

MINAL PARISH COUNCIL

Minutes of the Parish Meeting Held on 12 July 2021 At 7.00pm in the Village Hall

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| <p>1. Present:
John Bevan - Chairman
Brian Devonshire – Vice Chairman
Rob Bailey – Vice Chairman
Anna Whitehead
Guy Gagen
Lucy Kirkpatrick
Adam Kebble</p> | <p>Apologies Accepted from:
None</p> <p>In Attendance:
Sue Hine Clerk/RFO
Clive Schofield, Sports & Social Club
Mike & Corinne Ashbee
Martin Ephson
Caroline Thomas, County Councillor
Don & Anita Barrett
Dr Malcolm Exeter</p> |
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Declarations of Interest for Matters being discussed: None.

- 2. Minutes of the meeting held on the 4 May 2021**
The Clerk had sent out the minutes and these were approved with one small amendment and signed by the Chairman.
- 3. Matters Arising –** These had been circulated. The main actions have been transferred to Agenda items.
- 4. Questions from Members of the Public**
A number of members of the public were in attendance to discuss the planning matters on the agenda so it was agreed to progress straight to these.
- 5. Planning – Rabley/ Equestrian Centre – ENF/2021/00374**
The Council had been alerted to the installation of windows on the south west side of the barn and reported this breach of the planning conditions to WCC in April. WCC has issued an enforcement notice ENF/2021/00374 regarding the alleged breach of **14/02039/FUL**.

Corinne and Mike Ashbee said that they had written to the planning officer and Caroline Thomas, County Councillor who has been in discussions with the Enforcement team at WCC. The Enforcement notice has been issued but no further action taken. This application caused a number of issues when it was first submitted by Mr Bull. During the construction the roof was built approx. 1m higher than in the plans but because the floor was raised the height was deemed within the limit. Due to the overbearing nature of the building Mr Bull's request for windows on the south west side overlooking the adjacent cottages was refused as it was an invasion of privacy and would create light spill. The "golden rule" is a distance of 14 metres ie a distance of over 14m usually means permission would be granted. The distance is around 14m depending on where you measure from but due to the land height difference the effect is overbearing. The effect of light pollution particularly early mornings and

evenings in winter will be a disturbance to Mr & Mrs Ashbee and Mr and Mrs Barrett.

Their major concerns are that:

- No enforcement action is being taken
- They are being told various things by WCC staff eg building control said they have no jurisdiction over agricultural buildings so during construction when the building did not meet the planning conditions ie height, no action was taken.
- The building should have been clad in timber and landscaped and this has not happened. The cladding will not now be possible due to the windows.
- They are concerned that the new owner, Colin Hammond, has been invited to submit a new planning application and that this will circumvent the original conditions and make a mockery of the planning process and set a dangerous precedent for other landowners who simply do not get their own way with an application.

Caroline Thomas reported that she was disappointed no enforcement action was currently being taken due to lack of funds at WCC and their concern that similar cases have resulted in expensive court action. However, taking the point of the Ashbee's and Barrett's this is clearly an unacceptable position. She has spent considerable time talking to WCC planning officers and the Cabinet member for planning, Nick Botterill. As a result there is to be a review of the planning enforcement process at WCC using this case and other similar situations as examples. CT has asked to be informed immediately a new planning application is submitted and will "call this in". This means the application will be considered at the WCC Eastern Area planning committee by elected members.

JB thanked CT and Councillors considered what further action could be taken. LK suggested that JB write a formal letter to Nick Botterill WCC cabinet member for planning outlining the situation and our support for Mr and Mrs Ashbee and Barrett. Corinne Ashbee will provide a timeline to assist this.

Action: Corinne Ashbee and JB.

6. Planning – Poulton Mill Equine Clinic – PL/2021/04663

Martin Ephson spoke first saying that the above case demonstrates what can be done to circumvent the planning process and his real concern for this application. ME has employed a planning consultant to give him advice. Specifically, ME raised the objection that this will be a commercial business in an AONB requiring change of use, will have significant effect on the biodiversity of the riverside area, is blurring the line between town and country and setting a dangerous precedent regarding the protection afforded by AONB status. He said that whilst the venture is proposing to create new jobs many of those are either highly skilled and already employed or low skilled which are often hard to fill in this area. There are already 40 plus vehicle movements per day and the road entrance to this land is on a tight bend which will be dangerous on an already busy commuter road.

Dr Malcolm Exeter spoke strongly about the damage to the AONB, ecology,

wildlife and the Og which flows into the Kennet nearby. There appeared to be no soil analysis in the application and the old household waste-tip pre-1980 would be disturbed by new groundworks which might easily lead to pollution of these rivers. He also raised the question of noise, security lights and visual impact on the residents of Tin Pit and the fact that no attention has been given to the disposal of the large amounts of animal manure which will be generated with the very real possibility of leaching into the water-course.

The Clerk said that no Highways report was currently available on the planning portal and she had asked our Highways Officer and the Principal Engineer of WCC to comment on the entrance and traffic movements on this dangerous stretch of the C6. JB noted that some conifer tree removal had already taken place. Caroline Thomas said that an arboreal survey had stated that the trees close to the road were dangerous. She had visited the site and been advised that Ash die back was also present in the Ash trees on the site. JB raised the report from the Planning Officer R. O'Donoghue that had been carried out a year ago. CT stated that general advice to applicants was a part of the planning process and not an indication of preference by planning officers.

JB and the Clerk reported that Dr Buthe, the applicant, had indicated that he was working with Action for the River Kennet (ARK) but that clarification from ARK was that he had asked for general advice in looking after the river a year ago but they had not been aware of the application until last week.

Wiltshire County Councillor Caroline Thomas informed the Council that due to the number of concerns about the application she had already called it in and JB thanked her.

The Clerk will contact CPRE for their views.

Councillors voted unanimously in a paper vote to object to the application.

Action: Clerk to contact CPRE, complete PC Consultee response with JB, JB to contact Marlborough News online.

7. Marlborough Area Neighbourhood Plan

Deirdre Watson joined the meeting during the above discussion. As the Council's co-opted MANP Representative she had prepared a brief summary of the final neighbourhood plan to be submitted to Wiltshire Council after the Regulation 14 consultation which requires the Parish Council's approval. LK and AK thanked her for this and all Councillors agreed it was very helpful to them. DW then answered a few questions about the sites chosen and the fact that the Elcot Lane site had now been eliminated. The question of why the cricket (sports) field in Mildenhall was not mentioned in the protected green spaces was asked and DW said that this had come up during the Consultation from residents in Marlborough as well. The reason is that land used for sports and recreation is currently protected under the NPPF, National Planning Policy Framework and that this is a greater protection than a neighbourhood plan. Councillors said that the plan looked odd because it listed a number of green spaces but not the sports fields. The Clerk stated that she sent this comment to the Regulation 14 consultation. DW said that there were plans to include an

extra Appendix to the plan. The Appendix was not currently in the report. Councillors voted to accept the plan subject to an Appendix being added to reflect the status of the sports fields in Mildenhall and Marlborough.

Subsequent to the meeting Richard Spencer Williams sent a copy of the latest version of MARL 8 listing all current sports fields and facilities in the MANP area. Councillors approved this wording and asked the Clerk to write to MANP approving the final plan.

8. Cat G Traffic Calming at the East approach to the village.

LK gave a short report to Councillors about the Zoom Cat G (Community Area Transport Group) meeting attended by LK and the Clerk. The Cat G group had voted to put the project for traffic calming measures for the east approach to Mildenhall on the Priority List for Cat G. The Clerk had made the point that previously the issue was on the Priority list when the PC was considering continuing the footpath past the Leaze. Only one member of Cat G voted against the proposal. Steve Hind the Principal Engineer will design measures to reduce the speed of approaching traffic. The Clerk had said the PC did not require a traffic count, which can further delay the process, on the basis that the PC has done this before and the issue is speed not number of vehicles.

9. Playground – ground works to for the Zip wire

The Clerk had circulated a report for Councillors about the surfacing for the zip wire. Councillors agreed to pursue two options. AK knows someone in the village who may be able to undertake digging out the roots and creating the hardcore base JB has asked Chris Musgrave to look at the area. Next inspection due end of September.

Action: AK to get quote from local contractor for ground work.

10. Responsible Financial Officer's Report

The Financial statements had been circulated on 9 July and were approved and signed by AW. The Exemption certificate has been applied for. BD said that during 2020 the Finance Committee had been unable to meet but suggested meetings resume. Lucy Kirkpatrick will join the Finance Committee to help with forward planning. Meetings are normally two per year.

11. Any Other Business

11.1 Benches

LK mentioned that a parishioner had asked for a bench on the Werg walk. LK to follow up. RB would like some benches for around the village hall. AK to source from contact. **Action: LK and AK**

11.2 Wiltshire Search and Rescue The Clerk has received a thank you for the PC's donation.

11.3 Wiltshire Police have written about a forensic marking product they are investigating. They are asking for views on offering it at cost in rural locations and currently giving it to victims of burglary. The Clerk completed the survey and will circulate.

Meeting closed at 8.45pm Next meeting 6 September 2021 – date change