



Rutland County Council

Catmose Oakham Rutland LE15 6HP.

Telephone 01572 722577 Email: governance@rutland.gov.uk

Minutes of the **MEETING of the PLANNING AND LICENSING COMMITTEE** held in the Rutland County Museum on Tuesday, 19th October, 2021 at 7.00 pm

PRESENT:

Councillor E Baines (Chair)	Councillor N Begy (Vice-Chair)
Councillor D Blanksby	Councillor A Brown
Councillor G Brown	Councillor P Browne
Councillor M Oxley	Councillor K Payne

OFFICERS PRESENT:

Justin Johnson	Development Manager
Nick Hodgett	Principal Planning Officer
Sherrie Grant	Planning Solicitor
Julie Smith	Interim Highways Engineer
Tom Delaney	Governance Officer

1 APOLOGIES

Apologies for absence were received from Councillors K Bool, W Cross and A MacCartney.

2 MINUTES

Consideration was given to the minutes of the meeting held on 21 September.

RESOLVED

That the minutes of the meeting held on 21 September 2021 be **APPROVED**.

3 DECLARATIONS OF INTERESTS

Councillor A Brown declared a pecuniary interest in item 5 – Planning Applications, application 2021/0018/MAF as a friend of the landowner and confirmed he would take no part in the debate or vote on the application.

Councillors E Baines and M Oxley declared non-pecuniary interests in item 5 – Planning Applications, application 2021/0018/MAF due to knowing the landowner.

Councillor Baines declared a pecuniary interest in item 5 – Planning Applications, application 2021/0736/FUL as an agricultural neighbour to the site who had submitted options to the applications. Councillor Baines confirmed he would leave the meeting for consideration of the item and Councillor N Begy would take the chair for consideration of the item.

4 PETITIONS, DEPUTATIONS AND QUESTIONS

In accordance with the Planning and Licensing Committee Public Speaking Scheme, the following deputations were received:

In relation to item 5 – planning applications, application 2021/0018/MAF, Carolyn Cartwright would be speaking as a member of the public opposed to the application and Mark Bassett would be speaking as the agent on behalf of the applicant.

In relation to item 5 – planning applications, application 2021/0737/2921, Tim Wardley would be speaking as a member of the public in support of the application, Sue Willetts would be speaking as a member of the public opposed to the application, Councillor Peter Allen would be speaking on behalf of Braunston in Rutland Parish Council, and Gemma Fesemeyer would be speaking as the applicant's representative.

5 PLANNING APPLICATIONS

Report No. 139/2021 was received from the Strategic Director of Places.

---oOo---

Councillor A Brown took no part in the discussion or vote on the following item having declared a pecuniary interest.

---oOo---

Item 1 - 2021/0018/MAF - Land North Of A47, Duddington Way, Uppingham, Rutland.

(Parish: Ayston; Ward: Braunston & Martinsthorpe)

Nick Hodgett, Principal Planning officer, addressed the Committee and gave an executive summary of the applications, recommending approval subject to the conditions set out in the report and addendum.

Prior to the debate, the Committee received deputations from Carolyn Cartwright as a member of the public opposed to the application and Mark Bassett as the agent on behalf of the applicant. The Committee also had the opportunity to ask questions of these speakers.

Members raised several concerns regarding whether there was sufficient essential need for the proposal be justified due to the lack of definition of 'essential' in CS04 of the Core Strategy CPD. Members cited the location of other filling stations and electric changing points both in Oakham and nearby Uppingham as examples of why there may not be an essential need.

Concerns were also expressed over the proposed new access to the site from the A47/A6003 roundabout and cited issues of highway safety that could arise from an additional exit. The risk to pedestrians from crossing the A47 to access the other facilitates available was also raised. In response Julie Smith, Highways Engineer set out the process followed by the Council's Highways team and why they had concluded the application was satisfactory with no objections at the determination stage of the planning application. However, it was explained that the Highways team would undertake further assessments as part of their processes following any approval.

Members also cited the agricultural location of the site, and that farming land would be lost should the application be granted. It was also highlighted that the site could be considered inappropriate as land on the other side of the road had been allocated for employment use in the adopted Uppingham Neighbourhood Plan and this has been allocated with an explicit expectation of the site being used for a filling station and had better electricity access for any charging points.

It was moved by Councillor M Oxley that the application be refused due to the site being prominent in a rural location, the proposed location and design also leading to a loss of visual amenity, concerns on the impact of 24-hour lighting on site, a more suitable site being allocated as employment land on the opposite side of the road by the Uppingham Neighbourhood Plan with the expectation of being used for a filling station, and the Committee not considering the application to have an essential employment need in order to justify the development.

This was seconded and upon being put to the vote, with 4 votes in favour and 3 against, the motion was carried.

RESOLVED

That application 2021/0018/MAF be **REFUSED** on the following grounds:

- 1) Due to the site being prominent in a rural location and therefore contrary to Policy SP7 of the Site Allocations and Policies DPD, and Policy CS19 of the Core Strategy DPD.
- 2) The proposed location and design leading to a loss of visual amenity.
- 3) A more suitable site being allocated as employment land on the opposite side of the road by the Uppingham Neighbourhood Plan with the expectation of being used for a filling station.
- 4) The application not being considered to be essential under Policy CS04 of the Core Strategy CPD.
- 5) The impact of lighting.

The list of reasons can be found on the planning application page of the Council's website <https://www.rutland.gov.uk/my-services/planning-and-building-control/planning/view-planningapplications-and-decisions/>

---oOo---

Councillor A Brown re-joined the meeting and Councillor E Baines left the meeting having declared a pecuniary interest in the next item and Councillor N Begy took the Chair.

---oOo---

Item 2 – 2021/0736/FUL – Corner Meadow Far, Wood Lane, Braunston, Rutland

(Parish: Braunston in Rutland; Ward: Braunston & Martinsthorpe)

Justin Johnson, Development Manager, presented the report and gave an executive summary of the application, recommending approval subject

Prior to debate, the Committee received deputations from Tim Wardley as a member of the public in support of the application, Sue Willetts as a member of the public opposed to the application, Councillor Peter Allen on behalf of Braunston in Rutland Parish Council, and Gemma Fesemeyer as the applicant's representative. The Committee also had the opportunity to ask questions of these speakers.

Following questioning of the applicant's representative, it was suggested and agreed that the proposed condition of a maximum number of 50 dogs being permitted on site was excessive and a number of approximately 32 would be more appropriate.

In response to queries from Members recording road access, it explained that there were no concerns raised by the Highways team with the application, although a note would be sent to the applicant regarding the need for a further application on signage to the site.

During debate it was also agreed that an additional condition could restrict the business to only operating a lower number of dogs in the early and late hours of operation to mitigate against the number of vehicles entering and leaving the site at these times. Furthermore, that conditions could be added to require submission of details regarding the proposed external lighting and lighting of the parking facilities in order to ensure there wouldn't be excess light pollution, and that no kennelling of dogs would be able to take place on the site.

It was moved by Councillor G Brown that the application be approved subject to the conditions in the report and addendum, and the additional changes to conditions agreed during the debate with the wording of these conditions being delegated to the Vice-Chair for approval. This was seconded and upon being put to the vote, with 7 votes in favour the motion was unanimously carried.

RESOLVED

That application 2021/0736/FUL be **APPROVED** subject to the conditions set out in the report and addendum, a note being sent to the applicant regarding the need to submit a further application for signage, and the following additional conditions with the wording delegated to the Vice-Chair for approval:

- 1) An amendment to the condition on the maximum number of dogs allowed on site to a lower figure.
- 2) The business only being able to allow a further reduced number of dogs on site in the early hours of the morning and evening.
- 3) To require submission of details of the proposed external and parking lighting to ensure there would be no negative light pollution.
- 4) That no kennelling of dog be permitted at the site.

The full list of conditions can be found on the planning application page of the Council's website <https://www.rutland.gov.uk/my-services/planning-and-building-control/planning/view-planningapplications-and-decisions/>

---oOo---

Councillor E Baines returned to the meeting and resumed the Chair

---oOo---

6 APPEALS REPORT

Report No. 140/2021 was received from the Strategic Director of Places. Justin Johnson, Development Manager, presented the report which listed the appeals received since the last meeting of the Planning & Licensing Committee and summarised the decisions made.

RESOLVED

That the Committee the contents of this report.

7 ANY OTHER URGENT BUSINESS

There was no other urgent business for consideration.

---oOo---

The Chairman declared the meeting closed at 9.19 pm.

---oOo---