

Claverton Parish Council
Minutes of Extraordinary Meeting Held on 20th June 2013 at St Mary's Church

Present

Councillors: Chris Jensen (Chair), Thomas Sheppard, Rodger Sykes, Anna Beria , Mark Mackintosh and Glennis Naylor
 Clerk: Lesley Watkinson
 Other: Member of public

Open Forum - A member of the public spoke on the profound adverse impact which the Thyme Barn solar development has on the external appearance of the house and the visual amenity of the village. . A suggestion was made that the Parish Council should write to Planning Inspector about to assess appeal of BNES decision to refuse planning application 12/05653/FUL

Chair thanked member of the public and advised that these points will be addressed.

Apologies for Absence - None

Declaration of Member Interests - Two Councillors, Cllr Mackintosh and Cllr Beria, in advance of meeting, advised the clerk that they had an interest to declare relating to the proposed discussions on Thyme Barn. The cllrs own properties which directly overlook the Thyme Barn redevelopment.

The Cllrs previously resolved (7th May 2013) that the Council delegates the power to grant dispensations to the Clerk. The power rests with the relevant authority under section 33(l) of the Localism Act 2011 and the basis is set out under section 33(2).

After consideration, the clerk granted the dispensations on the basis that it is in the interests of persons living in the authority area. A copy of the dispensation will be kept with the Register of Councillors' Interests

	Actions
<p>Co-opt Thomas Sheppard to Parish Council</p> <p>All agreed to the co-option of Thomas Sheppard to the Parish Council</p>	
<p>Thyme Barn Solar Panels. Report on recent developments and a decision of a letter to BNES</p> <p>Cllrs agreed attached resolution and agreed to send to the appropriate authorities.</p>	LW
<p>Approve Audited 2012/13 Accounts</p> <p>Clerk advised that Bill Howe completed internal Audit. Accounts were approved and signed by chairman and RFO. The year end balance stands at £8,650.61</p>	
<p>Exchange of Information</p> <p>None</p>	

The meeting closed at 8pm

Dates of Next Council Meeting: Tuesday 9th July 2013,
 Future Council Meetings: Tuesday 10th September 2013

Signed Date
 Cllr Chris Jensen Chairman, Claverton Parish Council

Resolution to BANES

At its meeting on 20 June, the Planning Claverton Parish Council passed the following Resolution.

Claverton Parish Council

- (1) expresses its concern at the installation of visually intrusive solar panels on Thyme Barn (TB), Claverton;
- (2) notes that under the rules in the current legislation (The Town and Country Planning (General Permitted Development) Order 1995), the installation of solar PV or solar thermal equipment shall, so far as practicable, be sited so as to minimise its effect on *both* (a) the external appearance of the building in question *and* (b) the amenity of the area;
- (3) questions whether the installation on the roof at TB minimises visual intrusion, so far as practicable, as the law requires;
- (4) request BANES, as the Local Planning Authority, to require the owners of TB to conduct a rigorous evaluation of all practicable options for relocating the solar panels commensurate with the domestic energy consumption needs of TB so that no panels appear on any roof;
- (5) urges BANES to satisfy itself that such an evaluation has been carried out thoroughly; and
- (6) calls on BANES to decide in the light of (4) and (5) above whether it would be practicable (subject to any necessary planning permission) to relocate the requisite number of solar panels on the property, other than on any roof.

If BANES concludes that that relocation of the panels, so that none appears on any roof, would be practicable, then Claverton Parish Council urges BANES to take the following steps.

Either (a) If it appears that relocation would require planning permission, to require the owners of TB to submit (within a specified timescale) a relocation scheme to BANES, including submission of the necessary planning application.

Or (b) If it appears that relocation would not require planning permission, to require the owners of TB to submit (within a specified timescale) a relocation scheme to BANES.

(c) If the owners of TB do not comply with (a) or (b) above, whichever is applicable, BANES should take enforcement action against the owners of TB, such action to be initiated on the expiry of the period specified by BANES under (a) or (b) above, as the case may be.

There is a further fundamental point which Claverton PC urges BANES to consider. The owners of TB have applied for planning permission for a new garage on the property. BANES has refused permission; and that application is now the subject of an appeal. It is possible that the space envisaged by the owners for the new garage could provide a 'practicable' alternative space in which the solar panels could be relocated from the roof of TB. The existing solar panels at TB raise a major issue of principle (and potentially a test case) and it is therefore essential that a decision by BANES on the solar panels on the roof of TB, the installation of which pre-dated BANES' decision to refuse the garage application, is made before the garage application is determined by the Inspector. Otherwise, there is a risk that the practicability of switching the solar panels to a less visually intrusive location could be compromised. Self-evidently, this would be wholly unacceptable. Thus BANES needs to move swiftly and decisively if necessary by taking immediate enforcement action (notwithstanding any negotiations which BANES may be having currently with the owners).

It should be noted that Claverton Parish Council supported the garage application on its merits. But that was before the solar panels on the roof appeared or their impending installation was known about. If the erection of the solar panels on the roof of TB had been known about at that time, it is likely that Claverton Parish Council would have declined to comment, and would have urged BANES to defer consideration of the garage application, until a conclusion had been reached on

identifying the least visually intrusive location for the solar panels on the property. As noted above, it is possible that the space in which the proposed garage would be built could provide a practicable alternative location for the solar panels which would be less visually intrusive than having them on any roof at TB.