



# 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, 23rd October, 2018 at 7.00 pm

**PRESENT:** Mr E Baines  
Ms R Burkitt  
Mr B Callaghan  
Mr G Conde  
Mr W Cross  
Mr J Dale  
Mr R Gale  
Mr A Mann  
Mr M Oxley  
Mr A Walters

## **OFFICERS**

<b>PRESENT:</b>	Ms R Green	Highways Officer
	Mr N Hodgett	Principal Planning Officer
	Mr J Johnson	Interim Development Control Manager
	Ms T Martin	Regulatory Officer, Peterborough City Council
	Mrs J Morley	Governance Officer
	Mr K Silcock	Governance Officer

## **348 APOLOGIES**

No apologies were received.

## **349 MINUTES**

The minutes of the meeting of the Planning and Licensing Committee held on 25 September 2018 were confirmed as a correct record and were signed by the Chairman.

## **350 DECLARATIONS OF INTERESTS**

Mr Baines 2018/0539/FUL Mr Baines, declared an interest in Item 6 as he was the President of the Rutland Local History and Record Society and the Ram Jam Inn was considered to have historical importance to the area. He had not taken part in the Society's consideration of this issue.

### 351 PETITIONS, DEPUTATIONS AND QUESTIONS

In accordance with the Planning and Licensing Committee Public Speaking Scheme the following requests to speak were received:

In relation to Agenda Item 6, application 1, 2018/0539/FUL, Mr Harrison, member of the public.

In relation to Agenda Item 6, application 1, 2018/0539/FUL, Mr Huteson, agent for the applicant.

### 352 GAMBLING ACT 2005 - STATEMENT OF PRINCIPLES

Report No.190/2018 was received from the Head of Regulatory Services at Peterborough City Council.

Ms Martin, Regulatory Officer at Peterborough City Council, introduced the report, the purpose of which was to make Members aware of the responses received during the consultation period and to seek approval of the draft Statement of Principles for recommendation to Council for adoption.

During discussion the following points were noted:

- The Gambling Commission, when consulted, had recommended that the table in Appendix 5 be replaced with a link to the Commission website to allow for changes which may occur to stakes and prizes, and Members felt that this was a good idea.
- Licensees were responsible for enforcing the law on under 18s using gambling machines in the same way that they were for drinking alcohol. There was a code of practice that establishments had to adhere to which helped enforce this, for example, the siting of machines so that they could be observed at all times.
- The list of consultees referred to in Appendix A cited Ketton Sports Association when it should now be known as the Ketton Sports and Community Centre.
- There was information sited on the machines that directed individuals to where to get help if they felt that they had a gambling addiction.
- Any concerns about money laundering and unusually large amounts of money being spent would be directed to the Police.
- On page 21 of the report there was a link to the Council website at large which Members wanted replacing with a link that went straight through to the public register page.
- The report stated that “at the time of presenting the report there had been no evidence presented to support the assertion that any part of Rutland County Council had or is experiencing problems from gambling activities”. Members asked whether Citizens Advice had been consulted and what information had been pro-actively gathered to assert this.

#### **RESOLVED:**

The Committee (sitting as the Licensing Act Committee);

1. **APPROVED** the draft proposed Gambling Act 2005, Statement of Principles, subject to the following revisions being made;
  - i. that the table in Appendix 5 be replaced with a link to the Commission website

ii. that the generic link to the Council website be replaced with a link to the public register.

2. **RECOMMENDED** to Council that the proposed Gambling Act 2005, Statement of Principles, be formally adopted.

### **353 PLANNING APPLICATIONS**

Report No. 191/2018 was received from the Strategic Director for Places.

### **354 ITEM 1 (2018/0539/FUL) RAM JAM INN, GREAT NORTH ROAD, GREETHAM.**

Application for demolition of the existing Ram Jam Inn and redevelopment of the site to provide three drive-thru units (Use class A3/A5) and one drive-to unit (Use Class A1/A3) with associated parking and landscaping.  
(Ward: Greetham; Parish: Greetham)

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The Chairman adjourned the meeting for 5 minutes to allow Members to read the addendum report that had been received at the meeting.

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Mr Robert Harrison, resident of the village of Stretton, addressed the Committee.

Mr Richard Huteson, agent for the applicant Godwin Developments, addressed the Committee.

During discussion the following points were noted:

- Mr Harrison asked the Committee to consider a more appropriate long term use for the site, in particular a 'social community' use, which would include the retention of the historic Ram Jam Inn. In addition, he wished the Committee to take on board the objections made by the Committee for the Preservation of Rural England (CPRE) who felt that the proposals, because of the demolition and tree removal, did not satisfy the Rutland Core Strategy Policy which stated that new developments should maintain and wherever possible enhance the County's environmental, cultural and heritage assets.
- Mr Huteson argued that the site had been redundant for a number of years and was in desperate need of regeneration. Options which included the retention of the Inn had been exhausted but as the building had become unstable, none were viable. The proposal fully accorded with the National Planning Framework and had had no objections from statutory consultees.
- Although Public Health England had given the power to Local Authorities to refuse fast food outlets on the grounds of concerns over rising obesity levels, this usually applied to outlets that were to be sited within 500m of a school and where a Council had adopted a specific policy on the matter. Rutland had no such policy in place and the proposed facility was to serve passing traffic on the A1 and would not attract school children.
- Members raised concerns about the increase of traffic and the safety of returning to the A1 via the short run off. Although there would be signage to encourage traffic to leave via the B668 road exit and join the A1 further down, this access was

more convenient, being the shorter route, and could not be closed off as a right of way over it was retained.

- The nature of a drive through operation meant that there would be queueing traffic, which Members felt could be dangerous for those accessing the site.
- There had been no evidence in the last five years of any fatal accident at the site but the proposed development would be increasing traffic onto the A1 therefore increasing the likelihood of accidents.
- The long term viability of the site was not a planning consideration as the proposal needed to be considered on the current situation and not what might happen in the future.
- As there was anecdotal evidence that the apple trees were ancient varieties the Greetham tree warden was keen to try and graft some of the trees that were earmarked to be felled, onto new root stock.
- Mr Conde felt that there was not enough information from Highways, nor information regarding the ecology and archaeological nature of the site, to support the application and would prefer that it was deferred.
- In the absence of any evidence to the contrary, it was not viable to keep even the façade of the building.
- The absence of the Ward Member, who was not present to speak on behalf of his residents, was noted.
- The development would provide for 88 parking spaces which was in excess of the recommended guidance of 66 spaces, based on one space per 14m<sup>2</sup>. Members felt however that this number did not account for the number of employee parking spaces that would be needed to service the four outlets as most employees would have to travel to work by car.
- Members queried what had dramatically changed since the previous application, which retained the Ram Jam Inn building, and this one which required its demolition. The question was posed as to whether the building had been deliberately allowed to fall into disrepair so that knocking it down could be proposed.
- The design of the new outlets, although typical of other roadside facilities, was not typical of Rutland.

## **RESOLVED:**

The Planning and Licensing Committee considered the report **2018/0539/FUL** and the representations made. A motion was proposed by Mr Gale and seconded by Mr Oxley to reject the officers' recommendation and the Committee resolved to **REFUSE** the planning application.

(9 in favour;1 abstention)

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In accordance with the provisions of Procedure rule 11, paragraph 2 – Recording of Votes - Mr Conde requested that his abstention on the resolution be recorded.

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**REASON FOR THE DECISION:**

The application was refused on the following grounds:

- Over development
- Design/visual amenity
- Loss of an historic building
- Loss of preserved trees
- No provision for employees parking and no evening bus service.

**355 APPEALS REPORT**

Report No.192/2018 was received from the Strategic Director for Places.

**RESOLVED:**

Members resolved to **NOTE** the contents of Report No.192/2018

**356 ANY OTHER URGENT BUSINESS**

No items of urgent business had been previously notified to the person presiding.

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**The Chairman declared the meeting closed at 9.20 pm.**

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