

LITTON CHENEY PARISH COUNCIL

Minutes of the Extraordinary Parish Council Meeting held on Monday 5 February 2018 at Litton and Thorner's Community Hall Litton Cheney

Present: W. Orchard (Chairman), S. Kourik (Deputy Chairman), Mrs K. Brooks, A. King, J. Firrell, Mrs M. Walsh (Clerk), Mrs P Bowcock (applicant) and 3 local residents.

1. **Apologies:** Mrs A Spurrier
2. **To Consider Planning Application WD/D/18/000124 – Ourganics, Litton Lane – modification of planning obligation on S106 agreement dated 1 July 2010 of planning permission 1/D/09/001292 restricting occupation of the site to current owner**

There were no declarations of interest.

The Chairman opened the meeting and the clerk gave a brief history of planning history on the site, which Mrs Bowcock confirmed was accurate. The Chairman then invited the applicant to address the meeting.

Mrs Bowcock explained that she had planned and operated the site for 18 years and, although she had no plans to sell in the foreseeable future, felt the time was right to apply to remove the personal restriction so there could be a smooth transition when she was no longer able to continue. She had received informal planning advice from West Dorset District Council and understood that S106 agreements were no longer considered appropriate under such circumstances. Currently she could sell the business as a going concern but the purchasers would not be able to live on site: she felt this would make it difficult to sell the business and onerous on anyone taking it on. Whilst she understood and to some extent shared the Parish Council's concerns that future owners may wish to develop the site in a different direction, everything she had done had been carefully designed with the current sustainable methods in mind. She had received enquiries from people who would like to purchase and run the site along these lines. Beyond that, she had to trust that planning restrictions would protect her legacy. In response to questions from Parish Councillors, Mrs Bowcock explained that there was a need to live on site for livestock (there was still poultry but no longer any sheep or geese); to adjust the sluices which were essential for effective permaculture and for viability reasons (the site was off grid and there was a subsistence level business plan). Around half the income was provided by education/permaculture courses.

The Chairman invited those attending to use "democratic time" to make their representations on the planning application. After which, they would be entitled to remain, but not to speak, whilst the Parish Council discussed the application and came to a decision.

Two local residents spoke in support of the application: commending the applicant's work with the local school and community and what could be achieved on a relatively small plot with very little money. Permaculture would become increasingly important in the future. A large house would not be welcome but the existing house was well hidden. It would be tragic if continuity was lost and the site taken over by nature.

The Parish Councillors agreed that the business is currently an asset. They also accepted Mrs Bowcock's intentions and shared her hope that the site would eventually pass to someone who would run the business using the same sustainable principle. Mrs Bowcock was to be congratulated on her achievements. There was however concern that removing the S106 limitation would make it easier for a future owner to replace the existing modest dwelling with a substantially larger one and/or apply to lift the agricultural occupancy condition. Whilst Parish Councillors understood that both would require planning permission, despite the site being within the AONB and there being no development boundary, there was some doubt as to how effective planning would prove in constraining future development pressure. That said, although the current restriction would make the site harder to sell as a going concern (as the purchaser would not be able to live on site) any future owner could in any event apply to modify the S106 agreement. For the purposes of the current application, WDDC will consider whether the S106 continues to serve a useful purpose and it is understood that S106 agreements are no longer used under these circumstances.

After much discussion John Firrell proposed that the Parish Council supported the application, subject to the continuation of an agricultural occupancy tie and removal of permitted development rights. Precise wording of the supporting statement and any reservations about future planning to be agreed after the Clerk sought clarification from the case officer. This was seconded by Andy King, supported by 2 of the remaining councillors, with 1 objecting.

3. There being no further business the Chairman closed the meeting

M. Walsh
Parish Clerk.