

# Rutland County Council

Catmose Oakham Rutland LE15 6HP.

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Minutes of the **TWO HUNDRED AND SEVENTY SECOND MEETING** of the **COUNCIL** held in the Council Chamber, Catmose, Oakham, Rutland, LE15 6HP on Monday, 9th April, 2018 at 7.00 pm

**PRESENT:**

Mr I Arnold	Mr G Brown
Mr N Begy	Mr K Bool
Mr E Baines	Mr O Bird
Miss R Burkitt	Mr B Callaghan
Mr G Conde	Mr W Cross
Mr R Foster	Mrs J Fox
Mr R Gale	Mr O Hemsley
Mr J Lammie	Mr A Lowe
Mr A Mann	Mr M Oxley
Mr C Parsons	Mrs L Stephenson
Mr A Stewart	Miss G Waller
Mr A Walters	Mr D Wilby

**OFFICERS  
PRESENT:**

Mrs Helen Briggs	Chief Executive
Mr Nick Hodgett	Principal Planning Officer
Mr Steve Ingram	Strategic Director for Growth & Development, Major Projects and Property Development (SKDC)
Mrs Debbie Mogg	Director for Resources (Monitoring Officer)
Mr Gary Pullan	Development Control Manager
Mr Stephen Turnbull	Planning Lawyer (PCC)
Mrs Natasha Taylor	Governance Manager

## 736 APOLOGIES

Apologies were received from Mr Clifton and Mr Dale.

## 737 CHAIRMAN'S ANNOUNCEMENTS

The Chairman confirmed that his announcements had been circulated in advance of the meeting.

The Chairman noted the event held on 25 March 2018 to celebrate the retirement of Sir Laurence Howard KCVO OBE after 14 years as Rutland's Lord-Lieutenant and the Centenary of the Royal Air Force. The Chairman expressed thanks to the Chief Executive and Officers involved in organising this event.

The Chairman had written to the incoming Lord Lieutenant of Rutland, Dr Sarah Furness, on behalf of the Council, a response had been received which would be circulated to all councillors.

**738 ANNOUNCEMENTS FROM THE LEADER, MEMBERS OF THE CABINET OR THE HEAD OF PAID SERVICE**

The Chief Executive, Mrs Briggs, confirmed that she had received a letter from Sir Lawrence Howard, thanking the Council for the event on 25 March 2018 and also for the support he had received during his 14 years as Lord Lieutenant.

**739 DECLARATIONS OF INTEREST**

Mr Oxley declared a personal and prejudicial interest in Item 8 of the agenda as he knew the Parish Councillor registered to speak. Mr Oxley would leave the meeting during discussion and debate on this item.

Mr Conde confirmed that he had been a member of the committee considering the Application at Item 8, but that he was not pre-determined and would keep an open mind during in relation to consideration of that item.

Mr Callaghan confirmed that he had been a member of the committee considering the Application at Item 8, but that he was not pre-determined and would keep an open mind during in relation to consideration of that item.

The Monitoring Officer, Mrs Mogg, confirmed that those members taking part in the Planning Committee on 13 March 2018 were not prevented from taking part in the referral at Item 8 as long as they approached with an open mind.

**740 MINUTES OF PREVIOUS MEETING**

The minutes of the 271<sup>st</sup> meeting of the Rutland County Council District Council held on 12 March 2018 were confirmed by the Council and signed by the Chairman.

**741 PETITIONS, DEPUTATIONS AND QUESTIONS FROM MEMBERS OF THE PUBLIC**

There were no petitions or questions from members of the public.

Notice of deputations in relation to item 8 of the agenda had been provided in accordance with Procedure Rule 28. These would be heard at the relevant item on the agenda.

**742 QUESTIONS FROM MEMBERS OF THE COUNCIL**

A question had been submitted by Mr Cross in accordance with Procedure Rule 30.

Mr Cross asked the following question to the Leader of the Council:

What was the remit given to the chairman of the Oakham Town Task & Finish group, and what was the detail of any contract with the chairman, including amount of remuneration, if any, that the chairman will receive?

Mr Hemsley, Leader provided the following response:

Remit

The Independent Chairman was provided with the following information:

- There had been a Town Centre Proposal which included the introduction of a One Way System
- The proposal had been withdrawn following the change of leadership and in anticipation of opposition to the One way system
- Members were keen to keep momentum on improvements to the town
- A motion was carried at Full Council on 15 January 2018 for Growth, Infrastructure and Resources Scrutiny Panel to convene a Task and Finish Group to consider the future of Oakham Town – a link to the meeting on 15 January 2018 was provided
- A draft proposed timetable

Remuneration

£450 per day (excl. travel and VAT) – Mr Wade allows a day of time per meeting to include; preparation of reports and agenda; liaison with RCC, Group Members and members of the public; pre-meets; information gathering; the meeting itself; and agreement of minutes and communications following meetings. Mr Wade does not charge for travel time (he is based in Cambridge) and limits his travel costs to £44.10 per meeting/visit).

Mr Cross did not ask a supplementary question, but asked for the response to be circulated to members. It was confirmed that the response would be included in the minutes.

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Mr Oxley left the meeting.

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### **743 REFERRAL OF COMMITTEE DECISIONS TO THE COUNCIL**

Report No. 70/2018 was received from the Director for Places, the purpose of which was to consider the planning referral of application 2017/0993/FUL, Cuckoo Farm, Ketton which had been referred to Council by 4 Members of the Planning and Licensing Committee in accordance with Procedure Rule 110.

Mr N Hodgett, Principal Planning Officer, gave a brief introduction showing the proposed plan of the site along with views from various aspects. Mr Hodgett explained that the application was for change of use of part of an agricultural field on land at Cuckoo Farm, Stamford Road, South Luffenham to allow a seasonal campsite and associated facilities for up to 50 tents and small camper vans.

The Chairman invited the speakers against the referral to address members.

Ms Jodie Purvis, agent for the applicant, provided a deputation as below:

*This genuine farm diversification scheme has been designed to complement existing agricultural operations with the three pillars of sustainability at its core. The proposal builds on the success of an existing holiday let onsite and would bring in additional revenue for the farm, whilst providing a learning experience for holiday makers and creating three jobs over the summer season. It achieves all of these benefits with no significant impacts upon the landscape or wider environment due to its temporary nature and minimalistic design; there is virtually no permanent development required. In terms of location, the officer report states that this application is unsustainable due to its distance from a local service centre as outlined in Policy SP24, however; this policy does not put an actual figure on the recommended distance to local services. This site is easily accessible via foot or bicycle and includes a shop, which would reduce adhoc journeys to/from site. In any case, sustainability is not simply about location and other economic and environmental criteria must be carefully considered in line with other local and national policies.*

*A campsite usually requires a rural location and is generally not an activity undertaken on public transport. Rutland is a very rural region, requiring a car to reach nearly all tourist destinations. In short, being located nearer to Ketton would not prevent visitors from travelling by car, which appears to be the objective of local policies in relation to location of development.*

*Visibility from outside the site is limited to a single road some 450m away. Just because a development is visible does not automatically make it visually intrusive and none of the local planning policies actually state that campsites must be completely invisible as suggested by the case officer. From the A6121, the site is seen only in a glimpsed view from a passing car. There are no views from any other public vantage points, neighbouring properties or rights of way. The proposal would only be operational during Spring and Summer and the scene and scale of visibility would change daily as visitors come and go, with the maximum impacts only being at peak occupancy times.*

*The layout of the proposal maintains low visual impact through the exclusion of the highest, section of the field. The planting scheme has been designed to enhance existing landscape features and is proposed not only for screening but also to improve the local biodiversity, ensuring that the landscape character is retained as required by local planning policy.*

*In summary, this proposal offers a positive opportunity to improve the tourism offering within Rutland as required by policy CS15 of the Core Strategy, which allows for such provisions which are appropriate in use, character and scale, and which support the local economy. The development achieves this without compromising the ability of future generations to meet their needs. It therefore meets the criteria of sustainable development, as defined by national planning policy, and the decision to permit the development should be upheld.*

The Chairman invited Members to ask questions:

- Mr Lammie asked for clarification regarding the types of goods that would be available in the shop as the report only detailed "farm produce". Ms Purvis confirmed that there had been a discussion with the case officer which had detailed the type of produce that would be available which included locally produced meat from the farm, basic supplies and camping supplies.

- Mr Lammie asked for clarification as to whether there was any submission in writing with regard to the operating days and opening times of the shop. Ms Purvis confirmed that there had not been such a submission in writing.
- Mr Baines asked whether current customers to the shop travelled by car, bicycle or on foot? Ms Purvis confirmed that she believed currently customers came by car, but she would need to confirm this.
- Mr Walters asked if the applicant was aware of the conditions with regard to screening. Ms Purvis confirmed that the applicant had agreed to the landscaping conditions.
- Mr Conde asked if the applicant was happy for conditions to be agreed with the ward members. Ms Purvis confirmed she was happy with this.
- Mr Brown asked if it was the applicants intention to improve the quality of the road and Ms Purvis confirmed it was.

Mrs M Cade, Parish Councillor, provided the deputation as below:

*Ketton Parish Council Planning Committee, and the Parish Council as a whole have no objections to the Cuckoo Farm campsite proposal, in fact we fully support it.*

*Referring to the National Planning Policy Framework, and Rutland's Core Strategy, we see this enterprise as supporting sustainable tourism, benefitting businesses in our area, and benefitting our community by providing local employment.*

*I visited the site using the new proposed access via Barrowden Road and Barrowden Pastures. It took me 12 mins to cycle there from Ketton Post Office – very little difference from cycling from one end of Ketton to the other (10 mins from Stamford Road to Park Road, and 11 mins from Stamford Road to Geeston). The relatively large size of Ketton inevitably means that many journeys within the village are made by car anyway.*

*The proposed campsite is small (up to 50 tents), and seasonal (March to September only) and the predicted maximum occupancy is for July and August, when traffic along the A6121 is greatly diminished due to the absence of school traffic.*

*Cuckoo Farm is family run, and farmed to Soil Association Organic Standards. Therefore, again referring to Rutland's Core Strategy, has minimal impact on climate change, and enhances the county's environmental assets by maintaining and increasing biodiversity. It also enhances Rutland's cultural and heritage assets by maintaining the land in good heart and farmed traditionally (referring to Rutland's countryside and farming heritage).*

*So, in our committee's estimation, the proposal displays all the three interconnected facets of sustainability – economic, environmental and social.*

The Chairman invited Members to ask questions:

- Mr Walters asked Mrs Cade if she remembered the slides shown at the Planning and Licensing Committee meeting and the reasons given by himself and Mr Conde for approving the application. Mrs Cade remembered the slides but not the exact wording.

- Mr Conde asked Mrs Cade if Ketton Parish Council had received any negative response from residents in relation to the application. Mrs Cade confirmed that only supportive comments had been received by the Parish Council, but noted that not all residents communicated with the Parish Council.

A full presentation was provided by Mr N Hodgett, Principal Planning Officer, a summary is provided below:

- The revised access was off Barrowden Road.
- A timber clad utilities building would house showers and toilets.
- An existing red brick building would accommodate the farm shop.
- There was an existing holiday let on site.
- There had been some concern regarding sparsity of landscaping and consequently the applicant accepted further landscaping conditions.
- The main issues were regarding sustainability (distance to amenities) and visual impact.

The Chairman invited the members putting forward the referral to speak if they wished.

- Mr Lammie confirmed that he had reflected on the decision made at the Planning Committee on 13 March 2018 and had not been comfortable with the decision made. He had therefore asked Councillors Baines, Cross and Stewart to support the referral. Mr Lammie felt that there had been no relevant planning policy grounds for approving the application against officer recommendations and that the Committee voted to approve the application based on the applicants and their personal situation. The Committee should give material planning considerations to justify a decision to go against officer recommendations and Mr Lammie believed that only Councillor Brown had attempted to do that. Previous Committee decisions were material considerations and a previous application near Preston had been refused on the grounds of sustainability. It had been suggested at the committee meeting that this site was closer to Ketton than the glamping site near Preston had been to Uppingham, but this was not actually the case, so the decision was based on misinformation. It was not clear how the shop would actually operate and this required further consideration. Mr Lammie urged members to refer the application back to the Committee to reconsider.

Mr Walters raised a point of order and requested that Mr Lammie withdraw his comment that the decision had been based on the applicant and their personal situation.

Mr Lammie refused to withdraw his statement, confirming that when he compared this application to the glamping site near Preston, he could see no material difference between the two sites and he felt that the debate was swayed by the identity of the applicant.

- Mr Stewart had supported the referral. He confirmed that he had been at the pre-meeting briefing for the Planning and Licensing Committee and had heard the detail of the application. Mr Stewart asked members to ensure there was consistency and continuity in the application of planning policy. In answer to a question from Mr Gale, Mr Stewart confirmed that he was not able to attend the Planning and Licensing Committee meeting on 13 March 2018 and therefore had not heard the debate.

- Mrs Mogg, Monitoring Officer provided confirmation that Procedure Rule 110 did not require the Committee member to have been present at the meeting where the application was heard. If members wished the procedures to be reviewed, the Constitution Review Working Group could look at the procedures and a report could be brought back for Full Council consideration.
- Mr Cross had supported the referral. He had been unable to attend the Planning and Licensing Committee on the 13 March 2018, but highlighted the importance of maintaining the character of the county and continuity of decision making.
- Mr Baines had supported the referral. Mr Baines was aware that Mr Conde, supported by Mr Brown, had asked for the application to be considered by Committee and he had agreed as there was strong support for the application and, as Mr Lammie had referenced, the applicants were a respected local farming family and the council would support possibilities for diversification. In retrospect Mr Baines felt he should have asked for an addendum/briefing report which included the details contained in sections 2.6 – 2.12 of the referral report (Report No. 70/2018). When he attended the briefing, it seemed so clear to him that the application was contrary to planning policy, that no further information would be required.

The Chairman invited members to ask questions of the members referring the application and raise any points of clarification with officers:

- Mr Walters requested clarification from Mr Baines that not every decision which was against officer recommendation would be referred, it was in fact for the Committee to make a judgement, taking into account the officer recommendations. Also did Mr Baines recall that Mr Walters had put forward specific proposals and additional conditions which addressed planning issues raised in the report? Mr Baines accepted that it would not be necessary to refer every decision that the Committee made against officer recommendations, but he felt that the suggestions put forward were unclear and that the Planning Officer had had to provide assistance with these.
- Mr Conde asked if Mr Baines recalled occasions where planning officers assisted the Committee with reasons for decisions. Mr Baines agreed that this was the case.
- Mr Hodgett confirmed that there was no specific distance set out in relation to sustainability under SP24, in answer to a question from Miss Waller, previous decisions made by the Committee and under appeal were the only guidance.
- Miss Waller also requested whether the decision on this application would set a precedent. Mr Hodgett confirmed that the decision would set a bench mark for other applications and possibly decisions pending decision under appeal.
- Mr Begy requested clarification of a “supporting facility”. Mr Hodgett confirmed there was no detailed definition but would normally refer to the ability to visit a local shop.
- Mrs Burkitt highlighted that a decision on this application could influence the decision at appeal on the glamping site near Preston. Mr Hodgett did not believe that the decision in this case would necessarily influence the outcome of another, as each case must be decided on its specific merits. This was confirmed by Mr Turnbull, Planning Lawyer PCC, who added that the planning authority must apply its own policy in a consistent way.
- Mr Callaghan did not agree that the reasons for going against the officer’s recommendation were unclear. The application supported employment and tourism and it made sense that campsites would be situated in rural areas and

- people using them would expect to travel on foot or bicycle to local attractions and amenities.
- Mr Bird highlighted that the view shown from the road in winter had evidenced greater visibility, but that the site would not be used in the winter.

Mr Baines proposed the recommendations in the report and Mr Lammie seconded the recommendations.

During debate on the recommendations, points raised included:

- i. Mr Brown highlighted that this was not a controversial decision in the view of the local residents who were in favour of the proposal, along with Ketton Parish Council and neighbouring Parish Councils. Mr Brown was concerned about the provisions under Procedure Rule 110 and would look for this to be reviewed at a later date. Mr Brown confirmed that the planning training had highlighted the need to balance issues and not focus merely on one factor such as the distance from the nearest settlement. He did not think this had been achieved with this application and there had been no consideration of positive social, economic and environmental impacts.
- ii. Mr Conde asked for clarification of the wording in SP6 used in section 2.9 of the report and requested further information regarding the maintenance of the road leading to the proposed campsite. Mt Hodgett confirmed that the wording used in the report had been taken from the preamble to that policy, the wording “should be within 2000 metres of a town centre” was correct. There had been no agreement regarding the maintenance of the road.
- iii. Mr Cross reminded members that officers are only able to work from the policies they are given and that consideration may be given to the wording of future policies.
- iv. Miss Waller stated that visibility may be an objective matter depending on where you were situated, but the definition of sustainability was clearer when considered in light of policy and previous decisions. As it was possible that the decision on this application could set a precedent it was important that the matter be referred back to the committee for reconsideration.
- v. Mr Baines asked members to refer the application back to the Planning and Licensing Committee for reconsideration, although Mr Brown had put forward valid points that the application could be approved within policy, the rest of the debate and the reasons for going against officer recommendations were confused.

## **RESOLVED**

To **APPROVE** the referral of the planning application (2017/0993/FUL) back to the Planning and Licensing Committee for further consideration.

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In accordance with the provisions of Procedure Rule 11, paragraph 2 – Recording of Votes – Mr Conde requested that his vote against the above resolution be recorded.

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The Chairman adjourned the meeting at 8.49pm.

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Messrs Hodgett, Pullan and Turnbull left the meeting and did not return

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The Chairman reconvened the meeting at 8.52pm.

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Mr Bird left the meeting and did not return.

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Mr Oxley re-joined to the meeting.

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**744 CALL-IN OF DECISIONS FROM CABINET MEETINGS DURING THE PERIOD FROM 12 MARCH 2018 TO 6 APRIL 2018 (INCLUSIVE)**

No call-ins were received.

**745 REPORT FROM THE CABINET**

Report No. 66/2018 from the Cabinet was received, the purpose of which was to consider the recommendations of Cabinet referred to Council for determination and report to Council the Key Decisions made by Cabinet since the publication of the agenda for the previous ordinary meeting of the Council on 12 March 2018.

- 1) Council **NOTED** the Key Decisions made by Cabinet since the publication of the agenda for the previous ordinary meeting of the Council 12 March 2018, as detailed in Appendix A Report No. 66/2018.

- 2) **20 March 2018**  
**Decision No. 700**  
**Report No. 52/2018**  
**RUTLAND AGREED SYLLABUS**

Mr Wilby introduced and moved the recommendation in the report. Miss Waller seconded the recommendations.

During debate the following points were raised:

- i. Mr Oxley highlighted that section 2.2.1 stated that local authority maintained schools should follow the syllabus and requested clarification of situation with schools with areligious character. Miss Waller clarified that this was dealt with at Section 2.2.2.

**RESOLVED**

To **ADOPT** Rutland Agreed Syllabus as the locally agreed framework for the teaching of Religious Education in Rutland schools.

**746 REPORTS FROM SCRUTINY COMMISSION / SCRUTINY PANELS**

No reports were received.

**747 JOINT ARRANGEMENTS AND EXTERNAL ORGANISATIONS**

- i. Miss Waller – Rutland and South Lincolnshire Access Forum  
A sub-group of the forum were looking at the possibility of training people to lead walks for people with dementia and their carers, funding had been secured

to carry out the training. Miss Waller would send details out to Members and asked them to share with their Parish Councils, as the group would be seeking as may volunteers as possible.

**748 NOTICES OF MOTION**

No notices of motion had been received.

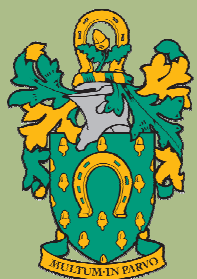
**749 ANY URGENT BUSINESS**

No matters of urgent business were received.

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**The Chairman declared the meeting closed at 9.03 pm.**

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Rutland  
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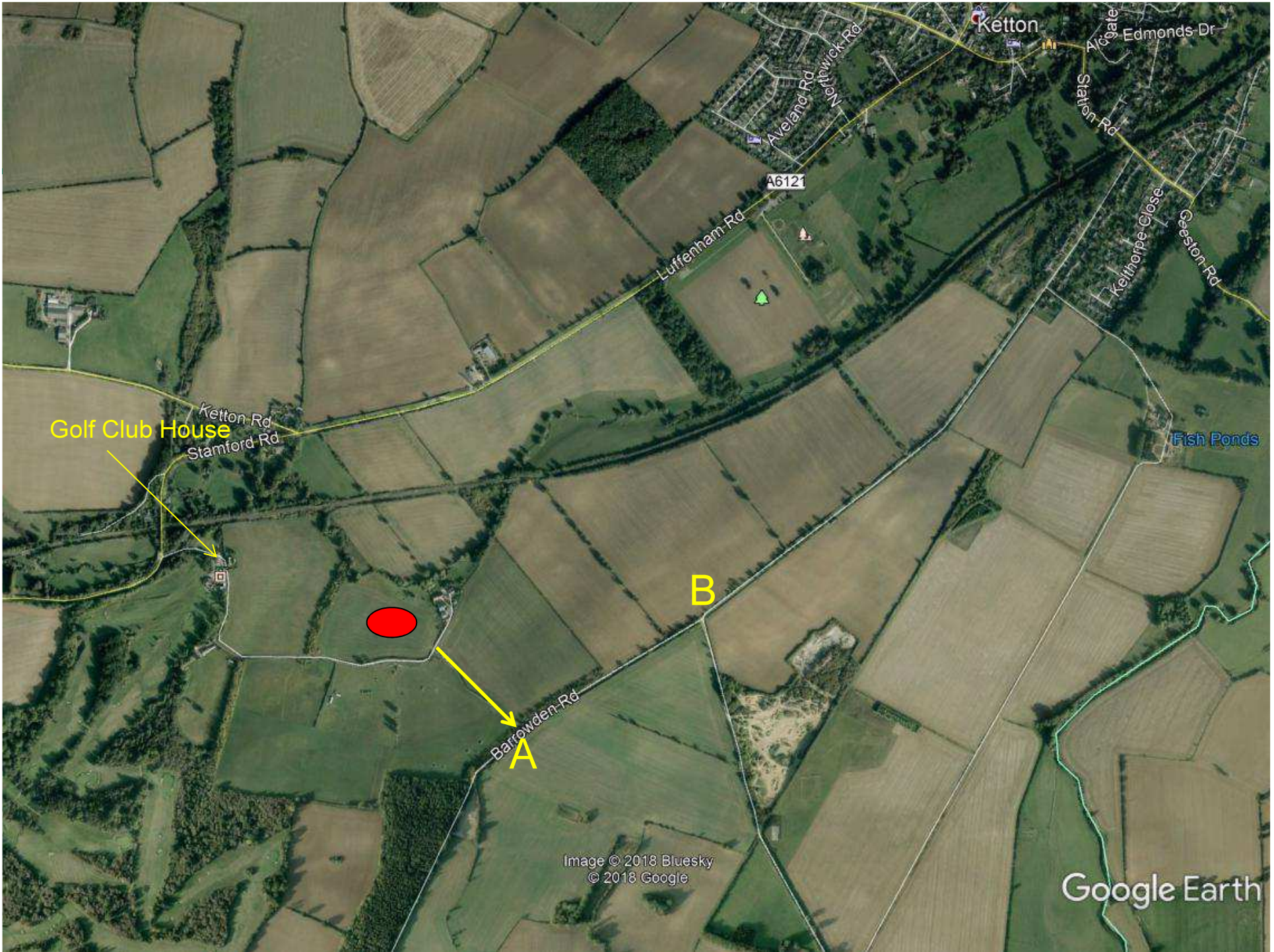
**2017 / 0993**

Cuckoo Farm, South Luffenham

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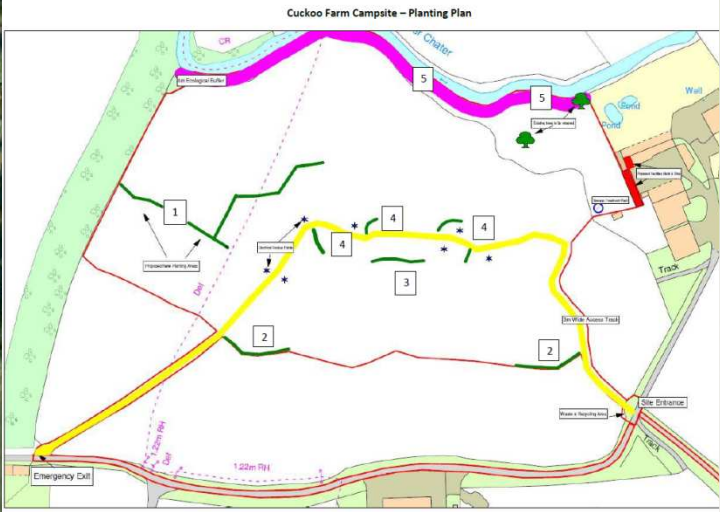


Minute Item 743





Railway



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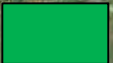


Image © 2018 Bluesky © 2018 Google

Barrowden Rd

Google Earth



# Cuckoo Farm Campsite – Planting Plan



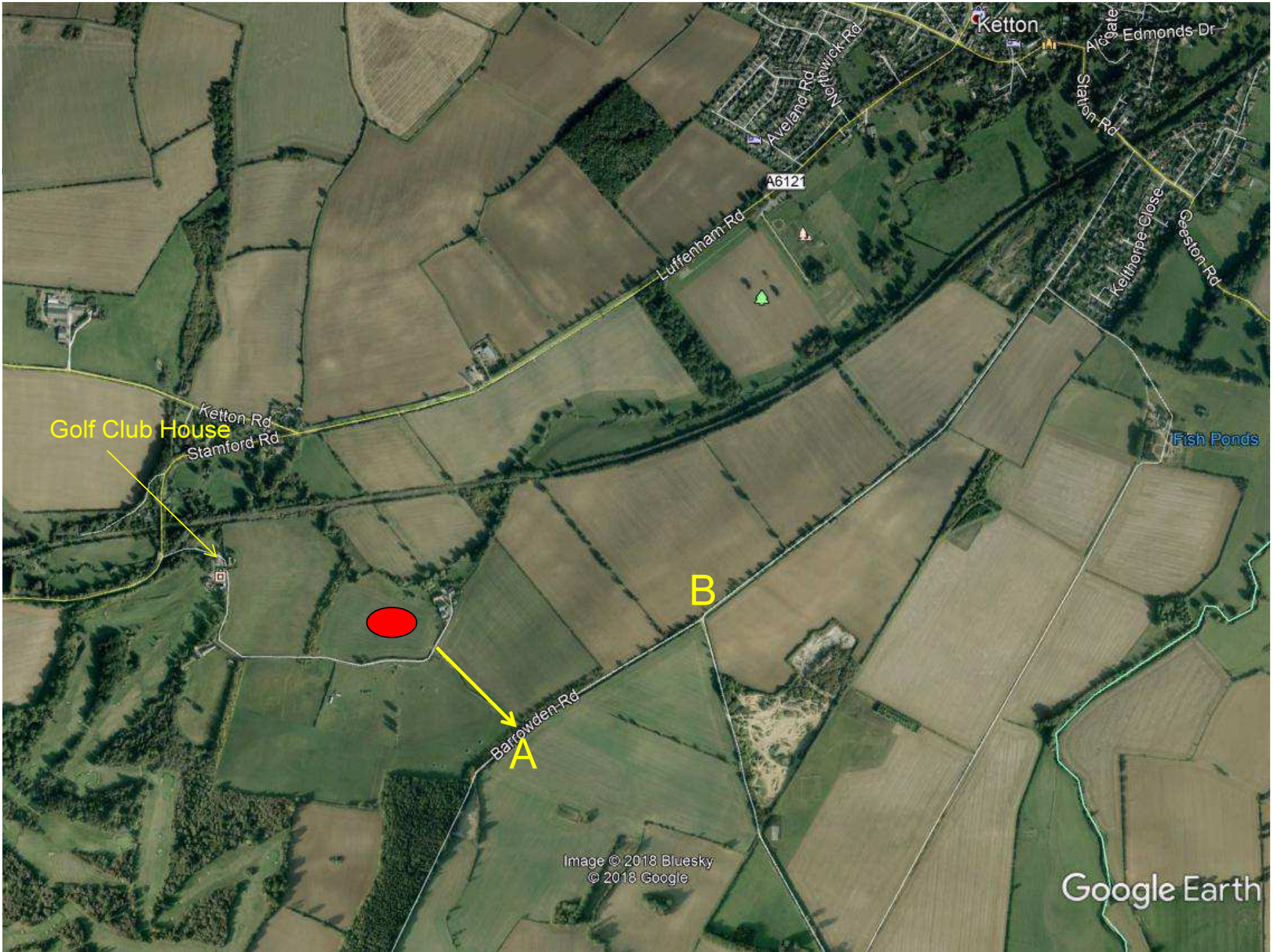


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## **Main Issues**

- **Policy – Sustainable Location**
- **Visual Impact**
- **Highway Safety**
- **Other Issues**







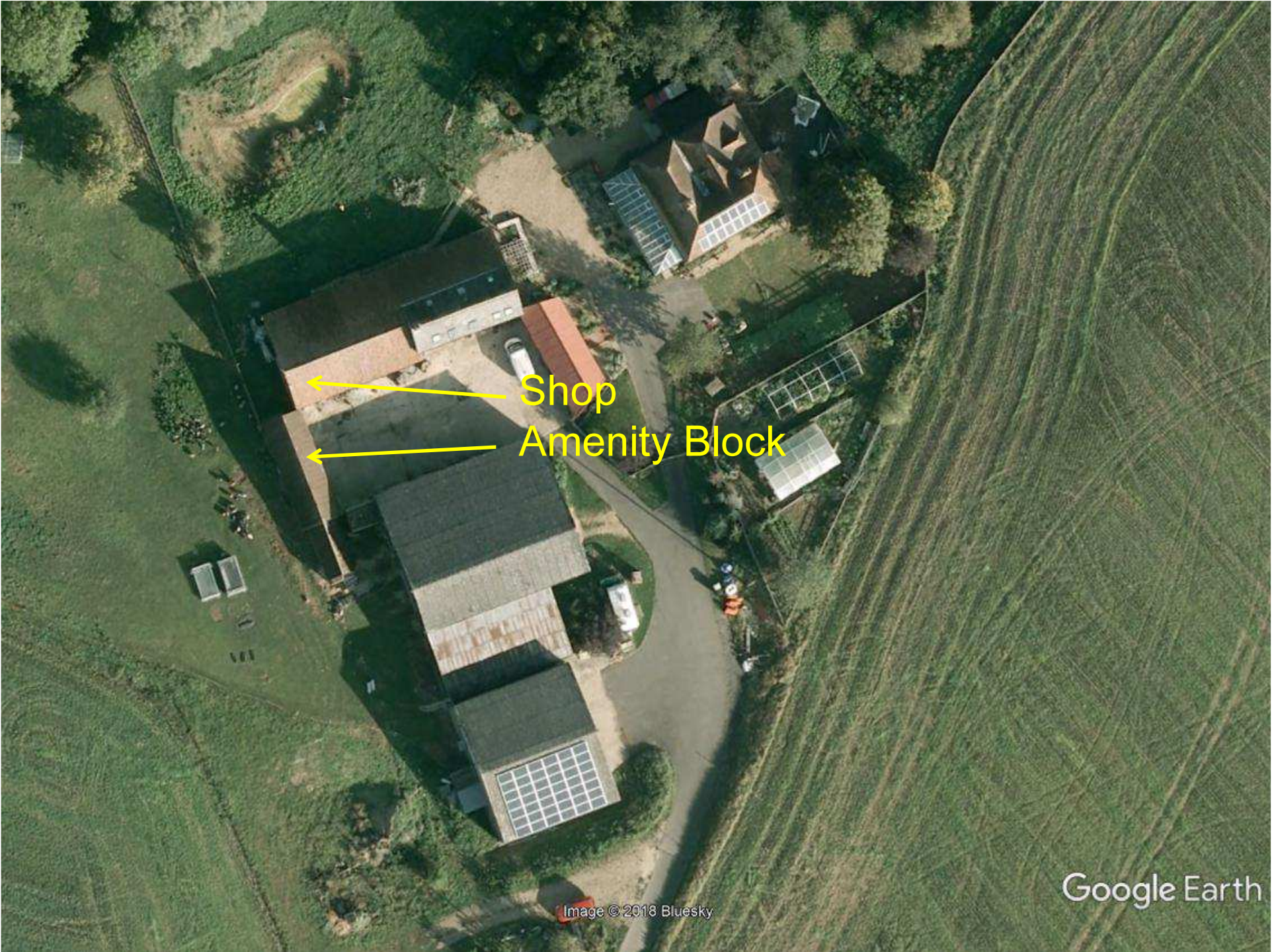




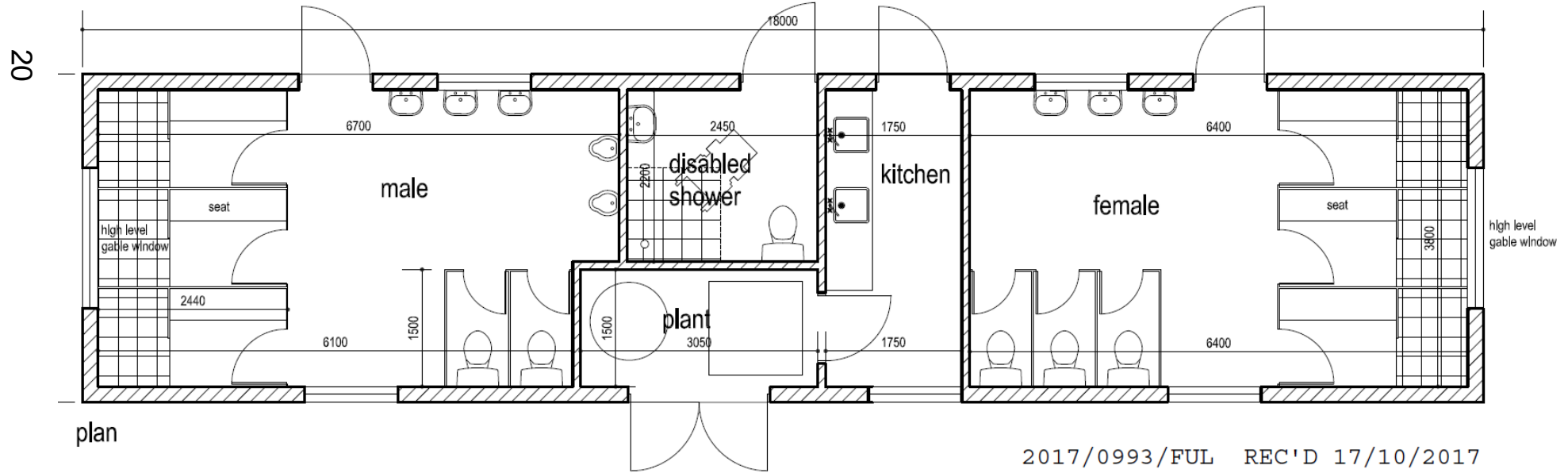
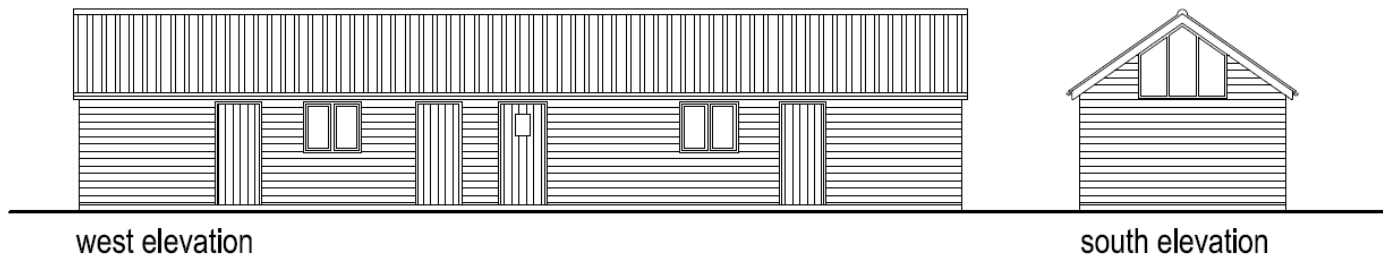
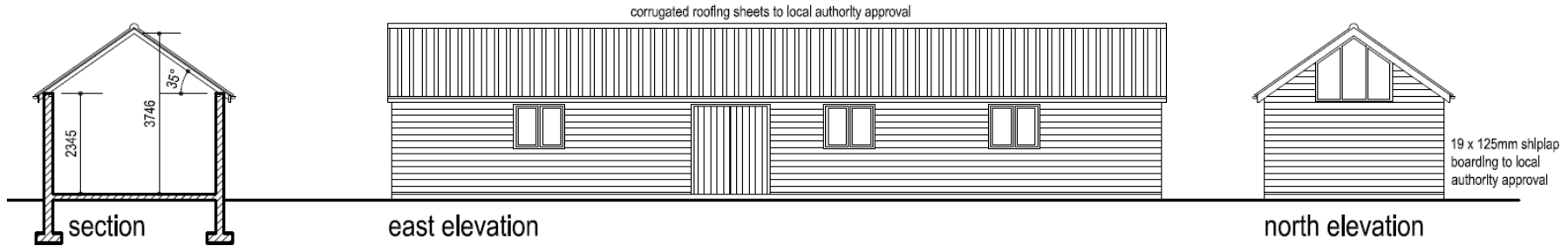
# Cuckoo Farm Campsite – Planting Plan











1: 50 & 100	Rebecca Bear			sketch plan D
A3	Proposed Amenities Building Cuckoo Farm Campsite Stamford Road Ketton	Rev, date	description	
October 2017		amendments		1246 / 4



New track exit

















# Building for shop







Amenities building



Barrowden  
Rd









From Luffenham Rd west of Ketton -  
summer





March





Summer





March

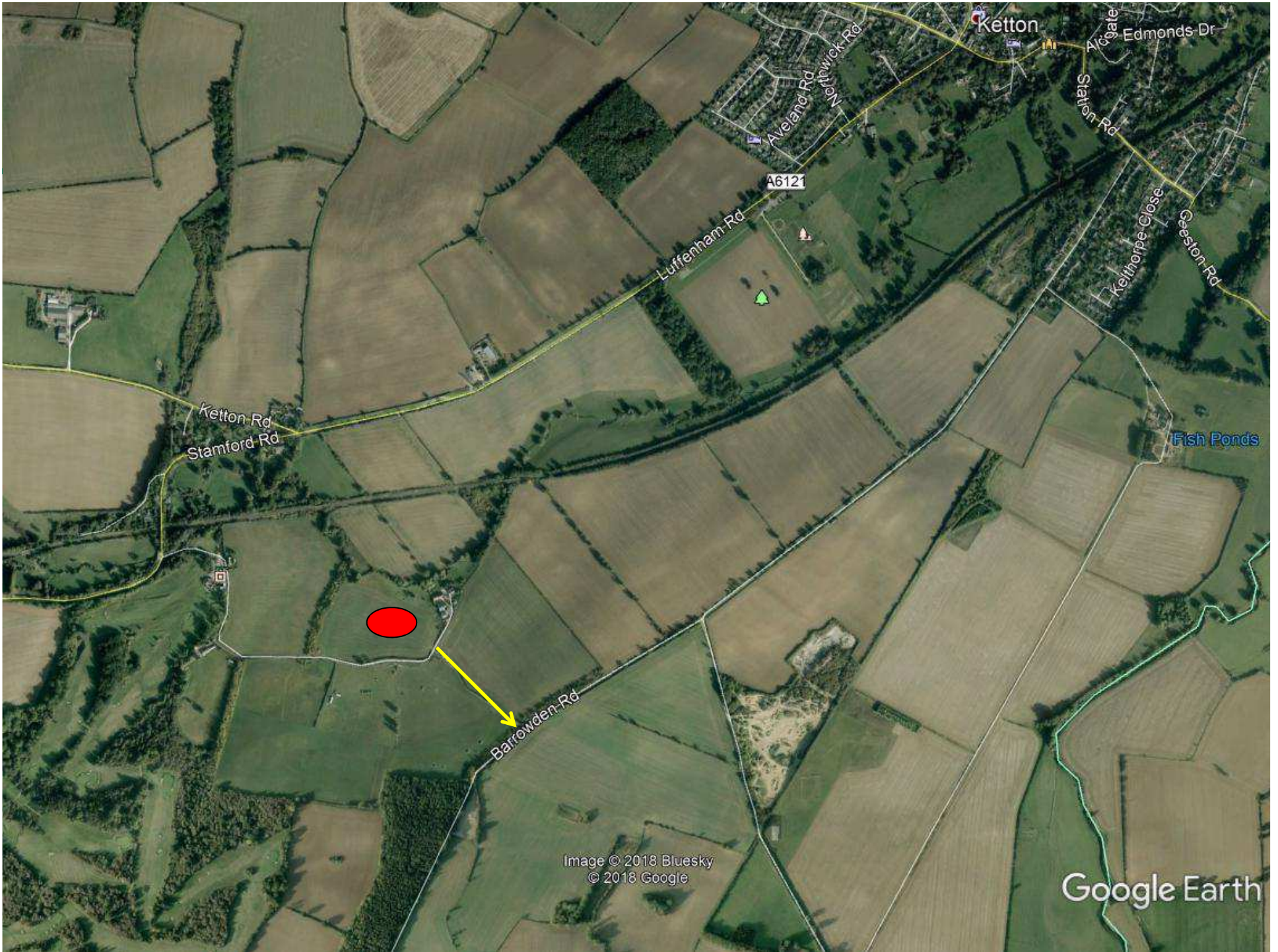




# Cuckoo Farm Campsite – Planting Plan









## Main Issues

- **Policy – Sustainable Location**
- Development Plan requires sites to be close to services and amenities and not to detract from the landscape
- 8.5km from Rutland Water
- 2.9km-3.5km to Ketton village facilities
- **Visual Impact**
- Site on a slope facing the A6121 – landscaping inadequate to screen tents and track. Visible from several locations along A121
- **Highway Safety**
- Access is acceptable
- **Other Issues**
- Consistency:
- Preston Glamping refused on sustainable location - appeal awaited
- Bisbrooke appeal site found to be unsustainable by Inspector
- 1.9km and 1.8km respectively to Uppingham, Market Place





Preston site

Locational Issue

Bisbrooke site

Google Earth

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