

Appendix 2

Transcript of Planning Meeting held on 4th December 2017.

Declarations of interest:

Holmes: Mr Chairman, erm, I do know erm the Chandler family but I have absolutely no interests if anybody thought that they are a farming family who I know but that's ..

Illingworth: So it's personal non pecuniary which does ..

Holmes: It's not an interest at all but I just thought I'd mention it because people do have ideas, I don't send Christmas cards or anything but I.

Illingworth: Alright, thank you for that. Councillor Chandler.

Chandler: Likewise, Mr Chairman, the same application I do have the same name there is a family relationship but I have no personal or pecuniary interest in the application.

Illingworth: Not an interest but Councillor Wyatt has some words that he wishes to address to the meeting.

Wyatt: Yes, I, I, have been advised by the er, our legal council, our solicitor that some statement, a statement I made at a meeting a few weeks ago might have dis, might have, people might have misconstrued what er I meant or whatever. Our solicitors have looked at that, listened to the er recordings and they're quite happy that I didn't er cause any problems as far as the council is concerned. But I would quite like to apologise to everybody sort of misunderstood what I said. And it doesn't make any difference because at the time I hadn't seen any papers or knew anything about Long Clawson at all. Thank you.

Canal Lane, after the speakers.

Greenhaugh: Thank you Chair, er you referred there Councillor Rhodes to the footpath er, and lack of assurances erm do you know if they were, if the neighbourhood plan group asked for those reassurances earlier on in the process.

Rhodes: Well, well you'd have to ask them. Because I don't know the answer to that question.

Chair: Louise, you have points to respond on, on that one thank you (MZ0000022 03.40) - there seems to be a gap here?

Louise: Yes, there were just a couple of items, obviously the Neighbourhood Plan is now at a stage where views have been aired and it is at, erm, a stage where we're at now, erm, so the reserve allocation has, erm been carried by the public etc, erm, one of the things that has been mentioned a few times is the visual impact, erm obviously the application is in outline at this stage so whilst that plan is in front of you that's not necessarily how it could be etc, so just bear that in mind in terms of layout etc. Erm, highway original response erm, yes they did have concerns over the proposal but then amendments were submitted and they're quite happy with the proposal as it is.

Illingworth: Thank you for that Mr Worley, you have more to add.

Worley: Yeah, I do I'm afraid, I've got a difficulty of a Mr Tillyard's suggestion on the landscape impact, erm, because erm, in order it to arrive at the status of a reserve site in the Neighbourhood Plan, it must be suitable. And landscapings impact but we all one of the measures by which it was deemed suitable. The reason it's only a reserve site was though there were better sites, not cause this was unacceptable. If it was unacceptable it would have been tossed out altogether like the site we were talking about earlier. So I think it would be inconsistent of us and indeed the Neighbourhood Plan group to have it both in the plan and rejected for landscape reasons this evening.

Illingworth: So what you're saying effectively is that a, a in simple terms a, a reserve site, is a, is a is a an allocated site that isn't needed yet.

Worley: Yes.

Illingworth: Thank you.

Wyatt: We do class this as a brownfield site don't we, er, Mr Worley.

Worley: Just comparing notes. A technical definition of previously developed land which is the technical jargon for it excludes agricultural land, so it's Greenfield. Even though it's covered in brown things.

Wyatt: Yeah, I find that hard to believe actually but, er, never mind thank you for that.

Illingworth: So members we have heard the speakers, we've heard the officer's come back, it's now debate time, Councillor Bagguley, you wish to start the debate.

Bagguley: Erm, yes, I would like to go with the Officer's recommendation for refusal, for the reasons given that it is a reserve site both in the Neighbourhood Plan and also on the Local Plan. Thank you.

Illingworth: Thank you for that, the next speaker needs to be seconding and then we can carry on debating anyway. Anybody prepared to second the proposal to refuse. Hmm. Councillor Cumbers.

Cumbers: I will.

Illingworth: For exactly the same reason that y, that your proposer has given. Nothing to stop us carrying on debating members in order to help make our minds up. Councillor Wyatt.

Wyatt: Yes, er, visited the site today and it's a farmyard basically, as obviously most people gathered that one and but it's not the best farmyard I've ever seen in my life. I must admit. It's er, poorly laid out and planned, and it's got 300 head of cattle in there, cows in there.

Illingworth: I have to say Councillor Wyatt I did take Councillor Holmes to task for (**Wyatt** interrupts with "yes") talking about matters that weren't to this application.

(**Wyatt** interrupts "no, but I'm saying, I'm saying").

Illingworth: Yeah.

Wyatt: We did bring up about the animal welfare and everything else with the you know the, it has been brought up earlier so I'm just expanding on that one. And, to me, that's a plus for this because the state of the site and everything else makes it really quite appealing as a development situation because it would only IMPROVE on what's already there. Which is see is a bit negative to me and I'm really quite happy to propose that

we permit this site because it would take out the farm, take out the farm where it is the farm buildings and em, em, enable them to put them up somewhere else and em, then this site then, to me it's a brownfield site. But I mean, I could be wrong on that. And em, it could be redeveloped with houses and could be made to look quite pleasant as against the situation I see and I've saw there today at the moment. Thank you.

Illingworth: Thank you for that Councillor Wyatt, erm, just I think to clarify a point of order. We have a proposal to refuse which has been seconded, we can only take a diametrically opposite proposal if that one fails. If you'd have proposed an amendment we could have taken it first. But I can't take a contrary proposition until we have a result on the first one. Alright? Appreciate that.

A female voice asks "Can we have some planning reasons as well"

Illingworth: Yes. So we have to take things in sequence, what's before us at the moment is a proposal to em, to refuse in line with officer recommendation. Councillor Botterill you wish to speak.

Botterill: I was concerned about what we heard this morning because I felt had we have moved that fa, er, closed that farm down and let it be built on it would be a planning gain for the village, in fact, because there's there's cows there there's smells there the buildings are getting old and, and if you're producing milk which is a fundamental product for people to drink the conditions want to be as good as they can be. The farmstead is on the end of the grassland and the cows have got to go a long way to get, to go grazing in the summer and it would be far better this opportunity would if it was taken up to move that farm out of the village where you wouldn't get problems with smells and erm silage smells and all the other things that you get with, with livestock in the village nowadays. So I'm, I'd support Councillor erm, erm, Illingworth, sorry, Councillor err m, Wyatt's view that erm, we ought to be doing something about it personally.

Illingworth: Thank you for that, er, Councillor Botterill. Any other comments members, Councillor Chandler just first and then Councillor Cumbers OK.

Chandler: Thank you Chairman, I think this one is very finely balanced but the thing I have against it is the fact of the link with the rest of the village we're going to build a lot of affordables there which I always welcome as you know, I'm a great advocate of lower priced housing in villages. But, it's a long, long way from the school and I can't see how on that corner unless provision can be made with land owners to cut across and put proper footpaths in that you can push pushchairs along you can't push pushchairs over grass fields this time of year. We all saw the state of the ground, Long Clawson is heavy clay. And I would like to see before I could even go for a permit would be, could something be negotiated to get a proper footpath so they could, people could get into the village. You can't go round that very narrow tight corner, there isn't the land there, I had a look this morning again and I go through Long Clawson quite a lot and it does concern me that I, I mean, I think its very finely balanced, yes, I mean I know from our own situation nobody wants farms in villages now. The sooner they can get rid of them the better but it, you've got to have a reason for doing it and you've got to have an alternative that it's safe for people to get from A to B. And I don't think it is, as we see things as the moment. You can't just say oh well e, well open that gate and that'll be alright and you can get to that footpath and then you can, a footpath across a field because it doesn't work and there's more problems for farmers with footpaths than probably a lot of you even envis ...

Illingworth: Thank you Councillor Chandler, yes, I don't erm, I certainly don't disagree with your comment that em this is much more finely balanced than em, than previous and em, I think it's good we continue to air it so that anybody who's not quit sure can hopefully em hear an aspect of the debate that helps them decide. Councillor Cumbers.

Cumbers: Correct me if I'm mistaken but it appears to me that em, that if that farmer wanted to put his cows on a different field he could do so you know if he owns that land he owns that field the nobody is stopping him. He doesn't have to leave them where they are now.

Illingworth: Thank you for that, yes I presume that ah, the farmer owns lots of fields. He can put his livestock on whichever one he wished. The

fact of the matter is all the facilities for the milking are at that site so em, and I believe it's being proposed that there is a complete relocation of the operation further down the lane. Perhaps that hasn't been mentioned enough. Councillor Geenhaugh.

Greenhaugh: Thank you chair,em, there's a lot of benefit to this site em, and I can see a lot of benefits to this site basically em but we have got to be consistent em for whatever reason the residents of Long Clawson don't want the site as an allocation they want it as a reserve and on that basis I, I'll be voting to refuse it. But on that basis only.

Illingworth: Thank you for that Councillor Greenhaugh. Any other comments members, any other questions members. In which case it has been proposed and seconded that we refuse for the reasons given in the Officer's report, in the final paragraph nobody has asked for anything else to be added to that we establish that there are no errors in paragraph 1 and 2. I don't mean that in a nasty way but there was reference to some errors. Are we happy that the wording on there is fine. Just being on the safe side, thank you. So members all those in favour of a refusal in line with Officer's recommendation please show. That is 5 for refusal. All those against refusal please show. The proposal to refuse fails, in which case I ask Councillor Wyatt if now wishes to move his proposal to permit.

Wyatt: Yes, I would like to move the proposal to permit but with the added stipulations about the footpath , a new footpath and all the situations that we've been assured by the agent that the, e, the erm, applicant is quite happy to do, and to solve these problems of these muddy footpaths or footpaths across fields or everything else to do with the site. Thank you.

Illingworth: So permit subject to there being presented to officers

Wyatt: Yes, and all the footpaths tarmaced everything else one as per requested.

Female voice: Excuse me, can we have some reasons? If we're going for permit it's not just about the footpath is it.

Male Voice: No.

Illingworth: No. I presume your reason Councillor Wyatt is that the benefits of removing, removing the th smell and the mess outweighs the harm of some houses.

Wyatt: I think that the, yer, it's a gain on this, all through the system, you're getting rid of a unsightly site which has got all the farming paraphernalia on it animals etc and you're creating a nice, to me, a yer a much needed development on a brownfield site. Although there is some, weather it's a brownfield site but (female voice in background saying "it's not a brownfield site) but yeah, but you know I'm just saying. I'm clear on that one.

Illingworth: Uh, so Councillor Wyatt has promo, promosed, proposed to permit for those reasons. Sorry (Worley in background, "there's a bit more in here"), sorry, no you're alright Jim.

Worley: It didn't come to life in ours. Em, if I can prompt Councillor Wyatt and draw the committee's attention to some other strands that you see in the other applications if you are going to permit this, em, all the education debate needs to be incorporated in this and we'll need a raft on conditions covering all manner of issues a bit like the ones you see recommended positively at Birley's Garage, I think is the next one isn't it and er, Hickling Lane later. Of that nature. Em, it needs to be subject to all of those provisions er, we'd also like, over indulgence, some kind of delegation to investigate this footpath issue as to weather it's actually achievable, but in on land ownership and access rights, rather than is it actually there.

Wyatt: Yes, I'm quite positive to everything you've said there Mr Worley and er, and er would leave it to you and your department to ensure that everything is carried out properly for this planning situation to be er, fairly positive and er, useful to the village.

Illingworth: Thank you so you're happy to delegate to the Officers to er (Wyatt interrupts "yep") propose the usual raft of conditions not dissimilar to those bullet pointed in other applications which are recommended for permit.

Wyatt: Yes.

Illingworth: The same sort of subject matter. Councillor Cumbers, I had Councillor Botterill first because I, I'm, I, we need a seconder to Councillor Wyatt's proposal and Councillor Botterill showed first. Are you seconding Councillor Botterill.

Botterill: Yes, I am Chairman because I believe this is a planning gain for the village in the long run. Also, it's a planning gain for the farmer in that he can modernise his, his farm for the future for his son to carry on with and em, I think that's that's a good thing to do. And m, it'll mean that the livestock won't be in the village, they're virtually in the village there and maybe they'll get perhaps to put the farm holding in the middle of his land rather than on the end of it. So I think it's a gain really.

Illingworth: Thank you for that Coucillor Botterill so it has been proposed and seconded, we can carry on debating. I'd got Councillor Chandler and then Councillor Cumbers. OK.

Chandler: Thank you Chairman, I'm going to muddy the water even more, because I'm going to ask for a deferment. I think there's far too much got to be investigated before you can actually say that you will permit this application. I go back to this footpath issue. I reiterate, I go through Clawson a lot and that corner is very dangerous and there's got to be a proper alternative. You can't jeopardise, we're building a lot of affordables and houses for young families, they're going to have to get those children to the school. You can't have a child in a buggy and a child hanging on to the pushchair and the traffic whizzing by you, you've got all of, em, HGVs that go to Clawson Dairy that's the busiest time of the day for them, first thing in the morning. No, I've got to go along with the deferral. If this fails I'll go for a def ..(cuts out).

Illingworth: I was just about to say Councillor Chandler, I'm just going to check on the procedural thing because again, a deferral tends to negate the proposition that we have. I think we have to deal with that then ask for something else. I just want to check with the solicitor. Exactly right, so we take what's in front of us and then having turned down two options you're offering us a third one. OK. Thank you. Councillor Cumbers.

Cumbers: Um, thank you Mr Chairman, yea, perhaps Mr Worley can explain erm ah, when we were, when there was a possibility of allowing the, the em, the other one, the Sand Pit Lane one, and Mr Worley em explained the problems it was gonna cause him in the future, em, when the Local Plan is being examined, and could he say, give us the same or similar reasons em and to tell us weather or not em going against the recommendation is going to cause you problems at the examination.

Worley: Yeah. It is going to cause it would if that scenario was played out it would cause us problems. Maybe not as severe as the one previously because it's not black versus white, it's grey versus white, or black, in that we're called upon to explain why em we're giving such support to a site that we, em, view guardedly as a reserve site in the Local Plan.

Illingworth: Members, any other aspects to debate. Councillor Faulkner.

Faulkner: Yes, I was just er coming back onto this footpath thing er, did Mr, Councillor Wyatt actually ask for it to be conditioned that there was going to be a proper footpath across the land and not go round that corner in his proposal.

Illingworth: I thought he said that it was proposing permit subject to a satisfactory solution being found for pedestrian access of an appropriate and em compliant standard to be provided. So, I think, Councillor Chandler, that, subject to, is very helpful but not withstanding that we, you know, we are where we are. Am I right Councillor Wyatt that that's what you said.

Wyatt: Yes sir.

Illingworth: Was happy with that, yep, thank you. Because my comment would be that would very much have to be subject to that can't be an if a but or a maybe. It has to be we're saying yes but if that can't happen we're saying no. Councillor Holmes.

Holmes: In that case erm, Mr Chairman, erm I just wonder if the proposer and seconder to help the situation instead of actually proposing that they actually do defer it because we have got to get everything right. And if they would agree to, for them to agree to defer just until everything's right. Would that help the Chief Planning Officer.

Illingworth: Can I just, forgive me if I'm out of order here, but, I know we're asking what it does but how, how difficult it makes life for our Planning Officer isn't a planning consideration for the members around the table is it.

Worley: Apparently not.

Illingworth: Sorry and all that but I understand what you're saying we can but ask the question of the proposer and seconder are they prepared to amend to a def (cuts out), footpath issue is resolved, for sure, and then we come back with a firm proposal. That's entirely up to them Councillor Holmes.

Wyatt: No I think that we've er, we've asked for the conditions and er, they're rock solid and er, I'm quite happy to go with what I've already proposed.

Illingworth: OK. That's fine and as is the seconder. Yep, Councillor Glancy.

Glancy: I think in my mind, em, if we can't get a solution to the footpath then surely it'll come back because they're not compliant with the conditions and then we can actually have a solid plan ahead of us and a solution so I don't really see the reason to defer it at this moment.

Illingworth: OK fine. Thank you members, I think we've probably thrashed that out, had to turn the page so we must have had quite a lot. It has been proposed and seconded that we permit. For the reasons that the proposer and seconder have agreed and with the condition that it is subject to a satisfactory solution.

Worley: (in the background) could we just go through those reason to check that we've got them ...

Illingworth: No problem. Let's encapsulate those very precisely.

Worley: Right, what I took from the debate is basically that the benefits of the site which comprise housing like all the sites do but plus erm the removal of sources of nuisance from the village to paraphrase the smell and the vehicles are sufficient to outweigh, (cough) sorry that's about the best I can manage. (Cough), right what I took from that debate was that Councillor Wyatt's judging that the benefits of this scheme in terms of delivery of housing, affordable housing and also removal of nuisance from

the village the smell and the vehicles are sufficient to outweigh the adverse effects which includes the weight of the Local Plan and the, the more substantial weight of the Neighbourhood Plan and any other factors as well.

Wyatt: That's correct.

Illingworth: OK members, would all those in favour of permit please show. (background whisper – "six").

Would all those against permit please show. That is six for, five against.

The application is permitted. Do all those who voted against wish for their vote to be recorded. No, not bothered. Just those that have asked.