

PLANNING AND LICENSING COMMITTEE

17 January 2023

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/W/22/3310265 – De Merke Estates – 2022/0796/MAO**

Land West of Main Road, Barleythorpe

Outline planning permission (with all matters reserved except for means of access from Main Road) for residential development, with landscaping and public open space, associated drainage infrastructure and access works, and safeguarded land for community uses.

Appeal Against Non Determination

2.2 APP/A2470/W/22/3304770 - Mrs Hazel Glassford - 2021/1129/FUL

22 Burley Road, Langham

Replacement windows. Detached garage. Addition of 3 no. roof windows to the rear and demolition of rear extension. Paint exterior of dwelling (as existing).

Appeal against Condition 3: The replacement windows hereby approved shall have a white colour finish. Reason: In the interests of the character and appearance of the conservation area.

2.3 APP/A2470/W/22/3305249 – Mr Brian Sampson – 2021/1417/FUL

Clonmel Farm, Cold Overton Road, Langham

Retrospective planning application for construction of an agriculture building and solar panels.

Appeal against refusal: Based on the information provided it is considered that insufficient justification has been provided to demonstrate that a building, particularly as big as the one proposed is reasonably required for the agricultural/horticultural purposes associated with the smallholding.

Acceptance of this scale of development in the countryside without sufficient justification is therefore considered to be contrary to Planning Policies SP7, SP13, SP15, SP23 of the Site Allocation and Policies Development Plan Document (2014), Section 12 and 14 of the National Planning Policy Framework (2021).

2.4 APP/A2470/W/22/3301045 - Mr Aakash Odedra - 2022/0028/FUL

39b Main Street, Whissendine

Section 73 application to vary condition 1 of application 2018/1187/PRC (Notification of Prior Approval) - Change of use from Class A1 to Class A3 to allow for new coffee shop. In order to extend the opening hours to 10.30pm everyday and to open on bank holidays.

Appeal against refusal: An extraction system will be required in relation to the cooking practises that will take place during the proposed extended opening hours. Any new equipment may cause harm to the amenities of nearby residents by way of unacceptable levels of noise and odour. No assessments regarding these impacts or the details of any extraction system to be used have been provided to the Local Planning Authority, and as such the Local Planning Authority considers that insufficient information has been provided to suitably assess the proposal. The proposal is therefore contrary to Section 15 of the NPPF (2021), Policy CS19 of the Rutland Core Strategy (2011) and Policy SP15 of the Site Allocations and Policies Development Plan Document (2014).

3. DECISIONS

3.1 APP/A2470/D/22/3304857 – Dr Hayley Travers – 2022/0089/FUL

19 Main Road, Barleythorpe, LE15 7EE

Increase roof height to provide second floor accommodation, front and rear dormers, single storey front and rear extensions

Delegated Decision

Appeal Dismissed – 14 November 2022

3.2 APP/A2470/W/21/3287674 – Vistry Group – 2020/0942/OUT

Land off Park Road, Ketton

Outline application with all matters reserved except for means of access, for residential development of up to 75 no. dwellings with associated public open space, landscaping and infrastructure.

Committee Decision

Appeal Allowed – 25 November 2022

3.3 APP/A2470/W/21/3285028 – Muller Property Group – 2020/0172/OUT

Land to the South of Stapleford Road, Whissendine

Outline Planning Application for the development of up to 66 no. dwellings, public open space and associated infrastructure, with all matters reserved for subsequent approval, other than access.

Committee Decision

Appeal Withdrawn – 05 December 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.