

# HAZELBURY BRYAN PARISH COUNCIL

## Minutes of the Extraordinary Parish Council Meeting 17<sup>th</sup> October 2011

Present:- Dave Roberts (DR) Steve Murcer (SM); David Maughan (DM); Martin Richards (MR); Emma Grayson (EG); Tricia Walton (TW); Ray Smith (RS)

Members of the Public:- 3; Cllr Pauline Batstone (PB);

Minutes:- Jenny Farthing (Parish Clerk) Apologies:- None

Ref	Action	Owner
178/11	<b>Apologies for Absence</b> None	
179/11	<b>Purpose of meeting</b> The extraordinary meeting was called following a complaint from Cllr Murcer that the consideration of Planning Application 1013 at the meeting held on 4 <sup>th</sup> October had not been handled in a proper manner and that certain councillors had insufficient knowledge of the application and the site to make an informed decision.	
180/11	<b>Clarification of matters arising from the meeting on 4th October</b> <b>a) Chairman's voting rights</b> The chairman has a vote in his role as a Councillor. In the event of a tie, he has an additional casting vote.	
181/11	<b>b) Role of Planning Committee</b> The Planning committee reviews Planning Applications in an advisory manner and makes recommendations to the Parish Council. The committee does not have delegated authority to make decisions. For some planning applications a full debate may be required in public at a Parish Council meeting. Revised guidelines will be issued to all Councillors.	DR
182/11	<b>c) Prejudicial Business Interests (PBI)</b> All business interests in any agenda items must be declared at the start of a meeting. An Interest is Prejudicial if the result of a vote could affect a Councillor financially, or if a member of the public (with knowledge of the relevant facts) might conclude that the Councillors judgement of the public interest could be prejudiced by his or her personal interest. During the debate of an item in which a Councillor has a PBI he/she must leave the room but can make representations to the meeting.	
183/11	<b>Review of Planning Application 2011/1013. Handley Cross Farm</b> The Council <b>agreed</b> by a majority of 4 : 3 that further debate on Planning Application 2011/1013 was required.	DR
184/11	<b>a) Representation by Mr J Ellis (Applicant)</b> Mr Ellis explained that after 28 years he needed to consider retirement and the potential to sell his business. It therefore needs an office on site rather than in his house. There is currently a store on the site and it is reasonable to convert it into an office with store below. With water and power in place it is the only location where building an office can be done at reasonable cost. Development of the lower area of the site is not allowed and is required for	

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	articulated lorries to turn. There are 14 – 16 people employed at the site whose jobs depend on its long term viability.	
185/11	<p><b>b) Representation by Cllr Murcer (PBI)</b> Cllr Murcer emphasised that he and Mr Ellis are good neighbours and he is not concerned about the noise from HXF Foods. He is not looking for an argument but felt that several councillors failed to meet their duty of care to the electorate in their contribution to the debate on the planning application on 4<sup>th</sup> October. He did not feel that the Councillors who were not on the Planning Committee were familiar enough with the site to comment in a fair manner. In principle he did not object to the development of an office on the site but was concerned about height of the building and proximity to his boundary.</p>	
186/11	<p><b>c) Comments / votes from other Councillors</b> <b>Cllr Smith</b> – Expressed concerns about a potential increase in traffic as a result of the development, despite assurances to the contrary. He therefore objected to the application. <b>Cllr Richards</b> – Having spent an hour on site with Mr Ellis he understood and was happy with the plans and had no objections. <b>Cllr Grayson</b> – After regularly walking past the site had no concerns and no objections to the development. <b>Cllr Walton</b> – Expressed concerns about the impact of the height of the building and would prefer a single storey office. She therefore objected to the application. <b>Cllr Maughan</b> – Fully understands the need for an office on the site but believes that the height in its proposed position is not acceptable. He suggested that it should either be lower or moved away from the neighbouring houses. He therefore objected to the application. <b>Cllr Roberts</b> – Does not agree that the proposed building is too close to the houses; 7m is the no taller than a two storey house. He appreciates that businesses have to grow to survive. He therefore supports the application. The result of the vote was a draw 3 in favour and 3 against the development. The Chairman exercised his right to a casting vote so that the result was 4 in favour to 3 against the development. The response to NDDC will include some of the points made by the Councillors. Cllr Batstone reminded the Council that NDDC are the decision makers on Planning Applications.</p>	Parish Clerk
187/11	<p><b>AOB</b> Following a motion proposed by Cllr Grayson, the Council <b>resolved</b> to draw a line under the meeting and not to carry any hard feelings forward. The meeting closed at 20:30 hours. The next Parish Council meeting will be 8pm 1<sup>st</sup> November 2011 in the <b>Village Hall</b>.</p>	