

PLANNING AND LICENSING COMMITTEE

22nd August 2023

APPEALS

Report of the Strategic Director of Places

Strategic Aim:	Delivering Sustainable Development	
Exempt Information	No	
Cabinet Member Responsible:	Councillor Paul Browne - Portfolio Holder for Planning and Property	
Contact Officer(s):	Penny Sharp, Strategic Director of Places	Tel: 01572 758160 psharp@rutland.gov.uk
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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/23/3323343 – Mr and Mrs Semple – 2022/1150/FUL**
Land to the Rear of 37 Cold Overton Road, Oakham
2 New Bungalows in rear garden of 37 Cold Overton Road, Oakham, Rutland LE15 6NT
Appeal against Refusal

The proposed new dwellings and garages would result in a cramped form of development and would by virtue of their scale, design and form in relation to their location show little regard for any local distinctiveness and result in backland development and would appear as an incongruous element in its landscape setting, dominating views from the surrounding area and neighbouring land uses, failing to provide adequate enhanced biodiversity and demonstrate that existing hedgerow along the site boundaries can be retained. Taking the above into account, it is considered that the development would be contrary to Policies CS19 of the Adopted Core Strategy Development Plan Document (2011), and Policies SP5 and SP15 of the Site Allocations Development Plan Document (2014), Sections 5, and 12 of the NPPF (2021), The Design Guidelines for Rutland (SPD), The National Design Guide, 2021. and Policies 1 and 2 of the Oakham and Barleythorpe Neighbourhood Plan.

The existing vehicle access is in close proximity to existing residential property and would extend for a significant way along of the length of the existing garden area . It is considered that any increase in vehicular movements as a result a of the proposed new dwellings would have an adverse impact on the amenities of the properties known as No 35 and No 37 Cold Overton Road by reason of increased noise, vibration and general disturbance. The location of the new dwellings are also in close proximity of the eastern boundary will have an adverse impact on the residential amenities of No 35 Cold Overton Road by reason of loss of light and overshadowing of the rear garden area and is therefore considered to be contrary to planning policies CS19 of the adopted Core Strategy (2011) and SP5 and SP15 of the Site Allocations and Polices Development Plan Document (2014), Section 12 of the NPPF (2021), Design Guidelines for Rutland (SPD), The National Design Guide, 2021and Policies 1 and 2 of the Oakham and Barleythorpe Neighbourhood Plan.

The proposed access to the site is inadequate and below the standard required by reason of substandard geometry including orientation. As a consequence, the manoeuvring of vehicles likely to be generated by the proposed development would have an adverse effect on the safety of users of the adjoining public highway. This is contrary to Policy SP15 in the Adopted Rutland Local Plan Site Allocations & Policies DPD 2014. Section 9 NPPF (2021) Design Guidelines for Rutland (SPD),The National Design Guide, 2021 and Policies 1 and 2 of the Oakham and Barleythorpe Neighbourhood Plan Insufficient details have been provided to demonstrate a fire engine would not have to reverse more than 20m onto Cold Overton Road, or that other delivery vehicles associated with the existing and proposed residential uses could enter and leave the site in forward gear. Large vehicles not being able to leave the site in forward gear would be detrimental to Highway Safety. As such, the proposal would be unable to provide a safe access, contrary to planning policies SP5 (c) and SP15 (l) of the Site Allocations and Polices Development Plan Document (2014), Design Guidelines for Rutland (SPD), Section 9, paragraph 112(d) of the National Planning Policy Framework (2021) and Policies 1 and 2 of the Oakham and Barleythorpe Neighbourhood Plan

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3. DECISIONS

3.1 APP/A2470/D/3318823 – Ms J Dodman – 2022/1289/FUL

Serendene, 16 Cold Overton Road, Langham, Rutland, LE15 7JG

Resubmission of planning application 2022/0469/FUL - Proposed bungalow alterations and extension including detached garage.

Delegated Decision

Appeal Dismissed – 28th July 2023

3.2 APP/A2470/W/23/3314473 - Mr & Mrs Mark Hollingsworth – 2022/0310/FUL

Land South of Langham Road, Ashwell, Rutland

1 no. dwelling including demolition of privy and sheds.

Delegated Decision

Appeal Dismissed – 28th July 2023

3.3 APP/A2470/W/22/3312763 – N Beers (Bowbridge Land Ltd)

Main Road, Barleythorpe, Rutland

Outline planning application for up to 150 residential dwellings (Class C3), with all matters reserved except for access for the development of land off Main Road, Barleythorpe.

Delegated Decision

Appeal Dismissed – 9 August 2023

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

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