SEAGRY PARISH COUNCIL

DRAFT MINUTES

Council Meeting

held at 7.30pm The Goss Croft Hall, Upper Seagry SN15 5HD

14th November 2023

Present: Cllr M Barber (Chairman), Cllr A Ball, Cllr N Hutton and Cllr K Taylor.

Also Present: Wiltshire Councillor H Greenman, 2 members of the public, (Mr J Newman, Mr R Newman) and Mr V Vines MBE Clerk of the Council.

NOTICE OF MEETING – Public Notice of the Meeting was given in accordance with Schedule 12, para 10 (2) of the Local Government Act 1972

PUBLIC QUESTION TIME

There were no Questions raised that were not covered by later Agenda items.

REPORTS FROM UNITARY COUNCILLOR, PARISH COUNCILLORS & COUNCIL REPRESENTATIVES

Wiltshire Cllr H Greenman reminded the Council of the Wiltshire Local Plan Update consultation that commenced on the 27th September 2023 concluding on the 22nd November 2023. He confirmed that if requested he would "call-in" any planning application that concerned the Parish Council.

There were no further Reports.

42/23 APOLOGIES FOR ABSENCE

Apologies were received and accepted from Cllr R Barr (Vice Chairman), Cllr J H Crosland and Cllr Emma Sorrell.

43/23 Declaration(s) of Interest - in accordance with Seagry Parish Council's Code of Conduct (Adopted 9th November 2021) and Standing Orders (Adopted 12th May 2015)

There were no Declarations of Interests.

- 44/23 MINUTES Members had been previously circulated with the Minutes.
 - a) The Council received, approved and signed as a true record the Minutes of the Parish Council Meeting held 12th September 2023. Cllr K Taylor proposed, seconded Cllr A Ball and RESOLVED UNANIMOUSLY

45/23 PLANNING

Planning Applications: Prior to the consideration of any Planning Application, the opportunity will be given for Applicants and their Representatives and any other interested parties to address the Council. The Parish Council received representations from Mr J Newman and Mr R Newman in regards to application PL/2023/09202

a) PL/2023/08390 – Full Planning Permission Change of Use of an Existing Agricultural Building (former poultry shed, now used for agricultural storage purposes), to B8 Storage Use (for storage of cars) Shed 1, Birdlands, Seagry Road, Great Somerford, Nr Chippenham, Wiltshire SN15 5EN For Mr Webber

Following consideration of the application the Council resolved to raise no objections in principle to the proposals.

However the Council was mindful of the comments they had made on the 9th November 2022 when responding to application PL/2022/08226 and the potential implications of unrestricted B8 Use which could lead to a significant increase in traffic movements and the like should a high volume delivery service take occupation at some future time for instance.

In that case in determining the application Wiltshire Council had included a planning condition restricting the use to the storage of cars, pointing out that an unfettered B8 Use could give rise to negative impacts, etc.

With this in mind the Council wondered if a planning condition should be incorporated on any favourable decision that the building and use should relate to the existing classic car business, thus avoiding a multitude of business occupiers and uses in this rural location.

Cllr A Ball proposed, Cllr K Taylor seconded and RESOLVED UNANIMOUSLY

b) PL/2023/08914 – Full Planning Permission Removal of Existing 15m Monopole Mast and Associated Compound, and Installation of Replacement Base Station which includes 25m Lattice Sharable Mast, 6 No Antennas, 2 No Dishes, 7 No Cabinets, etc and Ancillary Development thereto Hazelwood Farm, Seagry Road, Chippenham, Wiltshire SN15 5EU

Following consideration of the application the Council resolved to raise no objections to the proposals.

For Icon Tower Infrastructure Ltd

Cllr M Barber proposed, Cllr N Hutton seconded and RESOLVED UNANIMOUSLY

c) PL/2023/09202 – Removal/Variation of Conditions Variation of Condition 2 of PL/2021/08755 "Erection of an Agricultural Building for Livestock and Machinery Storage and Associated Track" The Mount, Upper Seagry, Nr Chippenham, Wiltshire SN15 5EX For Mr Nick Good Following consideration of the application the Council resolved to raise objections to the proposals.

Wiltshire Council would be reminded that the planning history of this site and proposal would show that, against the wishes of the Parish Council, the original proposals referenced PL/2021/08755, had been approved, under delegated powers on the 19th April 2022. The Parish Council's letter of the 13th October 2021 would be on file and the concerns expressed in that had come to fruition.

Also, that on the 31st October 2023 the Council had written to Wiltshire Council advising that the works had been commenced and bore no resemblance to the approved scheme for numerous reasons and as far as the Council was concerned there should have been an immediate Stop Notice placed upon the works otherwise there would be a fait accompli situation leading to the usual long drawn out enforcement procedures, retrospective application, planning appeal etc.

In a nutshell it was clear that there was a total non-compliance with the approval and planning conditions contained within that approval, which the Parish Council considered was intentional and was "playing the planning system". Photographic evidence had been provided to allow the building under construction to be assessed against the approved drawings conditioned under Condition 2 of the permission under design, size and siting. An immediate Wiltshire Council site visit had been requested to confirm that the building was a horrid industrial "green shed" being erected instead of the Yorkshire boarded timber structure, normally associated with agricultural usage that Wiltshire Council had found acceptable, against the wishes of the Parish Council and others. Wiltshire Council's immediate action had been requested to rectify all of the matters that were in contravention of the planning permission.

The Parish Council had written again on the 19th September 2023 after being notified on action being taken by Wiltshire Council under ENF/2023/00649 reminding them that despite reporting that the works had been commenced and bore no resemblance to the approved scheme they remained concerned that an immediate Stop Notice should be placed upon the works otherwise there would be a fait accompli situation. Sadly, Wiltshire Council had not taken this action and the works had been completed in non-compliance with the planning permission and bore no resemblance to the approved scheme and the Parish Council considered that the only rectification of the situation would involve the total demolition and removal of the structure erected.

Moving on to the retrospective planning application to retain the un-authorised works the Parish Council found it audacious that the applicant had tried to suggest that the structure erected had "minor" differences to that approved. The applicant had suggested that, "during the construction of the building and track, generally minor design changes were made". The Parish Council contended that this was not the case as the nature of the works needed to be pre-planned prior to commencement of works and the intention to differ from the approval had been planned and was not a minor tweaking of the scheme as the work proceeded on site.

A comparison between approved and constructed showed that the building dimensions had changed from 105 sq m to 137.4 sq m (difference 32.4 sq m - 30.8% increase) and volume 446.25 cubic m to 583.99 cubic m (difference 137.74 Cubic m - 30.87%). It had been doubted whether many statisticians would say a 30% to 31% difference was "minor".

It had been claimed that the height of the eaves and ridge levels were unchanged and the Parish Council had no authority to enter the site to gauge this but it is very much doubted. Intriguingly, the original approved floor space had been justified by a diagram on how the internal space would be used leading to the original Case Officer accepting that, based upon the information provided, the scale and size of the building was adequately justified.

Alongside National and Local Plans the Seagry Neighbourhood Plan was a significant policy consideration in the determination of all planning applications in Seagry Parish. In this particular instance the proposal conflicted with the Neighbourhood Plan, as the site location had been identified as a "key break" between the physical edge of the village and a small cluster of mainly converted buildings and Seales Court to the south. Referring to the Neighbourhood Plan policies, the general criteria by which all applications for new development were to be assessed, development would not be supported unless the proposals meet all criteria, neither extending the settlement, nor creating coalescence with existing nearby buildings.

As foreseen, and the point had been made in the Council's letter of the 13th October 2021, the development, if approved, would extend the built form, at the transition from open countryside to the village and would not respond to the existing pattern of development nor integrate with the street scene. Despite this the original scheme had been approved, the Case Officer's reasoning being that it was a typical agricultural barn not unlike a similar barn on adjacent land and as such would not appear out of character.

Indeed, the applicant had made great play on the bespoke design using typical materials including Yorkshire boarding, etc. In contrast, suggested as being "minor alteration by the applicant, a stark and visually dominant steel industrial style structure had now been constructed and was sited within a prominent village entrance position within a "key gap" identified in the Seagry Neighbourhood Plan.

In a nutshell there was no comparison at all between the approved scheme and that built and now completed on site and this also included the changes made to the access and track. The original approval allowed for a discreet access track against the eastern boundary of the land holding and application site potentially screened by new landscaping. From the outset the track had been moved westward in a more exposed position, supposed justification being to allow access for larger vehicles.

The Parish Council questioned the need as the approved application showed how the building was to accommodate the intended livestock at one end and how the remainder would accommodate feedstuff and small-scale tractor and associated equipment commensurate with the land use. All of which could have been adequately serviced by the approved track.

In passing, the Parish Council suggested that there was also a breach of the consent in regards waste storage and disposal that should be considered as part of this planning application.

All in all, the Parish Council was dismayed that this fait accompli situation had arisen and that a proposal that, despite warnings, should not have received permission in the first instance had been significantly changed to worsen the visual impact in a prominent village entrance position contrary to planning policy.

The Parish Council concluded that the only way to solve this problem was for Wiltshire Council to refuse the application, achieve a successful outcome of a planning appeal, that would undoubtedly arise, and secure the removal of the building and associated works through further enforcement action

The Parish Council considered that this planning application had severe implications for Seagry Parish in that the development, created visual harm in this location, was in non-compliance with the Neighbourhood Plan and should be refused planning permission. In these circumstances, should there be any likelihood that the planning application Case Officer intimated that permission was likely to be given under delegated powers then the Parish Council request that Wiltshire Councillor H Greenman "call-in" the application for a Development Control Committee decision.

Cllr M Barber proposed, Cllr N Hutton seconded and RESOLVED UNANIMOUSLY

There were no further planning applications considered.

Planning General: The Council noted planning decisions and planning related matters, including appeals and enforcement issues since the last Council Meeting.

- a) PL/2023/06516 Prior Approval Part 3 Class Q
 Prior notification of a change of use from 1 No agricultural building to 1 No residential dwelling (Class C3) as defined in the Town and Country Planning (Use Classes) Order 1987 (as amended) to include operational development Church Farm, Lower Seagry, Chippenham, Wiltshire SN15 5EP
 For Heather Waddington Prior Approval Refused 27th September 2023
- b) PL/2023/06632 Householder Planning Permission
 Variation to window placements, a decrease in the footprint of the property and addition of a porch. The roofspace has been kept inline with the original roof of the property
 Old Post Office, 24, Upper Seagry SN15 5EX
 For Mrs Beth Wood Approved with Conditions 28th September 2023
- PL/2023/05311 Full Planning Permission
 Demolish the Existing and Build a Garage and Store
 22, Upper Seagry SN15 5EX
 For Mr Richard Pearce Approved with Conditions 13th October 2023
- e) Enforcement Matters. The Council was advised that on the 9th January 2023 Wiltshire Council had determined that it was not expedient, in the public interest, to pursue further as an enforcement matter the complaints under 20/00804/ENF in regards to Summer Barn, Five Thorns Lane, Upper Seagry. The Parish Council had not been notified of this until the 21st September 2023. **The Council agreed** that the matters should be raised again as it was clear that there had been unauthorised works and, in the public interest they should be resolved through consideration of retrospective planning applications. Planning contraventions at The Mount, Upper Seagry had now resulted in the submission of application PL/2023/09202 Removal/Variation of Conditions, considered earlier in the Agenda. (noted)

46/23 FINANCE

The Council considered financial matters and received notification of receipts, invoices for payment and invoices paid since the last Council Meeting.

a) Payments: The Council considered and approved the following Payments.

Mr R Tucker Grass Cutting Invoice 06 02.10.23	£ 100.00
Mr R Tucker, Grass Cutting Allotments Invoice 06 02.10.23	£ 20.00
ElanCity UK. Evolis Solarr SID etc. Inv SO-UK03273 05.09.23	£ 4,227.22
Mr R Tucker Grass Cutting Invoice 07 08.11.23	£ 100.00
Mr R Tucker, Grass Cutting Allotments Invoice 07 08.11.23	£ 20.00

Cllr M Barber proposed, Cllr K Taylor seconded and RESOLVED UNANIMOUSLY

b) Payments made since last Meeting: The Council noted the following payment made since the last Council Meeting. (noted)

Mrs S Hutton. Section 137 Grant. (Minute 39/23 (h) referred) 12.09.23 £ 120.00

c) Receipts: The Council noted the following receipt since the last Council Meeting. (noted)

Wiltshire Council. Precept 23/23 (tranche 2) 22.09.23 £ 10,250.00

d) Bank Account Balance/s The Council noted the following balance. (noted)

Lloyds Account No. 00454316 29th September 2023 £ 51,813.93

47/23 HIGHWAY MATTERS

- a) Parish Stewards Programme/Requirements: general issues for the Local Highway & Streetscene Community Team. Cllr J H Crosland, the Council link, had continued to provide the Parish Steward with priority works. Parish Steward visits had been scheduled for 1st November and 29th November 2023. (noted)
- b) Rights of Way: There were no matters raised. (noted)
- c) **Highway Conditions and Maintenance:** general issues in regards to Highway Conditions and Maintenance within the Parish.
 - i) HGV & Farm Traffic, Henn Lane + A429 Diverted Traffic. There had been no further progress. (noted).
 - ii) Highway verge erosion in the Upper Seagry "triangle" and generally within the Parish. The Minute (i) above refers. (noted)
 - iii) Provision of Additional salt/grit bins. There had been no further progress. (noted).
 - iv) Village Entrance Gates. The matter still awaited Wiltshire Highways action. (noted)

- v) Grass Verge Upper Seagry. Some timber bollards had now been installed but additional bollards were still required to cover the whole verge. (noted)
- vi) Winter Preparation 23/24. The Wiltshire weather team had invited the Council to report empty salt bins and to submit any PEAS application. The matter would be dealt with by Cllr J H Crosland. (noted)
- vii) Hawthorn Tree Upper Seagry grass verge. Further consideration had been given to the tree and it appeared that the best option was to remove and replace with a similar species. A budget of £45.00 was agreed for the purchase.
- d) Lower Seagry/Spitfire Memorial Highway Fingerpost Sign. A Parishioner had approached the Council in regards to the deterioration of the highway signpost. The signpost was rotten and had a short remaining lifespan. It had been suggested that the Council consider a replacement of similar design to that erected at the Upper Seagry triangle that was much admired. Since the approach a quotation had been sought from the supplier and a three-fingered design, using a King Charles III insignia finial instead of the late Queen's Platinum Jubilee insignia used at the Upper Seagry triangle would cost £2,995.00 plus vat. Following consideration the Council felt that community views should be ascertained, potentially through The Signpost, Whatspp and the Annual Parish Meeting. The matter was deferred to a future Council Meeting.

48/23 STANDING ITEMS

- a) Recreation Ground: A question was raised as to the ownership and responsibility for an area of perimeter fence. It was a matter for the Trustees to resolve. (noted)
- b) Notice Boards: There were no issues raised. (noted)
- c) Flooding & Drainage: As a result of Storm Babet and Storm Ciaran, Wiltshire Council and the Environment Agency had asked for flooding evidence. Cllr N Hutton had produced a map that would be submitted in response. (noted)
- d) Parish/Community Website/Social Media: Council Members were reminded to check their details on the website to ensure they are up-to-date. (noted)
- e) Asset Register: There was no update necessary. (noted)
- f) School Liaison: There was no update. (noted)
- g) Council Standing Orders & Financial Regulations: The Council had agreed to review all Policies when required. (noted)
- h) Council Code of Conduct: The Council had agreed to review all Policies when required. (noted)
- i) Risk Assessment, Health & Safety and Management Register: The Council had agreed to review all Policies when required. (noted)

- j) Freedom of Information Act-Publication Scheme: The Council had agreed to review all Policies when required. (noted)
- k) Seagry Spitfire Memorial: There was no update on this occasion. (noted)
- 1) Goss Croft Hall: There was no updated on this occasion. (noted)
- m) Allotments: Cllr A Ball updated the Council on the Allotment Holders Terms & Conditions, anomalies that existed and rents paid. He referred to his study of Allotment Acts and rents of adjoining Parishes. The Council was mindful of the fact that since the last rent increase they now paid for the water supply to the site. They also noted that any changes proposed would commence in 12 months time. The Council agreed to consider matters further at the 9th January 2024 Council Meeting during the Budget setting process for Year 24/25.
- n) Wiltshire Council Chippenham Area Board and Chippenham Community Area Parish Forum: The Area Board had met on the 25th September 2023 in the Wiltshire & Swindon History Centre, Cocklebury Road, Chippenham SN15 3QN. The Area Board would meet again on the 11th December 2023 and was likely to include an "All things Roads" session when Highway Officers and the Highway Cabinet Member. The Parish Forum had met on the 18th October 2023 in Kington St Michael Village Hall SN14 6HX. The Council had made a presentation highlighting their experiences in attempting to resolve village speeding issues. The next Parish Forum Meeting was scheduled for the 17th January 2024 at 7.00pm in Kington St Michael Village Hall SN14 6HX. (noted)
- o) Parochial Church Council: There was no update on this occasion. (noted)
- Seagry Neighbourhood Plan: There was no update required on this occasion. (noted).
- q) Neighbourhood Watch: There was no update. (noted)
- r) Emergency Planning: There was no update. (noted)
- s) Insurance: There was no update required. (noted)
- t) Signpost Magazine: Cllr A Ball would submit any articles on Parish Council matters. (noted)
- u) Seagry Community Forum: There was no update. (noted)
- v) Community Speedwatch (CSW): A later Agenda item referred. (noted)
- w) **Defibrillator Project:** A South West NHS Ambulance Trust training session had been held on Tuesday 10th October 2023 in Goss Croft Hall. The Council had hosted Dauntsey, Langley Burrell Without and Chippenham Without Parishes. The session had been well attended. As part of the lease arrangements the Parish was entitled to one training session each year. (**noted**)
- x) Data Protection. GDPR: There was no update required. (noted)

49/23 CLERKS REPORT

The following items were received for decision, information, and circulation and for future discussion and matters arising and updates from previous meeting/s.

- a) Autospeedwatch Devices. There had been no change in circumstances since the last Council Meeting. (noted)
- b) Speed Identification Devices (SIDs). There had been no change in circumstances since the last Council Meeting. Recently, the Wiltshire & Swindon Crime Commissioner and the Chippenham Wiltshire Police Team had indicated at the last Parish Forum that they could see no reason why permanent SID posts could not be installed and had agreed to investigate this further. The SID had now been delivered and was ready for installation once the issues with the posts were solved. (noted)
- c) Community Speedwatch Team. The volunteers had now been trained and risk assessments completed and the radar gun/device would be shared with Christian Malford and Sutton Benger Parish Councils and it was expected that the Team would commence activity on Monday 20th November 2023. (noted)
- d) Wiltshire Operational Flood Group North. A Flood Group Hybrid Meeting had been held on Thursday 28th September 2023 at the Melksham Without PC Offices, Community Campus, Market Place, Melksham SN12 6ES. The next Meeting was scheduled for Thursday 23rd November 2023 at 9.30am in the same venue. A Microsoft Teams link was available. (noted)
- e) Chippenham Local Highway and Footpath Group (LHFIG). The LHFIG had met on the 3rd October 2023. The note Tracker/Minutes had been received and circulated. The Council still awaited news on the village gateway project timescales. The next Meeting was scheduled for 25th January 2024 at 10.00am in Committee Room D at Monkton Park or by Microsoft Teams and the link would be made available. (noted)
- Wiltshire Council Local Plan Update 2023 Consultation. The Council had received notification of this consultation, beginning on Wednesday 27th September 2023 and ending on the 22nd November 2023. There had been various online and drop-in events at libraries and leisure centres around the County. Members could view associated documents by wiltshire.gov.uk/planning-policy-local-plan-review. The Council needed to consider any responses as this was the last occasion for a decision to be made as the next Council Meeting was beyond the timescale. The Council noted that the Parish remained in the Small Village Category and that there was no requirement to meet any housing targets within the Plan period to 2038. The Council supported this as it was in accordance with the policies contained in the Seagry Neighbourhood Plan.
- g) Community Emergency Contacts. Wiltshire & Swindon Prepared (LRF) had initiated a scheme called Community Emergency Contacts and had invited the Council to participate and engage in this. Cllr M Barber would submit the requested information.
- h) Asset of Community Value The New Inn, Upper Seagry. The Council had received notification that The New Inn had been included in the Wiltshire

Council list of Assets of Community Value and would remain on the list until the 3rd November 2028. Cllr A Ball was thanked for his involvement in preparing and submitting the application. (noted)

- i) Wiltshire Council Briefing Note 23-24. The Council noted receipt of a Briefing Note in regards to Workplace Health Support in Wiltshire. (noted)
- j) Wiltshire Council Briefing Note 23-26. The Council noted receipt of a Briefing Note in regards to the Polling District and Polling Place Review in Wiltshire. (noted)
- k) Wiltshire Council Briefing Note 23-27. The Council noted receipt of a Briefing Note in regards to Community Governance Review 23/24. On this occasion the Parish was not one of those involved. (noted)
- l) Wiltshire Council Briefing Note 23-28. The Council noted receipt of a Briefing Note in regards to the Wiltshire Police and Crime Panel. (noted)
- m) Wiltshire Council Briefing Note 23-29. The Council noted receipt of a Briefing Note in regards to the North Meadows Mitigation Strategy. (noted)
- n) Wiltshire Bobby Van Trust. The Council had received a request to advertise for Volunteer/s for their Stay Safe On-line campaign. (noted)
- o) Wiltshire Council Briefing Note 23-30. The Council noted receipt of a Briefing Note in regards to the Consultation of Potential Changes to the Wiltshire Council Tax Deduction Scheme for working age people. (noted)
- p) Wiltshire Council Street Tag. The Council had received information of a programme coming to Wiltshire called Street Tag. It was an interactive App to promote and enhance community-wide participation in physical activities. (noted)
- q) Wiltshire Council Briefing Note 23-32. The Council noted receipt of a Briefing Note in regards to the Response to recent Council Climate Action Scorecards. (noted)
- r) Wiltshire Council Briefing Note 23-34. The Council had received a Briefing Note in regards to the Substantive Highways Scheme Fund Bid Application Process 2024/25. Applications for competing bids had to be submitted by Friday 15th December 2023. As this was a yearly request it was agreed that the Council would consider and prepare a project in readiness for submission next year.

50/23 COUNCILLORS REPORTS AND ITEMS FOR NEXT FULL COUNCIL MEETING

i) Council Members were reminded that they would consider the Council Budget for year 2024-2025 and set the Council Precept Requirement to forward to Wiltshire Council at the 9th January 2024 Meeting. Members were asked to advise the Clerk of any suggested budget inclusions and exclusions before the 18th December 2023 so that they could be accommodated in a budget template. (noted)

There were no further issues raised.

51/23 DATE OF NEXT MEETING

The next Council Meeting was scheduled for 7.30pm, Tuesday 9th January 2024 at 7.30pm to be held in The Goss Groft Hall Small Meeting Room, unless otherwise notified. However, Members noted that Tuesday 12th December 2023 was scheduled for a Council Planning Meeting and Notice would be given if this Meeting was required.

Signed:

Date: 9th January 2024