



## REFUSAL OF MAJOR PLANNING PERMISSION

### Applicant Name and Address

Mr Sam Jones  
C/o Agent

### Agent Name and Address

Mr Adam Place  
DLP Planning  
Ground Floor  
V1 Velocity Building  
Tenter Street  
Sheffield  
S1 4BY

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Date of Validation  
28 December 2022

Application Number:  
2022/1476/FUL

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PROPOSAL: Residential development of 47 dwellinghouses  
LOCATION: Land North Of College Close Great Casterton Rutland

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### REFUSE PLANNING PERMISSION for the following reasons:

- 1 The application site lies outside the Planned Limits of Development of the village of Great Casterton and is therefore in Planning Policy terms to be considered as countryside. Policies CS4 of the Core Strategy (2011) and SP6 of the Site Allocations and policies Development Plan Document (2014) state that development in the countryside will be strictly limited to that which has justification for being so located, identifying a number of types of development considered appropriate to the countryside. The application proposes the construction of 47 housing units on a parcel of land that lies beyond the planned limits of development within a countryside location. The proposal does not accord with any of the exceptions to development within the countryside set out in the Core Strategy or Site Allocations and Policies Development Plan Document (2014) and therefore is contrary to policies CS4 of the Core Strategy (2011) and SP6 of the Site Allocations and Policies Development Plan Document (2014). Paragraph 11d of the National Planning Policy Framework is not considered to be engaged as the Local Planning Authority can demonstrate a housing land supply over 5 years as confirmed by the Five Year Land Supply and Developable Housing Land Supply Report (May 2023) and a recent appeal decision (Appeal Ref: APP/A2470/W/22/3312763), and there are no other material considerations that justify departing from the adopted planning policies stated above.
- 2 It is considered that the submitted Landscape Visual Impact Assessment (LVIA) underestimates the sensitivity of the landscape and views to the proposed development, and the likely magnitude and significance of landscape and visual effects. Despite the LVIA referring to the Landscape Institute's Technical Guidance Note 06/19 Visual Representation of Development Proposals, the requirements of this guidance have not been followed in the LVIA. In accordance with TGN 06/19 an application for a large housing development within a sensitive landscape such as this should be accompanied by a LVIA

that includes visualisations such as photowires or photomontages to indicate the scale, appearance, context, form and extent of development.

The local authority considers that there has been insufficient information submitted to enable a full assessment of the landscape and visual effects that may result from the proposed development. Therefore, the development would be contrary to policies CS19 of the Core Strategy (2011), SP15 and SP23 of the Site Allocations and Policies Development Planning Document (2014), Section 12 of the NPPF (2021), The Design Guidelines for Rutland (SPD), Rutland County Council's Landscape Sensitivity and Capacity Study of Land Around Local Service Centres - Addendum, March 2017 and The National Design Guide, 2021.

3 Following a Building for a Healthy Life Assessment it is considered that the proposed scheme does not meet a good or very good rating.

The development does not meet good design including but not limited to the following:

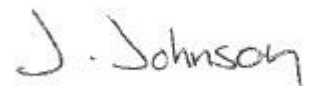
- Limited public transport and limited local facilities and shops in the village to walk to
- No facilities in terms of play within the site or walking distance
- The proposals are severely lacking in the response to context
- Topography needs to be studied in more detail and impacts of developing on higher ground above the 55m contour assessed.
- Local character (built form, scale, massing, architecture, materials) has not been studied or responded to in any detail - the proposal is nationally generic and does not relate to the defining characteristics of Great Casterton.
- Although some natural stone is proposed, the house types themselves are nationally generic - poorly fenestrated and proportioned, dominated by hipped roofs, and integral garages are extensively used.
- Views out of the site also need to be studied and responded to.
- The landscape strategy is absent to explain and describe the proposed landscape character.
- Integral garages dominate too much.
- The view along the northern street - looking east is terminated by garages of various plots.
- Some block paved areas and street trees but more street trees could be provided
- Streets could be less engineered and standardised.
- Open space is very limited.

It is therefore considered that the proposal would be contrary to Policies CS1 (Sustainable Development Principles), CS19 (Promoting Good Design) and CS21 (The Natural Environment) of the Core Strategy Development Plan Document (2011), and Policies SP15 (Design and Amenity), SP23 (Landscape Character in the Countryside) of the Site Allocations and Policies Development Plan Document (2014), Section 12 (Achieving well-designed places), The National Design Guide (2021) and The Design Guidelines for Rutland (SPD).

#### INFORMATIVES:

Proactive Statement – This decision has been reached taking into account paragraph 38 of the National Planning Policy Framework.

Decision Date: 15 September 2023



Proper Officer of the Council

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### IMPORTANT NOTES

1. Please quote your application reference number (2022/1476/FUL) in all relevant correspondence.
2. **Appeals to the Secretary of State**
  - If you are aggrieved by the decision of your Local Planning Authority to refuse permission for the proposed development or to grant it subject to conditions, then you can appeal to the Secretary of State for Levelling Up, Housing & Communities under Section 78 of the Town and Country Planning Act 1990.
  - If you want to appeal, then you must do so using a form which you can obtain from The Planning Inspectorate, Temple Quay House, 2 The Square, Bristol, BS1 6PN. Tel No: 0303 444 5000 <https://www.gov.uk/appeal-planning-decision> The Planning Inspectorate have an online appeal service which you can use to make your appeal. You can find the service through the Appeals area of the Planning Portal <https://www.planningportal.co.uk/planning/appeals>
  - Appeals must be made within **six months** from the date of this decision notice.
  - The Secretary of State can allow a longer period for giving notice of an appeal, but he will not normally be prepared to use this power unless there are special circumstances which excuse the delay in giving notice of appeal.
  - The Secretary of State need not consider an appeal if it seems to him that having regard to Sections 70 and 72(i) of the Act, to the provisions of the development order and to any directions given under the order, the Local Planning Authority could not have granted planning permission for the proposed development or could not have granted it without the conditions it imposed.