF relating to the creation of healthy and safe communities.

3. DECISIONS

3.1 None

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.