



# **Rutland County Council**

Catmose Oakham Rutland LE15 6HP.

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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 Monday, 26th September, 2022 at 6.00 pm

<b>PRESENT:</b>	Councillor E Baines (Chair)	Councillor P Browne (Vice-Chair)
	Councillor N Begy	Councillor D Blanksby
	Councillor K Bool	Councillor G Brown
	Councillor W Cross	Councillor J Dale
	Councillor A MacCartney	Councillor R Payne
<b>ABSENT:</b>	Councillor A Brown	Councillor R Wilson
<b>OFFICERS PRESENT:</b>	Justin Johnson	Development Manager
	Nick Hodgett	Principal Planning Officer
	Sherrie Grant	Planning Solicitor
	David Ebbage	Governance Officer
	Roger Ranson	Planning & Housing Policy Manager
	Craig Howat	Quality Assurance Officer

## **1 APOLOGIES**

Apologies were received from Councillor A Brown and R Wilson.

## **2 DECLARATIONS OF INTERESTS**

There were no declarations of interest

## **3 PETITIONS, DEPUTATIONS AND QUESTIONS**

In accordance with the Planning and Licensing Committee Public Speaking Scheme, the following deputations were received on item 5, Planning Applications:

In relation to 2020/0297/MIN, Richard Creasey spoke as a member of the public opposing the application, Ken Edward spoke as Chairman of Greetham Parish Council, and John Gough spoke as the applicant.

In relation to 2021/0170/MAO, Dan O'Boy spoke as a member of the public opposing the application, Ken Edward spoke as Chairman of Greetham Parish Council, and Neil Osborn spoke as the agent.

In relation to 2021/0171/MAO, Dan O'Boy spoke as a member of the public opposing the application, Ken Edward spoke as Chairman of Greetham Parish Council, and Neil Osborn spoke as the agent.

#### **4 PLANNING APPLICATIONS**

Report No.150/2022 was received from the Strategic Director of Places.

Item 5a – 2020/0297/MIN - Mick George Ltd

Greetham Quarry, Greetham North Western extension to Greetham Quarry including the extraction of Limestone and building stone and importation of suitable inert material.

(Parish: Greetham; Ward: Greetham)

Item 5b – 2021/0170/MAO - Hereward Homes Ltd Greetham Quarry, Greetham Outline planning application for 30 residential dwellings (Class C3), with all matters reserved except for access.

(Parish: Greetham; Ward: Greetham)

Item 5c – 2021/0171/MAO - Hereward Homes Ltd Greetham Quarry, Greetham. Outline planning permission with all matters reserved except access for a maximum of 94,000m<sup>2</sup> of Class B8 and Class B2 and E(g) and ancillary business and service space (Class E).

(Parish: Greetham; Ward: Greetham)

#### **5 2020/0297/MIN**

Nick Hodgett, Principal Planning Officer, introduced the application and gave an executive summary, recommending approval subject to conditions outlined in the report.

Prior to the debate the Committee received deputations from Richard Creasey who spoke as a member of the public opposing the recommendation, Ken Edward spoke as Chairman of Greetham Parish Council, John Gough spoke as the applicant and Councillor Nick Begy spoke as the Ward Member. The Committee also had the opportunity to ask questions of these speakers.

The applicant confirmed with Members that there would be no processing within 350m of any residential property or the community centre.

The applicant listed daily basis suppression measures for dust control such as haul roads will be sprayed, a dust buster which will catch any dust around the mineral processing plant using water spray, a requirement for a weather station on site which historically it didn't previously have. In terms of wheel wash, vehicles leaving the site would go across a wheel wash and be sheeted when they exited the site.

The Environmental Health Officer explained to members that they had monitored the air quality for a year, and it was measured at a level of 7.9. National data suggested that it would be 16.9 but the measured level was 7.9. If above 17 microns, it had the potential for it to exceed the air quality standard. With the screening process at the

level of 7, it was extremely unlikely that the 40 micrograms per metre cubed per day limits would ever be exceeded.

It was explained to Members that conditions were in place in case of any breaches occurred. Conditions 38 down to 42 within the report set out what was required of the operator and to ensure they were being compliant. If a breach did occur, then the operator would need to investigate that breach and notify the Council within two days.

The Environmental Health Officer informed the Committee that the nuisance dust that effected cars and exterior of buildings was not a health risk. The levels of dust would be measured by four frisbee style deposition gauges for nuisance dust deposition, for which the compliance dust-fall limit was 103 mg m<sup>-2</sup> day<sup>-1</sup>. Monitoring would be undertaken periodically, the duration and frequency of which was set out in the Dust Management Plan.

Members raised concerns over the real time data and how any alerts would be reported. They felt the data should be readily available to the Council or even residents of Greetham. Officers responded by saying the real time data would not come to a council office, the data would be kept by the applicant and that the council could access and examine at any time. If a breach occurred or an alert had gone off, they had two days to notify the council.

Monitoring visits would take place on a regular basis to ensure the applicant was complaint with all the conditions and the data they held was sent to the council.

It was suggested by Councillor G Brown to include within the Dust Management Plan to set trigger points of dust at which there is notification, so residents can be satisfied that the operator is taking it seriously and that the information was made readily available, it was not commercially sensitive and that it could be provided online.

It was pointed out by the Environmental Health Officer that whilst PM<sub>2.5</sub> can cause health problems, they were not a significant factor within the quarrying industry, the majority was within the 10 micron range from quarries. The PM<sub>2.5</sub> level in Greetham was 5.7 micrograms per metre cubed.

Councillor Begy did point out that the recommended figures at the World Health Organisation in 2021, the levels of PM<sub>2.5</sub> should not exceed 5 micrograms per metre cubed. He also stated that if the Committee was minded to refuse the proposal it would be on the precautionary principal, it was simply too close with too much doubt on the impact of the residents of Greetham who used the community centre and playing field.

Councillor G Brown suggested a number of potential conditions should the committee be minded to approve. It was confirmed that the additional conditions suggested by Councillor G Brown would be discussed with the applicant following the deferral.

It was moved by Councillor Cross and seconded that the application be deferred and for it to be brought back to a future meeting. The reasons for deferral were:

- The technology around the real time management and how it is delivered back to the office.
- That the phase 4 boundary being omitted from the proposals.

Upon being put to the vote, with 5 votes in favour and 5 against, the motion was carried on the Chair's casting vote.

## **RESOLVED**

That planning application 2020/0297/MIN be **DEFERRED** to a future meeting.

### **6 2021/0170/MAO**

Nick Hodgett, Principal Planning Officer, introduced the application and gave an executive summary, recommending approval subject to conditions outlined in the report.

Prior to the debate the Committee received deputations from Dan O'Boy who spoke as a member of the public opposing the recommendation, Ken Edward spoke as Chairman of Greetham Parish Council, Neil Osborn spoke as the applicant and Councillor Nick Begy spoke as the Ward Member. The Committee also had the opportunity to ask questions of these speakers.

Members raised concerns over the biodiversity net-gain. One of the conditions set out that the landscaping scheme would be submitted as part of the reserved matters stage and shall be accompanied by a Biodiversity Net Gain matrix to demonstrate that the scheme could achieve at least neutral impact.

Members felt the application failed to provide proper evaluation and understanding of the biodiversity impacts of the calcareous grassland required by the planning consent for the former quarry.

It was confirmed to Members that the removal of invasive species had commenced on the proposed site. The treatment started to remove the invasive weed Piri-Piri Burr but officers could not confirm if it had completely eradicated. It would require ongoing treatments.

A noise assessment was carried out and the conclusion was that if all three proposed applications were approved, the noise emissions for all sites could be controlled. It also concluded that the housing site could stand alone without the warehousing but with the quarry.

The assessment from the highway's safety point of view, the highways team had assessed the access to the site and took into account all the data that they held, and they concluded that the access arrangement was acceptable.

Members raised concerns of the sustainability of the site as Greetham does not fully meet the criteria for a local service centre with no primary school, no post office and the local shop is closed. To access all those services would mean travel by car. Officers responded by saying with no 5-year housing land supply issue, the harm from the development did not outweigh the benefits of providing housing, subject to the conditions could contribute to the 5-year housing land supply. The NPPF states that only whether the adverse impact significantly and demonstrably outweigh the benefits should permission be refused.

At 9:27pm the Chair proposed that an extension of 30 minutes be taken, and this was unanimously approved by the Committee.

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It was proposed by Councillor Begy and seconded that the application be refused due to the issues around biodiversity, sustainability, and concerns over highway access.

Upon being put to the vote, with 5 votes in favour and 5 against, the motion was lost on the Chair's casting vote.

The Chair then proposed for the application for approval, this was seconded and upon being put to the vote, with 5 votes in favour and 5 against, the motion was carried on the Chair's casting vote.

## **RESOLVED**

- a) That planning application 2021/0170/MAO be **APPROVED** subject to the conditions outlined by the Development Manager and agreed by Members within the debate.

The full 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/>

## **7 2021/0171/MAO**

Nick Hodgett, Principal Planning Officer, introduced the application and gave an executive summary, recommending refusal.

Prior to the debate the Committee received deputations from Dan O'Boy who spoke as a member of the public supporting the recommendation, Ken Edward spoke as Chairman of Greetham Parish Council, Neil Osborn spoke as the applicant and Councillor Nick Begy spoke as the Ward Member. The Committee also had the opportunity to ask questions of these speakers.

Members felt the proposed site was not sustainable for the surrounding area and felt other locations would be better suited.

Members felt that an additional reason for refusal should be added around the increase of traffic movements by private cars.

Members agreed with officers around the uncontrollable HGV traffic though Greetham and the detriment of the character and appearance of the conservation area.

It was proposed by Councillor Bool and seconded that the application be refused, upon being put to the vote, this was unanimously carried.

## **RESOLVED**

That application 2021/0171/MAO be **REFUSED** for the reasons set out in the officer's report.

The full 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/>

## **8 APPEALS REPORT**

Due to the lack of time left in the meeting, it was agreed that the Appeals Report be postponed to the next meeting.

## **9 ANY OTHER URGENT BUSINESS**

There were no items of urgent business.

## **10 DATE OF THE NEXT MEETING**

Tuesday 25<sup>th</sup> October 2022

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**The Chairman declared the meeting closed at 9.55pm.**

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