

LANGLEY BURRELL WITHOUT PARISH COUNCIL

DRAFT MINUTES

Council Meeting

held at 7.00pm

The Meeting was held as a Zoom Virtual Meeting

29th March 2021

Present: Cllr R Whitrow (Chairman), Cllr Julie Hoskins (Vice Chairman), Cllr R Colthorpe, Cllr Katerina Johnstone and Cllr D Mannerling.

Also Present: Wiltshire Councillor H Greenman and Mr V A 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.

REPORTS FROM UNITARY COUNCILLOR, PARISH COUNCILLORS & COUNCIL REPRESENTATIVES

There were no Reports received.

075/20 APOLOGIES FOR ABSENCE

All Council Members were in attendance.

076/20 DECLARATION(S) OF INTEREST AND DISPENSATIONS - IN ACCORDANCE WITH LANGLEY BURRELL WITHOUT PARISH COUNCIL'S CODE OF CONDUCT AND STANDING ORDERS

There were no Declarations received.

077/20 MINUTES Members had been previously circulated with the Draft Minutes.

The Council received, approved and signed as a true record the Minutes of the Parish Council Meeting held 2nd March 2021.

Cllr R Whitrow proposed, Cllr R Colthorpe seconded and RESOLVED UNANIMOUSLY

078/20 PLANNING

Planning Applications: Prior to the consideration of Planning Applications, the opportunity was given for Applicants and their Representatives and any other interested parties to address the Council. There were no Representations received.

a) 21/01636/OUT

Residential Development (up to 250 dwellings), a Local Centre (comprising commercial business and service uses (Use Class E), Drinking Establishment and Hot Food Takeaway (Sui Generis) with GIA limit of 675 sq m of which no more than 200 sq m (GIA) shall be used for retail (Class E(a), Drinking Establishment and Hot Food Takeaway (Sui Generis), Associated Works and Infrastructure, Ancillary Facilities, Open Space, Landscaping with Vehicular Access from the B4069

Land off the B4069, East of Barrow Farm, Langley Burrell, Chippenham,
Wiltshire
For Robert Hitchins Limited

Following consideration of the application **the Council resolved to raise strong objections** to the proposals.

The Parish Council requested that the Wiltshire Council should be advised that the Council was fundamentally against the proposal for development of greenfield land within the Parish in contravention of Local Plan, Neighbourhood Plan and National planning policies. The reasons identified as being:

- The development of the land would have a serious impact on the character, visual qualities, green space and amenity of the surrounding rural area, a serious impact on heritage assets and a detrimental impact on the identity of Langley Burrell Without Parish. The development would create coalescence between Chippenham and Langley Burrell and eliminate the separate identity of the village in contravention with adopted Local and Neighbourhood Plan policies.
- The development would be an encroachment into open countryside outside of the defined line of the northern Chippenham link/ring road from the A350 to the B4069 that formed a defensible strategic boundary between the urban and rural areas, and if allowed, would set a precedent for future proposals for further undesirable encroachment.
- The development over agricultural land and historic landscape would be an undesirable “Greenfield” development when “brownfield” development opportunities still existed within Chippenham town boundaries.
- The development of the land would be contrary to Wiltshire Council Local Plan and the CSAP adopted policies that resulted from an extensive public consultation exercise. In addition the Local Plan Review 2036 specifically rejected the inclusion of the application site, favouring other sites more suited to meet the future development needs of Chippenham including providing the required highway infrastructure to benefit the town.
- The development of the land would be contrary to the policies of the existing Langley Burrell Neighbourhood Plan. These specifically highlighted the area as important for preservation and retention as an important green amenity that required rural safeguarding, being a clear priority to retain an open landscape and rural setting. The Review of the Neighbourhood Plan now being undertaken retained these important principles.
- The development of the land using a single point of access to the B4069, if approved, would result in a significant increase in traffic levels creating highway dangers and highway nuisance, particularly being in close proximity to the new B4069 gyratory

roundabout road junctions. In reality the proposal did not contribute to the provision of highway infrastructure nor improvements to that existing or under construction.

- The development of the land had been previously refused, including an Appeal rejection, just 2 years ago and had not been supported by the local community and both Langley Burrell Without Parish Council and Wiltshire Council. There could be no doubt that the development proposed would lead to light and noise pollution impacting on Birds Marsh Wood, the wildlife corridor between east and west of the Parish and the village itself. In fact the proposal would effectively cut the Parish in two, undermining the coherence of the Parish's identity.
- The development area formed a key part of the "nature highway" across the northern edge of Chippenham, connecting the eastern side of the railway (via the Green Bridge) right across to the A350, the western ring road of the town. Consequently, the area had high amenity value, not only for Langley Burrell residents but also for Chippenham residents, being well used for recreational walking and cycling. Without doubt the development would have a major impact on the setting of Birds Marsh Wood.
- The development of the land, as designed, notwithstanding serious objections in land use terms, failed to ensure that there were clear and strong "green landscaped boundaries" with adjacent open fields and particularly with the B4069. In this respect any built form would need to be visually shielded by mature trees/growth/landscaping. It was noticeable that it had been acknowledged that the whole application site suffered from ground and surface water drainage problems and that large areas of land were needed to be set-aside as attenuation ponds. It was doubted that this provision was a workable solution with such a high water table.
- The development proposal would be premature and if approved would undermine Wiltshire Council's long-term strategic decision-making processes that intended to provide suitable infrastructure, development and facilities for Chippenham in other directions.

Being a rural Parish having already suffered from urban sprawl, with northern Chippenham expansion into the previously unspoilt open and historic Kilvert's countryside landscape against the wishes of the local community and their adopted Neighbourhood Plan, the Council had vast experience of the negative impact that large scale development created. These areas of urban development had needed to be subsumed into Chippenham Parish as from April 2021.

Consequently, the Parish Council and its Steering Group were now in the process of reviewing the Neighbourhood Plan on the basis of the change in Parish Boundaries and local priorities and it was not envisaged that any significant scale development would be required or planned and any development, other than for essential need, was likely to be by change of use, conversions or very limited small scale infill within the existing built form and not encroaching into the open countryside. This fell squarely in line with Wiltshire Council's own Policies and suggested amended Policies in the Local Plan Review 2036.

In considering the planning for rural areas proposals contained within the "Looking to the future, Empowering Rural Communities" documentation prepared by Wiltshire Council, the Parish Council agreed with the principles and Core Policy alterations proposed to retain the rural identity and character of the rural areas surrounding the Principle towns and Large villages and in doing so stressed that the retention of the

rural areas as envisaged provided considerable benefits to urban dwellers who could access the countryside for leisure purposes through retained and enhanced rights of ways. The Council was pleased at the importance placed on Neighbourhood Planning in the Review and trusted that Wiltshire Council's future decision-making would wholeheartedly support these principles, including this planning application.

Being within the Chippenham Community Area the Parish Council had looked closely at the proposals for Chippenham in the Local Plan Review and noted that all potential development sites had been appraised and conclusions made that sustainable development should take place within the eastern and southern areas of Chippenham and not to the west, infringing on the important A350 strategic boundary policy and to the north encroaching further into the Langley Burrell Without Parish extending into areas north of the linking road under construction from the A350 to the B4069.

The Council was particularly pleased to see the rejection of the Barrow Farm area of the Parish and the reasons given and in conclusion simply made the points again that the area was of high landscape value, had land drainage problems, was very close to the important Birds Marsh natural habitat and its' development would bisect the Parish creating an eastern and western divide. In addition it would also be a loss to those who sought countryside leisure opportunities through the rights of way network, and the applicant's attempt to address the latter with tight pedestrian links through the urban built form shown on the Masterplan submitted only emphasised this deficiency.

In addition, the further detrimental effect on the rural and residential amenity of the small Langley Burrell village, shrouded in history in land and built form, by this further Greenfield expansion had to be of prime consideration and the Council recommended that the application be refused by Wiltshire Council.

Cllr R Whitrow proposed, Cllr D Mannering seconded and RESOLVED UNANIMOUSLY

There were no further planning applications considered.

Planning General and Decisions: The Council received notification and considered other Planning related matters, including updates on any Planning Applications that had not yet been determined.

a) 20/04524/FUL

Full Planning Application for the Erection of a Single Dwelling of Exceptional Quality and Innovative Nature of Design and Creation of New Access and Associated Landscaping
Land South of Steinbrook House, Swindon Road, Kington Langley, Chippenham, Wiltshire
For Jennifer & Eddy Shah **No decision yet from Wiltshire Council**

b) 15/12351/OUT

Outline Permission for up to 650 Dwellings, Including 5ha Employment Generating Space and a 2 Form Entry Primary School. Up to 10ha New Public Open Space Including Country Park, Landscaping, Stormwater & Foul Drainage Works, Substation and Associated Infrastructure Works. Access Using Parsonage Way - Over New Railway Bridge, Darcy Close and from Cocklebury Lane (for Pedestrian/Emergency Works).

Land at Rawlings Farm, Cocklebury Lane, Chippenham, Wiltshire SN15 3LR
For KBC Developments LLP **It appeared that the timescale for the agreement of Section 106 obligations had ended and the Clerk would write to query the present position.**

c) 20/05495/FUL

New Residential Development following the Demolition of Existing Buildings.
To include:Public Open Space; Landscaping; Sustainable Urban Drainage and other Associated Infrastructure Works
Land at Ambulance Headquarters, Malmesbury Road, Chippenham, SN15 5LN
For Persimmon Homes (Wessex) Ltd **No decision yet by Wiltshire Council**

d) 17/07793/FUL

Works to existing road to provide new road link connecting B4069 Langley Road and Parsonage Way, including provision of a footway/cycleway and new landscaping. Construction of new gyratory junction at Langley Road. Stopping up of existing section of Parsonage Way and change of use to provide storage area. Construction of link to existing storage area and provision of security fencing
Wavin Ltd, Parson Way, Chippenham Wiltshire
For Mr Roger Taylor – Wavin Ltd **It appeared that the timescale for the agreement of Section 106 obligations had ended and the Clerk would write to query the present position.**

e) 20/08525/FUL

Use of Site for Siting of 60 Touring Caravans for 12 Months a Year
Plough Lane Caravan Site, Plough Lane, Kington Langley SN15 5PS
For Trimagger Ltd **No decision yet by Wiltshire Council**

f) 20/11532/TCA

Fell 4 Ash Trees (T1,T6,T7,T8), Coppice 1 Willow (T2), 6 Metre Reduction to Oak over Road (T9), Pollard 1 Oak to 6 Metres (T10)
Land at Langley Burrell, Nr Chippenham, Wiltshire
For Langley Burrell Estate **No objection by Wiltshire Council 10th March 2021**

g) 20/11468/REM

Reserved Matters for Development Comprising the Erection of 37 Dwellings and Associated Landscaping on the Land at North Chippenham
Land at North Chippenham, Hill Corner Road, West of A350, Chippenham
For BDW Trading Limited **No decision yet by Wiltshire Council**

h) 20/11356/FUL

Replace Existing Wooden Shed
Village Hall, Langley Burrell SN15 4LL
For Mrs Katerina Johnstone **Approved with Conditions 10th March 2021**

079/20 FINANCE

The Council considered financial matters and received notification of receipts and invoices for payment.

a) **Payments:** The Council agreed the following Payments:

Idverde Limited. Supply & Install Waste Bins. Inv GM801955 £ 2,690.85

Clerks Expenses Mr V A Vines Year 2020-2021 Claim 24.03.21	£ 869.82
Clerks Net Salary Mr V A Vines Year 2020-2021 Claim 24.03.21	£ 3,516.04
Clerks HMRC Year 2020-2021 PAYE 24.03.21	£ 879.00

Cllr R Whitrow proposed, Cllr Julie Hoskins seconded and RESOLVED UNANIMOUSLY

- b) **Payments made since the last Council Meeting:** The Council noted that there had been no payments made. **(noted)**
- c) **Receipts:** The Council noted that there had been no receipts since the last Council Meeting. **(noted)**
- d) **Lloyds Bank CIL Account No 73537468** The Council noted the account balance.

26th February 2021 £ 39,922.13

- e) **Lloyds Bank Treasurers Account No 00222628** The Council noted the account balance.

29th January 2021 £ 388,858.49

Members noted that approximately £ 369,928.48 would be transferred from this account to the CIL account when transfer facilities were available. **(noted)**

080/20 HIGHWAY MATTERS

- a) **Parish Stewards Programme/Requirements:** general issues for the Local Highway & Streetscene Community Team. Parish Steward visits were scheduled for 12th April and 11th May 2021. The priority list template was circulated during the Meeting and covered works that had been raised previously. In addition there was a need to report blocked drainage at the Causeway arches. **(noted)**
- b) **Rights of Way:** general issues in regards to Public Footpaths and Bridleways within the Parish. There were no issues raised that had not been previously reported. **(noted)**
 - a) **Maud Heath's Causeway.** Cllr Julie Hoskins reported that the condition of the Causeway arches was causing concern as recent reinstatement works had become defective and that contractual issues were being investigated. As part of the Causeway was within the Parish the potential for a CIL grant was being considered. **(noted)**
- c) **Highway & Footpaths Conditions and Maintenance:** general issues in regards to Highway Conditions and Maintenance within the Parish. There were no issues raised that had not been previously reported. Thornhill Lane highway ditches were a particular problem and it was assumed that Wiltshire Council would be contacting riparian landowners reminding them of their responsibilities. Cllr R Whitrow suggested that the new Council should prepare a contact list of all landowners within the Parish and a map showing land ownership so that local communication and discussion between parties could take place. **(noted)**

081/20 STANDING ITEMS

- a) **Parish/Community Website/Newsletters/Social Media:** There was no update required. **(noted)**
- b) **Notice Board/s:** There was no update required. **(noted)**
- c) **Flooding & Drainage:** There were no issues raised that had not been previously reported. **(noted)**
- d) **Langley Burrell Village Hall:** Cllr Katerina Johnstone, the Village Hall Trustee/Treasurer updated the Council on potential opening dates. The longer lease discussions were still taking place with the landowner and it seemed likely that a 25-year lease would be possible. There was still a need for additional Trustees/Committee Members to be found to assist and also to consider future Hall and Playing Field projects. **(noted)**
- e) **Wiltshire Council Chippenham Area Board and Chippenham Community Area Parish Forum:** There was no update as neither had met since the last Council Meeting. **(noted)**
- f) **Langley Burrell Neighbourhood Plan:** There remained relatively slow progress since the last Meeting as LBRA still looked to fill Officer positions and the Steering Group had yet to be formally constituted. **(noted)**
- g) **Council Insurance:** There was no update required. **(noted)**
- f) **Council Standing Orders & Code of Conduct:** Both would be updated when NALC updated template versions were available. This would need to include financial regulations and the Clerk would investigate if different Standing Orders could be adopted for Council budget spending and CIL fund spending. **(noted)**
- g) **Asset Register:** There was no update required. **(noted)**
- h) **Risk Assessment:** There was no update. **(noted)**
- i) **Health & Safety and Management Register:** There was no update. **(noted)**
- j) **Freedom of Information Act-Publication Scheme:** There was no update. **(noted)**
- k) **Parochial Church Council/s:** The Council had been thanked by St Giles Church for the provision of the community notice board within the church grounds. **(noted)**
- l) **Emergency/Flood Plan:** There was no update. The new Council would need to consider how to make progress. **(noted)**
- m) **Community Safety/Neighbourhood Watch Scheme:** There was no update. The new Council would need to consider how to make progress. **(noted)**
- n) **Data Protection. GDPR:** There were no updates required. **(noted)**

082/20 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) Defibrillator Project. The Council **agreed to defer** consideration until a future Council Meeting when further updates on sites were available.
- b) CIL Funding. The Council was aware that CIL monies had to be spent within 5 years of receipt or be returned to Wiltshire Council. The Council wondered if Covid-19 restrictions had altered this timescale and the Clerk would write to Wiltshire Council seeking clarification. **(noted)**
- c) WiltshireOnline – High Speed Broadband – Gigaclear. There were no issues raised. **(noted)**
- d) Speed Signs/Devices. The Autospeedwatch tools had been installed and registered. Cllr R Whitrow reported that Mr Folke Pope has relocated the units and was collating data and still retained interest in being involved in a Community Speedwatch Team. **The Council agreed that** he should be invited to participate in the siting of the ElanCity speed signs. Cllr R Whitrow would make contact.
- e) Parish Council Database. There had been no change in circumstances since the last Council Meeting. Efforts on how to add to the information already gained would need to be considered further. **(noted)**
- f) Annual Parish Meeting 2021. The Council had agreed to hold a Virtual Annual Parish Meeting on Monday 19th April 2021 at 7.45pm. The opportunity would be taken to report on Council activities since the last Annual Parish Meeting in 2019 and possibly over the last 4-year term of office. The Council considered other agenda items and who might be invited to present any reports and **it was agreed that** LBRA should be invited to attend to update the Council and all attendees on their activities. In addition the Village Hall Trustees, Maud Heath Causeway Trustees, the Parochial Church Council's and others could take the opportunity of updating the Parish on their own activities since the last Annual Parish Meeting in 2019.
- g) Joint Council/Community Working Parties. There was no progress since the last Council Meeting. **(noted)**
- h) Wiltshire Council Local Plan Review and Gypsy and Travellers Plan Consultations. The Council had submitted representations within the required timescale and receipt had been acknowledged. **(noted)**
- i) Future Chippenham Consultation. The Council had submitted representations within the required timescale and receipt had been acknowledged. **(noted)**
- j) Rawlings Green, Chippenham. The Council had been copied into a letter from Kim Stuckey, Westfield House, Tytherton Lucas SN15 3RL to Cllr Fleur deRhe-Philippe MBE the Chair of the Wiltshire Council Strategic Planning Committee. The communication referred to questions at the Strategic Planning Committee held on the 16th September 2020 reflecting

the potential removal of the Country Park along the boundary to the north of the Rawlings Green site in contravention of the CSAP, comments made by Planning Officer in regard to the “planning balance” and other answers given. The Parish Council acknowledged that this was a concern to the Parish and the Clerk would write to Wiltshire Council to ascertain the status of the Country Park policy and whether the outline planning permission likely to be given under 15/12351/OUT, that included a substantial reduction in the Country Park size would have long-term consequences on the provision of the whole Country Park in accordance with the CSAP Policy.

- k) Assets of Community Value. There was no action required at the present time. The matter would be discussed at a future Council Meeting. **(noted)**
- l) The Langley Tap. There was no action required at the present time. The matter would be discussed at a future Council Meeting. **(noted)**
- m) Section 106 Funding – 21/01636/OUT. The Council had been approached by the Wiltshire Council Leisure & Play Strategy Officer, in regards to potential funds available should the Outline Planning Application be approved. The Clerk had responded advising that should the application be approved then there would be projects within the Parish that would meet the funding requirements. **(noted)**
- n) Wiltshire Council & Parish Council Elections – 6th May 2021. The Elections would be taking place with Covid-19 restrictions. Council Members had been circulated with guidance notes and timetable for nominations etc. and had been previously advised to form a new Council there would need to be a quorum of 3 standing for election. It would be normal for Wiltshire Council to allow the new Council to follow co-option procedures to seek 2 additional Members or the number required to bring the total Membership to 5. Should more than 5 qualified persons stand for election then an election would be held on the 6th May 2021. The Clerk was likely to be advised on or shortly after the 9th April 2021 whether there was to be an election or whether there was a quorum to form a Council. This followed the 4.00pm 8th April 2021 deadline for the submission and acceptance of nomination papers. **(noted)**
- o) Parish Council Meeting Dates 2021-2022. Existing Council Members had been circulated with the Council Meeting dates for the first year of the new Council term of office, including Parish Meetings, so that they were publicly available prior to the Election period. There was nothing to stop the new Council re-considering the dates at their Annual Council Meeting on the 13th May 2021. **(noted)** At the present time, as from the 7th May 2021 Virtual Council Meetings would no longer be allowed and the Council was expected to return to face-to-face Meetings. The Council Meeting Dates had been given to the Village Hall. The main hall would need to be available to comply with social distancing requirements. The Council was aware that the Hall did not re-open until after the 17th May 2021. Any changes in Covid-19 relaxations/restrictions would be reported to Council. **(noted)**
- p) Solar and Battery Energy Storage System Developments. The Council had been approached by a number of Parishes to join a campaign calling for a coherent planning policy in relation to these types of developments. The

Council acknowledged that there had been a number of planning permissions given in the Northern Wiltshire area and that there was a need for a Local Plan policy to allow proper consideration of the overall impact on the rural areas by piecemeal proposals. **The Council agreed to join the campaign but this would not fetter any actions the Council may wish to take in the future on pursuing the matter themselves.**

083/20 COUNCILLORS REPORTS AND ITEMS FOR NEXT FULL COUNCIL MEETING

Cllr Katerina Johnstone advised that with the gradual relaxation of Covid-19 restrictions, litter picks could now be considered.

There were no further issues raised.

084/20 DATE OF NEXT MEETING

The date of next Virtual Council Meeting was scheduled for **Monday 19th April 2021 at 7.00pm**. This was prior to the Annual Parish Meeting, scheduled for 7.45pm.

The date of the Annual Council Meeting followed by a Council Meeting remained scheduled for **7.00pm, Thursday 13th May 2021**. These would be the first Meetings of the new Council, elected on the 6th May 2021.

PART 2 AGENDA

The following Item related to Confidential Matters, and in accordance with Langley Burrell Without Parish Council Standing Orders (Admission of Public and Press to Meetings) it was considered that in view of the confidential nature of the business to be transacted, in accordance with the Public Bodies (Admission to Meetings) Act 1960 (as amended), the Public and Press was excluded for the remainder of the Meeting.

- a) Land ownership issues. There was no update. **(noted)**

Signed:

Date: **19th April 2021**