

PLANNING AND LICENSING COMMITTEE

19th March 2024

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
	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/23/3334892 – Dr Hayley Travers – 2023/0789/FUL**
19 Main Road, Barleythorpe LE15 7EE
Increase roof height to provide second floor accommodation. Front and rear extensions.

Delegated Decision - 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 a neighbouring property 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 (2021) and Policy 2 (delivering Good design) of the Oakham & Barleythorpe Neighbourhood Plan.

2.2 APP/A2470/W/3338385 – Mr T Fiducia, Fiducia Enterprise Ltd – 2023/1200/FUL
New Quarry Farm, Holywell Road, Clipsham

Change of use of agricultural access track to a mixed use of an agricultural access and residential access including a new section of access track for residential access.

Delegated Decision - The applicant seeks this change of use of this agricultural access track to a mixed use of an agricultural access and residential access including a new section of access track for residential access over a substantial length over a bridleway which is in poor condition and would need substantive upgrading. It is considered that the access running a substantial length and taking into account the nature of the surfacing and use of the track by large agricultural and forestry vehicles will lead to an unacceptable access for domestic vehicles. Furthermore, in order to bring the access track up to a standard which may be suitable for use by a domestic vehicle throughout the year the nature of the works that would have to be carried out would impact adversely on the character of this rural area. As a result of these factors the proposal is considered contrary to Section 12 of the NPPF (2023), Policy CS19 of the Rutland Core Strategy (2011) and Policies SP15 and SP23 of the Site Allocations and Policies Development Plan Document (2014).

2.3 APP/A2470/W/24/3339373 – Mr Shaun Alexander – 2023/0076/FUL

Land South of Back Lane, Ryhall
Erection of one detached dwelling

Delegated Decision - The proposal, by reason of the access along Back Lane, would be harmful to highway safety for the following reasons:

- a) The proposed access route along Back Lane from Crown Street to Foundry Road is inadequate and below the standard required by reason of substandard construction, width and height, for construction vehicles and servicing or emergency vehicles post-construction. As a consequence, the routing of such vehicles is either not possible or existing mature trees and foliage will be damaged.
- b) Back Lane between Crown Street and Foundry Road is considered unsuitable in its present condition and form to serve as a safe and accessible route for

pedestrians and cyclists associated with a dwelling due to the route being unmetalled, unlit and remote.

- c) Back Lane between Crown Street and Foundry Road is unsuitable in its present condition and geometry to take the type and amount of traffic associated with this development either during construction or post-construction.
- d) Back Lane between Essendine Road A6121 and Crown Street is considered unsuitable for construction vehicles associated with this development due to the restricted width and construction makeup of both the metalled and unmetalled parts of the route.

The proposal would therefore have an adverse effect on other users of the highway, increasing the risk of accidents, endangering vulnerable users, damage to existing verges and vegetation and a detrimental impact on the character of this Byway Open to All Traffic.

The proposal is therefore contrary to Policy SP15 (I) of the Site Allocations and Policies DPD 2014, Design Guidelines for Rutland (SPD), The National Design Guide (2021) and Paragraph 112(d) of the National Planning Policy Framework (2023).

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

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