

## **EAST BRENT PARISH COUNCIL**

**Minutes of the Special East Brent Parish Council meeting held at the Village Hall on Friday 3<sup>rd</sup> August 2012 and commenced at 7.30pm, when the following business was transacted.**

**Present:** Councillor Cllr E. Champion, (Chairman) Cllr J. Bowden, Cllr W. Walker, Cllr J. Webb, Cllr B. Woodward, Cllr V. Clapp, Cllr Y. Roscorla, Cllr S. McGreavy and the Clerk to the Council, Mr Martin Shobbrook;

Together with 63 members of the Public from East Brent and Rooksbridge whose names are recorded on an attendance sheet completed by them.

In addition Cllr John Denbee of Axevale Ward, S.D.C. attended and was invited to join the Committee members on the top table.

*“Members are reminded that the Council has a general duty to consider the following matters in the exercise of any of its functions: Equal opportunities (race, gender, sexual orientation, marital status and any disability) Crime disorder and Human Rights”*

### **APOLOGIES FOR ABSENCE**

Apologies were received and accepted from Mr R. Filmer, together with apologies from Mr David James on behalf of Tessa Munt M.P.

The Chairman, Cllr E. Champion addressed the meeting and said that this special meeting of the Parish Council Committee had been arranged to consider two planning applications.

One was the “Wind Farm” application by Broadview Ltd. at Rooksbridge and the other was an application for change of use of land at Brent Holm Mendip Road Rooksbridge, from commercial usage to residential usage.

As the “Wind Farm” application was the one which the vast majority of the members of the public had come to listen to, the Chairman said that it would be dealt with first, despite the order of matters on the Agenda.

He said that it was his intention to allow any representatives from Broadview Ltd. who were in attendance, to have 15 minutes to address the meeting. He had been told that it was not possible for anyone from the Company to attend and so this option would not be exercised.

He said that it was equally his intention to allow any representatives from the “No Pilrow” action group, to have 15 minutes to address the meeting, followed by 15 minutes for any of the residents of East Brent and Rooksbridge to address the meeting.

In the absence of any representative from Broadview Ltd. to address the meeting, he invited representatives from the “No Pilrow” action group to speak.

Mr David James addressed the meeting and during his allotted time, he made the following representations:-

1. Broadview Ltd. had made great issues of the fact that it will give the community a significant sum of money over the lifetime of the “Wind Farm”. This situation was not guaranteed for the community, as if and when Broadview sold the enterprise to another company, there would be no legal obligation for that new company to honour the payments to the Community Fund.

2. Business Rates. Broadview’s assertions that the community will benefit from the vast business rates it will pay, needed to be examined in more detail. He said that the actual amount the company will pay to the community is less than £1.00 per capita per year. In addition, the amount which S.D.C. will receive under “The Local Government Finance Bill”, from Central Government, will be reduced accordingly.

3. After taking into account allowances for “Green taxes”, the Community Fund” is nothing but a “token gesture”.

He quoted Mr Tim Yeo, M.P., Chairman of the Commons Energy and Climate Change Committee, who stated, “Frankly, we need to be prepared to bribe them”, when discussing the relationship between wind farm developers and communities.

Mr Simon Tidgwell addressed the meeting and during his allotted time he made the following representations:-

1. Water birds (in particular waders) will be very badly affected if the wind farm development is permitted.

This area is outstanding in its benefits to bird life and all the previous hard work to promote nature will be lost.

There has been a great deal of TV coverage given to this area and in its own report produced in 2010, Somerset County Council stated that “East Brent would be the least suitable site for wind turbines and the effects of these on the landscape would be dramatic”.

2. He commented on the name of the development company and said that, “Broadview is not a suitable name for the Company as it is a profit only venture”.

Mr Peter Briggs addressed the meeting and during his allotted time he made the following representations:-

1. At 130 metres high these turbines will be the tallest structures in this area. He said that it was absurd to say that it would not have any impact on the view of Glastonbury Tor! The Tor has recently made an impact upon the nation as it has appeared in the opening events of the Olympic Games and its beauty would be marred by a series of four huge wind turbines.
2. He said that there are Heritable issues which Broadview have overlooked in their submissions in the application. There are environmental issues but the report only contains three paragraphs about post medieval times about Brent Knoll and the Pilrow settlement.
3. It has been established that once granted permission, most wind farms are replaced by more wind farms when their working life comes to an end and the land does not revert to its former usage.

Mrs Louise Allen addressed the meeting and during her allotted time she made the following representations:-

1. People travelling to the South West from the north will pass the beautiful countryside around Brent Knoll and cannot possibly miss the massive wind turbines if they are given permission to be constructed.  
*She said, You cannot hide a 130metre structure!*
2. Broadview, in their planning report say that the area is predominately flat and treat Brent Knoll as an anomaly. They seem to regard it as a mere inconvenience to their plans. The proposed wind turbines will overshadow the landscape. Broadview has admitted that 100 houses may be affected, but it says that the residents will not be subjected to any overwhelming adverse effects. She asked that the public look closely at this and try to imagine what it will be like for those people affected and how it will alter their enjoyment of their homes.
3. She said that the only people to gain from this application were greedy land owners and the company itself.

Mr David Schofield addressed the meeting and during his allotted time he made the following representations:-

1. He had Health and Safety concerns whilst the site was being built. Very large lorries will be travelling along the local roads with very heavy quantities of stone from Cheddar and turbine parts from all over the country. Larger lorries would need a Police escort and would find it very difficult to negotiate roundabouts in the area and would result in road closures at times.
2. Dangerous road conditions would result on the M5 as drivers will be “rubber necking” to look at these massive structures and may well have accidents.
3. During winter months it is possible that large chunks of ice could be propelled from the turbine blades and hit cars travelling along the M5.

That concluded the representations from the official “No Pilrow” campaign.

The Chairman, Cllr Edward Champion, then invited the residents of East Brent and Rooksbridge to address the meeting.

Mr Klaus Kemp addressed the meeting and said that he had approached the Project Director of Broadview Ltd. (Mr Tom Cosgrove) and he had raised some questions about the proposed construction. The company's website states that all questions will be answered. However, he has still not received a response and this reflects badly on the company's honesty.

Mrs Sheila Rendell addressed the meeting and said that tests in the area had indicated that there was no bedrock for a distance of 26 metres. This would make the high structures potentially unstable.

Mr Tony Rendell addressed the meeting and said that the promotion group were seeking support for the application by canvassing the public in Burnham on Sea recently. They were asking for support from holiday makers in the area and these signatures to their campaign would not be representative of the local community.

Coran Wybrow addressed the meeting and added to Mr Rendell's statement the fact that holiday makers in Burnham on Sea were merely being asked to sign if they were in favour of wind power, not if they were in favour of this particular application... There was nothing specific to this planning application. The signature campaign will therefore not be locally representative.

Mr David Cuttlin addressed the meeting and invited the Committee to read the Broadview report on the "Load Factor". The subsidies the company will receive are enormous, three times the value of the electricity it will sell to the National Grid. He also said that the present agricultural land will become industrial land and from there anything might happen.

Mr Chris Pearson addressed the meeting and said that as an earlier speaker had said, there was no bedrock in the area. Pile driving will be necessary to establish firm foundations for all the equipment and structures. There is a strong possibility that houses in the area could be damaged by this activity.

Dr Aeron McKenzie addressed the meeting and said that this planning application is all about making money and the public will be the ones who will suffer in the long run.

That concluded the representations from the residents of East Brent and Rooksbridge and at 8.04pm the Chairman opened the official part of the Committee meeting.

He reminded the members of the public that he had allowed representations from all parties present and that he had given each an opportunity to put forward any points they thought applicable. He then asked that the remaining section of the

meeting proceeded without any interruptions whilst the Councillors debate the two planning matters before them.

He reiterated that the Committee would deal with item two on the Agenda first, as it had already been debated by the public. He therefore opened the application by Broadview Ltd. for permission to construct the wind turbine farm at Rooksbridge.

He invited Cllr Bill Walker to address the Committee as he had been one of the sub-committee members appointed to review the whole application.

Cllr Walker then addressed the meeting and said that he and his fellow sub-committee members had reviewed all the literature supplied by Broadview Ltd. The main documents being the ones supplied by S.D.C. The Parish Council is limited in commenting on those documents only during its decision making process.

He said:-

1. **The Core Strategy Policy Document D4** says in relation to Bats in the landscape, that Pilrow is an area where turbines should not be situated. Broadview say in their reports that there is a small risk to bats. This comment is not accepted.

#### **Policy D4:Renewable or Low Carbon Energy Generation**

i. Para 5.42 talks amongst other things about Bats and Wind Turbine report and the requirements of policy D15 - Bats in the Landscape. This shows on Map 2 - Bat Risk Zoning in Sedgemoor, that Pilrow is in an area **where Wind Turbines should not be situated.**

Broadview's Environmental Statement, Section 8, Ecology, states that there will be small risks from this development to Pipistrelle, Greater Horseshoe, Serotine and Noctule bats. Broadview's Planning Statement claims that Map 2 does not show an exact boundary between the red and yellow zones

ii. Para 5.43 potential effect of Wind Turbines on migration/movement of birds between Severn Estuary and the Levels and Moors.

#### **Core Strategy Habitat Regulations Assessment Vol 1 For the Somerset Levels & Moors & Severn Estuary**

i. Para 2.6 - Table 2.1. Wind Turbines are a 'Significant Issue' if in flyways.

ii. Policy D4 - Large scale renewable energy projects in flight lines of birds moving from estuary inland are a 'Likely Significant Effect'.

2. **Broadview's avian survey** indicates that there will be many species that will be affected. With some species the effect might be small and with others the

effect might be greater. Given that the total survey time was just 108, presumably daylight hours, (2.4% of daylight hours in year) then the effect over a year would be considerable.

### **3. Sedgemoor Landscape Assessment and Countryside Design Summary.**

- i. Page 87 - para 6.40. Long views over the levels and moors and to other hill areas, creating a very high quality landscape character.
- ii. Page 94 - para 6.57. Brent Knoll & Nyland Hill are significant focal points and landmark features which could be adversely affected by new buildings. All development, including agricultural buildings should be VERY strictly controlled (sensitivity to visual impact).

The proposed wind farm, by virtue of its scale and the height and appearance of the proposed turbines, would represent an unacceptable visual intrusion into the flat landscape of the Somerset Levels, particularly in respect of the harm to the views from Brent Knoll, the A38 road and the M5 corridor.

A defining characteristic of this part of the Somerset Levels is their flat and level nature; the verticality of the proposed turbines will be at odds with this character and will significantly undermine it. The character of the landscape will be significantly undermined and harmed in a location which constitutes a key gateway to Somerset. This adverse landscape impact cannot be mitigated against with additional landscaping or other measures.

This is not an area of countryside designated for its scenic or landscape quality, and is not a National Park or an AONB, this area is also outside of statutory designated areas, but it is, nevertheless, still worthy of protection.

Three previous planning applications for wind farms, by various companies, have been rejected by SDC - amongst other things the main objection being the visual aspect, these turbines proposed by Broadview are, at 130M, taller than any previous applications. These turbines are to be built at 130M but it must be remembered that the base is required, for flood plain reasons, to be 500mm off of ground level, thereby giving a total height of 130.5M

### **4. Accessibility.**

There is a public footpath (PRoW) AX17/24 on the Pilrow site that will be very close to the planned sighting for turbine No T3. (Broadview Fig. 11.4) There are formal separation distances required, as per Planning Policy Statement No 22. There is no evidence of this requirement having been satisfied.

**5. Decommissioning.** The Broadview planning statement is at variance to the Scoping request, in that it says that all roads, buildings and structures must be removed to a depth of 1 metre and the land returned to agricultural use. Broadview state that it will be less damaging to the environment to leave many thousands of tons of steel and concrete in place after decommissioning has taken place.

Further, at the Mark Village Hall meeting on 20<sup>th</sup> July 2012, Mr Tom Cosgrove (Broadview Project Manager) stated that the responsibility of the decommissioning after the life of the project will be the land owners, not Broadview's.

**6. The provisions of the Community Fund** are not enforceable upon any successor in title to Broadview Ltd. and so the estimated financial benefits to the community may not be honoured by any future owner.

Mr Tom Cosgrove (Broadview Project Manager) stated at a meeting at Mark Village Hall on 20<sup>th</sup> July 2012, that it would not be subject to any formal contract, and that should the development be sold in the future it would be hoped that the fund would be honoured by any future owner.

**7. It would seem likely that there will be a very significant effect on TV reception if the project goes ahead.** At least 2016 homes may need to have to retune their receivers to other transmitters. Alternative stations will not provide a "local" information service.

8. There are many properties which would fail the "**Lavender Test**" (whether they were adversely affected by the development). This is contrary to the comments made by Broadview in their documentation.

9. The local area would not benefit from the **labour requirements** of the project as the work is very specialised. Very few local resources would be required, except perhaps hardcore. Contrary to this, Broadview state that the local area will benefit from job opportunities and economic effects. This view is not accepted.

**10. The issues of Road Safety.** The site is adjacent to the M5 motorway (Junctions 21 and 22) and this particular stretch is notorious for serious accidents. It is felt that this development would only add to the distractions for the motorists thereby increasing the risk of these accidents.

**11. Amplitude Modification.** the effect of turbine blades rotating in unison. There is no mention of this risk in the submissions made by Broadview Ltd.

**12. Transportation Damage.** The weight of just one "Nacelle" delivery is 19500kgs gross (over 40 tons) and so severe damage to roads/junctions may be expected.

On planning issues, Cllr Walker précised the thoughts and comments of the planning sub-committee members as follows:-

- A. The impact on the character of the area will be considerable.
- B. There will be a big impact upon compliance with the Core Strategy Document.
- C. There will be an enormous impact on the Landscape; the turbines will be clearly visible from a long distance away.

D. On environmental issues the effect of Amplitude Modification has not been fully assessed.

E. There will be a great impact on Traffic issues. A considerable amount of hardcore will be brought into the area and very heavy equipment both during the construction process and the final running of the wind farm.

F. Piling of the land may be necessary, resulting in damage to nearby houses and buildings, noise and other adverse effects.

G. Loss of view, losses in rights of way, all of these factors have to be taken into consideration on behalf of the views of the Parishioners. Cllr Walker concluded his address to the Committee and the Chairman asked for any comments from other Committee members.

Cllr Judith Webb asked about the contractual obligations of Broadview's successors in title to the Community Fund, whether reliance could be made upon the projected revenue the Community was likely to receive.

Cllr Walker replied that there was no legal obligation upon any new owner of the land to contribute to the Community Fund and it should therefore be treated with some scepticism.

There being no further questions from any Committee members, the Chairman asked for a proposal.

Cllr John Bowden proposed that the Parish Council rejected the planning application made by Broadview Ltd. This was seconded by Cllr Barbara Woodward and the motion was passed unanimously.

The Planning application was therefore rejected by the Committee.

The Clerk was directed to convey this decision to S.D.C.

At this point in the meeting there was overwhelming support shown by the members of the public, in the form of loud and sustained hand clapping.

The Chairman invited Cllr John Denbee to address the meeting.

Cllr Denbee said that he represents the Axevale Ward within S.D.C. and has been a Councillor for 12 years. He succeeded Cllr Alan Ham in representing the Ward. He has also been a County Councillor for 8 months.

He said that in his manifesto, he had stated that in principal he had no objection to Wind Farms, but only when they were sited in the right place. During a recent sailing holiday he had taken, he saw the success of locating wind farms in the North Sea. He said that it was the right location for them, not in areas of beautiful countryside.

He was pleased that East Brent Council had rejected this planning application as he has no wish to see turbines in this area.

He said that the final decision about this application will be made by the 15 members of S.D.C. Planning Committee and as long as at least 8 members vote against it, it will be refused.

The similar application made in West Huntspill was refused and he hoped that this will be as well.

He assured the people present at the meeting that, "S.D.C. will not be bribed by the potential revenue to be gained from Wind Farms by business rates and other taxes". He sits as Chairman of the Audit Committee.

He then received an ovation in the form of hand clapping from the public at the meeting.

The Chairman then raised the remaining matter on the Agenda, the Planning application by Mr R. Jenkins at Brent Holm, Mendip Road, Rooksbridge for change of use of a building from industrial to residential.

He invited Cllr Judith Webb to address the meeting, since she had overseen the review of the application on behalf of the Parish Councillors.

She outlined the history of the matter, saying that originally the site had been a private house, then an industrial unit and then converted back to a house.

She and other Councillors had visited the site recently and in their collective opinions, they could see no reason to oppose the planning application.

She had been told by the Planning Officer at S.D.C. that this application was outside the Village Development Boundary and was likely to be refused by the Planning Committee at S.D.C.

An application for East Brent to extend the area of sustainable development has been resubmitted and if the status changes, it would be within the area and will succeed.

Cllr Webb said that she felt there was nothing to be said against the planning application. The owner states that he has not been able to rent the unit as it is, for a number of years and if he cannot get the permission he seeks, then he will demolish it.

Cllr John Bowden added that this was a case where common sense should come in and the Parish Council should support the application. He said it will improve the security of the site by having people around at all time and most importantly, it will provide another home in the area.

Cllr Webb pointed out that the Committee should not take this into account as it should only assess the application on Planning grounds and these matters were not within the remit of the Parish Councillors.

Nevertheless, Cllr Webb proposed that the Committee approve the application and supported it. This proposal was seconded by Cllr Yvonne Roscorla.

A unanimous vote in favour of the application was made by all the Committee and the Clerk was directed to convey this information to S.D.C.

He was also directed by Cllr Webb to advise S.D.C. that the Parish Council would like to exercise its' right to attend the planning meeting and address the Planning Committee, to demonstrate its' full support for this application.

This concluded the formal matters on the Agenda of the meeting.

Cllr John Denbee ask the Chairman for permission to address the Committee and he said that he wished to alert the Councillors about a Planning matter which was being discussed and might be implemented.

It involves the proposed introduction of a levy for new development.

Officers have put forward a proposal to tax new development.

This could have a huge impact on the cost of building new housing and also commercial and industrial units.

The proposed tax will be levied at the rate of £150.00 per square metre of development within Bridgwater and Highbridge.

Lesser amounts for the outlying areas. This would equate to £15,000 per house (average 4 bed unit).

It would probably not affect agricultural buildings, but would apply to all alterations to existing buildings. He will personally make every effort to resist this proposal.

The Clerk was directed by the Chairman to note Cllr Denbee's comments rather than minute them.

There being no further business, the Chairman declared the meeting closed at 9.05pm.

**The Next Parish Council Meeting planned for Monday 3<sup>rd</sup> September 2012 at 7.30pm or earlier if a planning meeting is required.**