



Rutland County Council

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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, 12th December, 2023 at 6.00 pm

PRESENT:

Councillor N Begy (Chair)	Councillor A Brown (Vice-Chair)
Councillor G Clifton	Councillor K Corby
Councillor S McRobb	Councillor K Payne
Councillor R Payne	Councillor T Smith
Councillor A West	Councillor D Wilby
Councillor H Zollinger-Ball	

ABSENT: Councillor C Wise

OFFICERS PRESENT:

Justin Johnson	Development Manager
Darren Burbeary	Planning Officer
Nick Thrower	Principal Planning Officer
Magda Waclawik	Planning Officer
Julie Smith	Highways Engineer
Kylie Wesson	Planning Solicitor
David Ebbage	Democratic Services Officer

IN ATTENDANCE:

Councillor R Powell	Ward Member
Councillor K Heckels	Ward Member

1 WELCOME & APOLOGIES

Apologies were received from Councillor C Wise.

2 MINUTES

Consideration was given to the minutes of the meetings held on 7th November 2023.

RESOLVED

- a) That the minutes of the meeting on the 7th November 2023 be **APPROVED**.

3 DECLARATIONS OF INTERESTS

Councillor A Brown declared a personal interest in item 5d, Planning Applications, application 2023/0944/FUL as the applicant was one of his contractors. He confirmed he would leave the meeting at that point.

Councillor Zollinger-Ball declared a personal interest in item 5e, Planning Applications, application 2023/1057/FUL as he was the agent. He confirmed 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 2023/0892/FUL, Colin Smith spoke as a member of the public opposing the application, Councillor S Harvey spoke as the Ward Member and Duncan Clarke spoke as the agent.

In relation to 2023/0397/FUL, Tommy Cooper spoke as a member of Exton and Horn Parish Council, Councillor K Heckels spoke as the Ward Member and Jonathan Hendry spoke as the agent.

In relation to 2023/0271/RES, Richard Drabble spoke as a member of the public opposing the application, Cynthia Moss spoke as a member of Whissendine Parish Council, Councillor R Powell spoke as the Ward Member and Matthew Mortonson spoke as the agent.

In relation to 2023/0944/FUL, Sophie Harford spoke as the agent.

5 PLANNING APPLICATIONS

Report No.177/2023 was received from the Strategic Director of Places.

Item 5a – 2023/0397/FUL – Mr Stephen Smith, Land at Hawkswell House, Tickencote road, Exton

Proposal of a single dwelling with attached annex, pool pavilion, natural swimming pool, adjacent landscaping works and form new access.

(Parish: Exton & Horn; Ward: Exton)

Item 5b – 2023/0271/RES - Mulberry Homes, Land to the south of Stapleford road, Whissendine.

Application for reserved matters consent for the erection of 66 no. dwellings for layout, scale, landscaping, appearance and access (other than as already approved as part of outline planning permission) pursuant to outline planning permission 2021/1263/OUT.

(Parish: Whissendine; Ward: Whissendine)

Item 5c – 2023/0892/FUL - Mrs J Burgess, 21 Main Street, Cottesmore, Rutland, LE15 7DH

Section 73 application to Remove or Vary Conditions 2, 3 & 6 of application 2023/0074/FUL in order to allow for the provision of 4 parking spaces on site (Retrospective approval for the erection of a two storey and single storey extension to dwelling, raising of the roof of the original house with a new thatch roof, addition of a

window on the North East elevation, re-positioning of two windows on the South West elevation, the addition of an extra chimney and the raising of the height of the existing chimney with new rear door access, 2 no. garden sheds, parking and landscaping works).

(Parish: Cottesmore; Ward: Cottesmore)

Item 5d – 2023/0944/FUL - Ms Sophie Harford, Land off Main Street, Lyddington

Demolition of existing agricultural building and construction of 1 no. new dwelling.

(Parish: Lyddington; Ward: Lyddington)

Item 5e – 2023/1057/FUL - Michael Elliott, 30 Alexander Crescent, Oakham, Rutland, LE15 6LB

Single storey front and rear extensions and new porch.

(Parish: Oakham Town Council; Ward: Oakham North West)

Item 5f – 2023/0847/LBA - Mr Andrew Johnson, The Old Rectory, 15 High Street, Morcott, Rutland, LE15 9DN

Repointing works of the main building using lime mortar.

(Parish: Morcott; Ward: Braunston & Martinsthorpe)

It was agreed by the Chair to move application 5c 2023/0892/FUL to the beginning of the agenda.

5c 2023/0892/FUL

Paul Milne, 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 Colin Smith who spoke as a member of the public opposing the application, Councillor S Harvey spoke as the Ward Member and Duncan Clarke spoke as the agent. The Committee also had the opportunity to ask questions of the speakers.

It was confirmed by officers through the debate that with the size of the property in question, the allowable number of parking spaces was two.

Members felt the application was discussed at length when it came to committee in August 2023 and thought it was a sensible decision to add on condition 6 previously and sensed there was no need to reverse it on this occasion.

Members raised concerns on four cars being parked in that area and the anticipated increase in the number of movements in and out of the driveway. Members felt two spaces would be safer and that condition 6 should remain.

It was moved by Councillor K Payne and seconded that the application be refused. The reasons for refusal were:-

- Concerns around reversing in/out of the site.
- Impact of tandem parking and additional movements in/out of the site.
- Other car parking available in close proximity.

Upon being put to the vote with nine votes in favour, the motion was unanimously carried.

RESOLVED

- a) That the application 2023/0892/FUL be **REFUSED** for reasons 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/planning-building-control/planning/search-planning-applications-decisions>

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At 6.43pm Councillor Zollinger Ball joined the meeting

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5a 2023/0397/FUL

Darren Burbeary, Senior 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 Tommy Cooper who spoke as a member of Exton and Horn Parish Council, Councillor K Heckels who spoke as the Ward Member and Jonathan Hendry who spoke as the agent. The Committee also had the opportunity to ask questions of the speakers.

Officers confirmed through questioning that the scheme for the exemplar house was in line with the requirements Para 80 (e) of the NPPF. The design had evolved through two reviews with Midland Design and the Local Planning Authority.

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At 6.56pm Councillor D Wilby joined the meeting

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Most Members agreed that the design was an exceptional work of architecture and felt there was not enough of these designs within Rutland.

It was moved by Councillor A West and seconded that the application be approved subject to the conditions in the report and the additional condition within the addendum. Upon being put to the vote with nine votes in favour and one abstention, the motion was carried.

RESOLVED

- a) That the application 2023/0397/FUL be **APPROVED** subject to the conditions outlined by the Planning Officer.
- b) The full list of reasons can be found on the planning application page of the Council's website.

<https://www.rutland.gov.uk/planning-building-control/planning/search-planning-applications-decisions>

5b **2023/0271/RES**

Nick Thrower, Principal 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 Richard Drabble who spoke as a member of the public opposing the application, Cynthia Moss who spoke as a member of Whissendine Parish Council, Councillor R Powell spoke as the Ward Member and Matthew Mortonson spoke as the agent. The Committee also had the opportunity to ask questions of the speakers.

There were several concerns around the biodiversity net gain from Members. The amendments to the site resulted in changes to the biodiversity impact of the scheme, although there remained a deficit required to be offset elsewhere (which was permissible under the forthcoming Environment Act). Condition 3 within the report also detailed about the development resulted in a 10% biodiversity net gain.

Members asked the agent whether the applicant would consider reducing the number of properties to 60 but he responded saying it would not be viable if it was less than what was proposed. Reducing the scheme would affect the Council's 5-year housing land supply.

Members were happier with the now proposed layout at the south boundary and the density was lower on this site than others within Whissendine at 19 dwellings per hectare rather than 21-22 dwellings per hectare.

It was moved by Councillor T Smith and seconded that the application be approved subject to the conditions in the report. Upon being put to the vote with ten votes in favour and one against, the motion was carried.

RESOLVED

- a) That the application 2023/0271/RES be **APPROVED** subject to the conditions outlined by the Planning Officer.
- b) The full list of reasons can be found on the planning application page of the Council's website.

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At 8.48pm Councillor A Brown left the meeting

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5d **2023/0944/FUL**

Magda Waclawik, 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 Sophie Harford who spoke as the agent. The Committee also had the opportunity to ask questions of the speaker.

It was moved by Councillor D Wilby and seconded that the application be approved subject to the conditions in the report. Upon being put to the vote with ten votes in favour, the motion was unanimously carried.

RESOLVED

- a) That the application 2023/0944/FUL be **APPROVED** subject to the conditions outlined by the Planning Officer.
- b) The full list of reasons can be found on the planning application page of the Council's website.

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At 8.59pm Councillor A Brown re-joined the meeting and Councillor Zollinger-Ball left the meeting

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5e **2023/1057/FUL**

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

It was moved by Councillor S McRobb and seconded that the application be approved subject to the conditions in the report. Upon being put to the vote with eleven votes in favour, the motion was unanimously carried.

RESOLVED

- a) That the application 2023/1057/FUL be **APPROVED** subject to the conditions outlined by the Planning Officer.
- b) The full list of reasons can be found on the planning application page of the Council's website.

<https://www.rutland.gov.uk/planning-building-control/planning/search-planning-applications-decisions>

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At 9.01pm Councillor Zollinger Ball re-joined the meeting

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5f **2023/0847/LBA**

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

It was moved by Councillor G Clifton and seconded that the application be approved subject to the conditions in the report. Upon being put to the vote with eleven votes in favour, the motion was unanimously carried.

RESOLVED

- a) That the application 2023/0847/LBA be **APPROVED** subject to the conditions outlined by the Planning Officer.
- b) The full list of reasons can be found on the planning application page of the Council's website.

<https://www.rutland.gov.uk/planning-building-control/planning/search-planning-applications-decisions>

6 **APPEALS REPORT**

Report No.178/2023 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 NEXT MEETING**

Tuesday, 16th January 2024.

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The Chairman declared the meeting closed at 9.10pm.

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