

Minutes of the meeting of the Planning Committee Held at 7.00PM on Monday 24th April 2023 in the Bush Room

Consulted: Cllrs. Anne Curtis (AC) (Chair), Valerie Williams (VW), Marion Reeve (MCR), John Graham (JG). Paul Caddick (PC).

1. Apologies accepted for absence

None

2. Public Participation

17 members of the public were in attendance and time was given to Mr Matthew Davies who spoke on behalf of all members of the public who were in attendance. He stressed that the size of the impact upon the greenbelt would be Green Belt site of 14.43acres / 5.84hectares and raised the following issues: -

Access Track - The proposed access from B4059 via the ancient Bridal Track is solely owned by Paul & Tanya Davies with no Right Of Way & no agreement enabling commercial access is granted. There is currently no vehicle access and no turning areas within my ownership and therefore egress will require reversing a vehicle into a very busy road with poor visibility, this is at present dangerous in forward gear encroaching into the oncoming carriageway when taking a left turn.

Green Belt - The proposed commercial enterprise/ non-agricultural development site is to build & site battery cupboards, permanent paths & roads, erection of 9 feet high acoustic fences, approximately one kilometre vehicle access across green fields requiring excavation, removal of existing trees and hedges effecting Green Infrastructure, light pollution, noise pollution, erection of 12ft/4meter posts for lightning & closed circuit cameras over an existing below ground gas pipeline.

Very Special Circumstances & Inappropriate Development –

“How can inappropriate development get planning permission in the Green Belt?” - Where the potential harm is “clearly outweighed by other considerations” this can justify inappropriate development in the Green Belt (Para 144 NPPF) and represent “very special circumstances”. There is no definite list for what will constitute very special circumstances, but the threshold can be high and will turn on the facts and circumstances of the individual application.

“Is this Greenfield site in the designated Green Belt worthy of “Very Special Circumstances?”

“Is this the only site available?” - no this green field site does not have to be sacrificed. There are sites off arterial roads mitigating disruptive excavation for access roads. There are brown field sites, the battery storage should be sited close to or beneath existing solar farm.

NPPF 145- what isn't inappropriate? -

• 145. A local planning authority should regard the construction of new buildings as inappropriate in the Green Belt.

Exceptions to this are:

- a) buildings for agriculture and forestry.
- b) the provision of appropriate facilities (in connection with the existing use of land or a change of use) for outdoor sport, outdoor recreation, cemeteries and burial grounds and allotments as long as the facilities preserve the openness of the Green Belt and do not conflict with the purposes of including land within it.
- c) the extension or alteration of a building if it does not result in disproportionate additions over and above the size of the original building.
- d) the replacement of a building, provided the new building is in the same use and not materially larger than the one it replaces.
- e) limited infilling in villages.
- f) limited affordable housing for local community needs under policies set out in the development plan (including policies for rural exception sites); and
- g) limited infilling or the partial or complete redevelopment of previously developed land, whether redundant or in continuing use (excluding temporary buildings), which would: – not have a greater impact on the openness of the Green Belt than the existing development; or – not cause substantial harm to the openness of the Green Belt, where the development would re-use previously developed land and contribute to meeting an identified affordable housing need within the area of the local planning authority.

Inappropriate commercial enterprise development in this case effects the openness & causes substantial harm in the designated Green Belt and doesn't constitute Very Special Circumstances.

Bridal Path - The application cites removal & redirection of this ancient Bridal Path, referring to the application consultee Lindsay Saunders states the developer has NOT provided a plan of where they propose to divert them and to contact the PROW team to ensure that the proposed diversions are suitable in theirs of their position, relation to other paths in the locality and suitably.

Landscape & Visual Impact Assessment - Major or major/moderate visual landscape effect. Refer to page 25 LVIA document.

"11.1.20 The significance of the visual effects is determined by the assessment of receptor sensitivity set against the magnitude of change as indicated by the matrix in Table 9.

11.1.21 For the purposes of this assessment 'Material' landscape effects would be those effects assessed to be major or major/moderate and are indicated by shading in the following table," (ref to page 25).

Adverse change.

"13.1.7 The visual effects at the operational stage have been assessed as being subject to a major/moderate adverse change (i.e. a material change) as a result of the proposed development."

Mitigation.

"14.1.1 The proposed built elements will be situated close to existing built form of a similar nature.

14.1.2 Built form will be kept back from the site boundaries to allow for boundary planting and visual barrier elements to minimise the potential impact of the built form.

14.1.3 Additional trees should be planted along the local field boundary vegetation to strengthen the existing vegetation.

There is nothing "situated close to existing built form of a similar nature."

Design & Access Statement

Development in Green Belt, the applicant's D&A Statement refers to on page 13, paragraph 5.4 with ref to NPPF paragraph 147 'harmful to the Green Belt should NOT be approved except in **VERY SPECIAL CIRCUMSTANCES**.

"5.4. The Framework, at paragraph 147, states that inappropriate development is, by definition, harmful to the Green and should not be approved except in very special circumstances. The development does not fall within the list of exceptions at paragraph 149 of the Framework and is therefore inappropriate development. The applicants consider that very special circumstances (VSC) do exist, which outweighs any harm to the Green Belt by reason of inappropriateness."

5.5 refers to COMPROMISES INAPPROPRIATE DEVELOPMENT. "5.5. Paragraph 151 of the Framework recognises that when located in the Green Belt, renewable energy projects will comprise inappropriate development and will therefore need to demonstrate VSC. Such VSC may include wider environmental benefits associated with increased production of energy from renewable sources. It is argued that the integral part that the development will play in the transition to renewable energy as well as the benefits in balancing energy supply and national security, constitutes VSC. This is set out in further detail later in this chapter."

5.6 refers to OPENNESS. "5.6. In addition to the harm by inappropriateness, the impact on openness must also be considered. Since the development is proposed on a greenfield site, it is inevitable that the development would have some impact on openness. However, this impact is reduced through the position of the site as it will be well screened by vegetation and additional tree planting. The development has been positioned along an access track connecting to the B4059 and is set back from the road which has limited the impact on openness, particularly when considering this has moved development away from a key receptor – the dwellings on the B4059. A landscaping plan is also provided to further reduce the visual impact. This is weighed in the overall planning balance."

Admitting harm by inappropriateness and requirement of access track outside the proposers ownership and impact on dwellings

5.7 refers to GREENFIELD SITE in Green Belt "5.7. Paragraph 138 of the Framework sets out the five key purposes of the Green Belt. A brief assessment against these is set out below: c) to assist in safeguarding the countryside from encroachment. The site would result in a development on a greenfield site, however, the location of the site, landscaping and the surrounding topography would mean that the associated visual impact would be mitigated. Therefore admitting harm on a greenfield

site requiring screening visually, acoustically and from light pollution to protect the surrounding human habitation and wildlife.

Conclusion

The applicant's own submitted D&A Statement recognises harm by reason of inappropriate development in Green Belt & states that VERY SPECIAL CIRCUMSTANCES exception should be applied, ref page 22 paragraph 6.1. We would argue that this is a commercial enterprise of non-agricultural development causing substantial harm & major effects on openness CANNOT be considered with weight applied as Very Special Circumstances.

BROWNFIELD SITE could be sought and in the event this meets approval in the Green Belt I would appeal that an alternative position would be found beneath existing solar panels and closer to existing access routes not within a 100 or so meters of human settlement.

I urge the Parish Council Planning Committee to REFUSE this APPLICATION

3. Declaration of Interests

None

4. Minutes from Previous meeting

P23007 Resolved: The Parish Council Planning Committee accept the Planning Minutes of 17th April as accurate.

5. Planning Applications

P23/01244/F	Earthcott Green Farm Earthcott Green	Installation of battery energy storage compound, fencing, CCTV, access and associated infrastructure.
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The planning committee thanked Mr Davies and appreciated the full and succinct information provided by the 17 members of the public attendees and considered the following reasons for objection.

P23008 Resolved: The Parish Council Planning Committee strongly objects to P23/01244/F

- Destroys the openness and will cause substantial harm to the greenbelt.
- Lithium storage batteries are not classed as "green" and could cause a potential hazard to residents within the parish should accident (or other) detrimental catastrophe occur.
- Associated noise and light pollution both during construction and post development will have a negative impact upon nature and wildlife.
- Development within the greenbelt should only happen in special circumstances and the planning committee can not see how this application warrants "special circumstances".
- The planning committee agrees that better alternative sites are available located within designated brownfield areas.
- Development would result in considerable change to the views, nature and landscape of the land. "A major visual effect noticeable to an observer" as written in Lvia Ltd's own report.
- Commercial access has been refused by the landowner and the only alternative will be by narrow access (off the main road) where a further road will need to be constructed across three fields.

6. Planning Permissions Granted

None

7. Planning Permissions Refused

None

8. Applications Withdrawn

None

9. Notice of appeal (Secretary of State)

None

10. Representation at Planning Meetings.

None

11. Appeal decisions

None

12. Enforcement Investigation.

None

13. Licence Application

LI23/2528/STS	Toms Brekkie Lay By Rudgeway	Application for a Renewal Street Trading Consent in South Gloucestershire
LI23/2530/STS	Toms Grill Lay By Rudgeway	Application for a Renewal Street Trading Consent in South Gloucestershire
LI23/2535/STS	Toms Kebab Lay By Rudgeway	Application for a Renewal Street Trading Consent in South Gloucestershire

The planning committee of Alveston Parish Council recommend that “Tom’s Brekkie” and “Toms Grill” not be renewed as there had been no activity of either of these two businesses on site throughout the year and it is believed by the members of the committee that these applications are submitted to block other mobile catering businesses from applying to operate within the layby. Councillors requested that SGC food standards investigate that adequate hygiene and toilet facilities are available to staff during the hours of operation for “Tom’s Kebab” and are satisfied prior to granting renewal.

14. Circulated Schedule

None

15. Prior Notice Application

None

16. Any Other Matters

(Clerk) advised that due to the bank holiday the next meeting will be on 15th May at 7PM

Meeting Closed 20.05PM

The next meeting of the Planning Committee – 15th May 2023