



# 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, 14th February, 2023 at 7.00 pm

**PRESENT:**

Councillor E Baines (Chair)	Councillor P Browne (Vice-Chair)
Councillor N Begy	Councillor K Bool
Councillor A Brown	Councillor G Brown
Councillor W Cross	Councillor J Dale
Councillor A MacCartney	Councillor R Payne

**ABSENT:**

Councillor D Blanksby	Councillor R Wilson
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**OFFICERS PRESENT:**

Justin Johnson	Development Manager
Darren Burbeary	Senior Planning Officer
Sherrie Grant	Planning Solicitor
Robyn Green	Highways Engineer
David Ebbage	Governance Officer

## 1 WELCOME AND APOLOGIES

Apologies were received from Councillors D Blanksby and R Wilson.

## 2 MINUTES

Consideration was given to the minutes of the meeting held on 17<sup>th</sup> January 2023.

### RESOLVED

a) That the minutes of the meeting on 17<sup>th</sup> January 2023 be **APPROVED**.

## 3 DECLARATIONS OF INTERESTS

Councillor A Brown declared a personal interest in item 5c – Planning Applications, application 2022/0646/FUL as it was his own application. He confirmed that he would leave the meeting at that point.

Councillor W Cross declared a personal interest in item 5a and b – Planning Applications, 2022/0547/FUL and 2022/0562/LBA as he knew the applicant. He confirmed they came to the meeting with an open mind.

Councillor E Baines declared a personal interest in, 5a and b – Planning Applications, 2022/0547/FUL and 2022/0562/LBA as he knew the applicant and had dealings with

them in a business capacity in the past so confirmed that he would leave the meeting at that point.

#### **4 PETITIONS, DEPUTATIONS AND QUESTIONS**

In accordance with the Planning and Licensing Committee Public Speaking Scheme, the following deputations were received on item 5, Planning Applications:

In relation to 2022/0547/FUL and 2022/0562/LBA, Ross Jarvie spoke as the member of the public opposing the application.

#### **5 PLANNING APPLICATIONS**

Report No.28/2023 was received from the Strategic Director of Places.

Item 5a – 2022/0547/FUL – Proposed Swimming Pool and Changing Room.

(Parish: Morcott; Ward: Braunston and Martinsthorpe)

Item 5b – 2022/0562/LBA – Proposed Swimming Pool and Changing Room.

(Parish: Morcott; Ward: Braunston and Martinsthorpe)

Item 5c – 2022/0646/FUL- Demolition of existing agricultural barn and erect 2 no. 3 storey dwellings, relocation of entrance doors to barn No 2 to the rear, extension of existing farm track, creation of new parking and turning area to the rear of barn 2.

(Parish: Caldecott; Ward: Braunston and Lyddington)

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At 7.07pm Councillor E Baines left the meeting

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At 7.07pm Councillor P Browne took the Chair

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##### **5a 2022/0547/FUL**

Justin Johnson, Planning Officer, introduced the application and gave an executive summary, recommending approval subject to conditions outlined in the report.

Prior to the debate the Committee received deputations from Ross Jarvie who spoke as the member of the public opposing the application. The Committee also had the opportunity to ask questions of these speakers.

It was proposed by the Chair that applications 2022/0547/FUL and 2022/0562/LBA be discussed together as it was the same site and to take two votes at the end of debate. This was seconded and upon being put to vote, the motion was unanimously agreed.

Officers during their deputation did highlight that the agent had submitted amended plans to remove the air source heat pump from the scheme following the concerns

relating to noise. If the applicant decided to reinstall one, it would be dealt with separately.

Concerns raised over the wall to the north of the site, it was confirmed that with the conditions attached to the permission, the development could be carried out and would not cause an adverse impact to the wall.

During debate, Members raised concerns over the protection of the wall in question to the North of the site. Officers reassured Members that condition 5 within the addendum would provide comprehensive monitoring and included trigger values which if exceeded would halt any work being carried out.

Certain Members raised the point to why the recent submitted application for repair works to the walls could not be dealt with first before works were carried out on the swimming pool and changing room. Officers stated that it came down to reasonableness, the report clearly stated that if the wall was left with no maintenance, it would eventually fall into disrepair. Officers had to assess if the development proposed had a detrimental impact on it. With the evidence officers had, no it did not, providing the conditions that were listed would be in place. In summary, officers felt it wasn't reasonable to insist the wall was repaired first.

A question was asked around the disposal of the swimming pool water when cleaning took place. A request from the water authority to provide notice to when the removal of the water would take place and it would connect to the main water supply.

It was pointed out to Members with regards to the concerns of privacy and sight lines from the neighbour, the levels would not change to what they already were currently, as the pool would be dug into the ground, the view would just be altered with the new pool in use, would not be any worse off. No reason to object the application on that point.

A concern was raised around the noise and disturbance for the neighbouring properties. Officer responded that these were a material consideration of an application with the primary noise being produced from construction. Conditions were in place with the construction management plan to deal with that. The pool was for residential use therefore would not warrant for refusal on those grounds. It was also pointed out to Members that the applicant's agents neighbour currently has a swimming pool at that property.

It was moved by Councillor G Brown and seconded that the application be approved subject to the conditions in the report and the additional informative suggested by Members. Upon being put to the vote, with 5 votes for and 4 votes against, the motion was carried.

## **RESOLVED**

- a) That the application 2022/0547/FUL be **APPROVED** subject to the conditions outlined by the Planning Officer and agreed by Members within the debate.
- b) 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/>

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**5b 2022/0562/LBA**

As set out above, this was discussed with application 2022/0547/FUL

It was moved by Councillor G Brown and seconded that the application be approved subject to the conditions in the report and the additional informative suggested by Members. Upon being put to the vote, with 5 votes for and 4 votes against, the motion was carried.

**RESOLVED**

- a) That the application 2022/0562/LBA be **APPROVED** subject to the conditions outlined by the Planning Officer and agreed by Members within the debate.
- b) 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/>

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At 8.16pm Councillor A Brown left the meeting

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At 8.16pm Councillor E Baines re-joined the meeting and resumed as Chair

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**5c 2022/0646/FUL**

Darren Burbeary, Senior Planning Officer, introduced the application and gave an executive summary, recommending approval subject to conditions outlined in the report.

A question was asked around the car park to the front of the application and it was clarified by officers that it would not form part of the application and would remain the same. A parking plan had been received for both plots of land.

It was pointed out by Members that there would be a reduction of one dwelling on the site, but officers felt it would be difficult to justify a refusal on the loss of that one unit in that location. Officers believed the design and layout was an improvement that what was granted through the Class Q process. The Class Q which went through previously for this site was allowed at appeal.

It was moved by Councillor G Brown and seconded that the application be approved subject to the conditions in the report. Upon being put to the vote, with 8 votes for and 1 abstention, the motion was carried.

**RESOLVED**

- a) That the application 2022/0646/FUL be **APPROVED** subject to the conditions outlined by the Planning Officer and agreed by Members within the debate.
- b) The full list of reasons can be found on the planning application page of the Council's website

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## **6 APPEALS REPORT**

Report No. 29/2023 was received from the Strategic Director for Places. Justin Johnson, Development Manager, presented the report which listed for Members' information the appeals received since the last ordinary meeting of the Planning & Licensing Committee and summarised the decisions made.

### **RESOLVED**

- a) That the contents of the report be **NOTED**.

## **7 ANY OTHER URGENT BUSINESS**

There were no items of urgent business.

## **8 DATE OF THE NEXT MEETING**

Tuesday, 14<sup>th</sup> March 2023

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**The Chairman declared the meeting closed at 8.37pm**

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