

Finance Report 5 September 2024

Item 7

EXPENDITURE

Supplier	Invoice		Description	Net	VAT	Total	Paid	Method
	Number	Date						
All Saints Church	n/a	30 Jul 24	Save the Nave Grant Award	335.00	0.00	335.00	30 Jul 24	BP
Betterclean	2771	31 Jul 24	July Cleaning	425.10	85.02	510.12	23 Aug 24	BP
BOnline	1616688	01 Aug 24	Broadband	29.44	5.89	35.33	12 Aug 24	DD
British Gas - Electricity	8196375	16 Jul 24	June/July Charges	70.54	3.53	74.07	30 Jul 24	DD
Business Waste	1446811	28 Jul 24	Cemetery	0.66	0.13	0.79	11 Aug 24	DD
Business Waste	1456002	01 Aug 24	Cemetery & JCH	75.00	15.00	90.00	15 Aug 24	DD
Castle Water	3021641	05 Jul 24	JCH Water	127.84	0.00	127.84	16 Aug 24	DD
Castle Water	3119954	06 Aug 24	Cemetery Water	7.56	0.00	7.56	20 Aug 24	DD
Corona	18570919	08 Jul 24	July Charges	90.61	4.53	95.14	23 Aug 24	BP
DM Payroll Services	3836	12 Aug 24	Payroll Administration Apr-Sept	66.00	0.00	66.00	29 Aug 24	BP
EE	39325	13 Jul 24	June/July Charges	19.42	3.88	23.30	22 Jul 24	DD
Elan City	4531	22 Jul 24	Speed Indicator Devices	4,282.57	856.51	5,139.08	23 Aug 24	BP
Gentworks Ltd	24-48676	18 Jul 24	JCH Urinal Cartridges	236.00	47.20	283.20	30 Jul 24	BP
Inception	3039384	15 Aug 24	July / August Charges	42.35	8.47	50.82	29 Aug 24	BP
John O'Conner	110728	18 Jul 24	July Maintenance	884.83	176.96	1,061.79	06 Aug 24	BP
K Thompson	2024206	12 Jul 24	Cricket Square Maintenance	351.00	0.00	351.00	06 Aug 24	BP
Kingdown Nurseries	94094	05 Aug 24	Hedging for Lydiard Green	283.00	56.60	339.60	23 Aug 24	BP
Peninsula	4417981	08 Aug 24	HR	106.64	20.14	126.78	08 Aug 24	DD
Microshade	19522	07 Jul 24	Quarterly Hosting Fees	318.57	63.71	382.28	06 Aug 24	BP
Mike Horan Printing Ltd	7016	23 Jul 24	Magazine / Newsletter Printing	375.00	0.00	375.00	24 Jul 24	BP
Rialtas	31986	31 Jul 24	RFO Rialtas Training	280.00	56.00	336.00	23 Aug 24	BP
Staff	n/a	30 Jul 24	Salaries - July	2,784.12	0.00	2,784.12	30 Jul 24	BP
Wiltshire Council	n/a	01 Aug 24	Business Rates	99.00	-	99.00	01 Aug 24	DD

Expenditure 11,290.25 1,403.57 12,693.82

Payments for Approval

John O'Conner	111482	14 Aug 24	August Maintenance	884.83	176.96	1,061.79
K Thompson	2024019	12 Aug 24	Cricket Square Maintenance	338.00	0.00	338.00
Tina Jones	n/a	31 Jul 24	Clerk Expenses Apr-Jul	23.85	0.00	23.85
Wellers Hedleys	827928	30 Jul 24	Legal	875.00	175.00	1,050.00

2,121.68 351.96 2,473.64

LMPC Income Summary 2024-2025 Received 31 July 2024

Category	Amount
Cemetery Burials	£214.00
Exclusive Rights	£224.00
Cemetery Memorials	£100.00

Cricket	£1,525.70
Football	£3,526.00
Lydiard Plain Rental	£1,000.00
Total	£6,589.70
Precept	£32,075.50
VAT 2023-2024	£12,696.75
Total	£51,361.95

Members are requested to NOTE this report and CONSIDER the proposed updated contract terms.

I am writing to let you know that I am reviewing the annual fee and contract terms for the 2025/26 financial year. The fees have not been increased for a few years whilst there have been increases to the running costs of providing the payroll services to you. I also need to alter some of the contract terms due to some requests from clients making a greater demand on time, this ensures we can provide attention to all clients equally.

The new fee for the 2025/26 financial year will be £156.

Please find attached the amended contract.

The changes in contract are as follows:

- A one off £10 fee will be charged for new starters added during the year.
- Submission of P11D after year end will be charged at £10 per employee.
- Submission of declaration of compliance to the pensions regulator will be charged at £10 per submission.
- Requests to roll back and re-run a completed payroll through no fault of DM Payroll Services Ltd will be charged at £10 per re-run. This is because additional RTI submissions to HMRC can cause issues which are then difficult to resolve.

To avoid requests for a payroll re-run, for organisations without regular changes, you will be responsible for ensuring we are advised of any changes, e.g. tax code, hours worked, rate paid before the payroll is processed, to ensure the payroll is accurate.

We will automatically run the payroll during the agreed time period, i.e. week 1, week 2, week 3 or week 4 and therefore any changes should be advised before this agreed week. You can ask to change the week your payroll is processed to a different week to meet your own requirements. We count week 1 as the week containing the 1st of the month, e.g. for August 2024 week 1 will be week commencing Monday 29th July, any changes should be advised by Friday 26th July. Week 2 will be week commencing 5th August, any changes should be advised by Friday 2nd August and so on. If you think there may need to be a change but do not have final details then email us to request a delay in processing the payroll. If you are unsure which week your payroll is processed in, please ask me and I will confirm this for you.

I trust you will find the new fee and changes to the contract acceptable, I am attaching a revised contract letter for your consideration. If the decision is made to not continue with the contract can you please confirm this in writing before the end of March 2025.

Additional Information

The financial impact of these changes will be £24 per year, plus any of the one off fees detailed above should the additional work of DM Payroll Services Ltd be required.

20th August 2024

Lydiard Millicent Parish Council
Parish Office
Jubilee Club House
Meadow Springs
Lydiard Millicent
SN6 6NH

Dear Hayley

Payroll Services Contract

This engagement letter sets out the terms and conditions forming the contract to provide payroll services with effect from 1st April 2025.

For the purpose of this contract 'we' is DM Payroll Services Ltd and 'you' is your organisation.

The payroll will be processed in time for the payment date as advised on your PAYE information form. We will create a payslip and payroll reports which will be accessible via your own secure log in. We will complete and submit the required online RTI reports to HMRC, including the monthly nil returns if no payments are made to employees.

For organisations with regular changes to their payroll, a payroll template will be issued to a nominated person from your organisation. The nominated person should ensure any changes made are accurate before submitting the payroll template for processing.

For organisations without regular changes, you will be responsible for ensuring we are advised of any changes, e.g. tax code, hours worked, rate paid before the payroll is processed, to ensure the payroll is accurate. We will automatically run the payroll during the agreed time period, i.e. week 1, week 2, week 3 or week 4 and therefore any changes should be advised before this agreed week. A £10 charge will be made for any requests for a re-run through no fault of DM Payroll Services Ltd. You can ask to change the week your payroll is processed to a different week to meet your own requirements. We count week 1 as the week containing the 1st of the month, e.g. for August 2024 week 1 will be week commencing Monday 29th July, any changes should be advised by Friday 26th July. Week 2 will be week commencing 5th August, any changes should be advised by Friday 2nd August and so on. If you think there may need to be a change but do not have final details then email us to request a delay in processing the payroll.

Any pension contributions will be calculated as part of the payroll and is included within the payroll service cost. A software generated pension report will be provided as per the service. You will be responsible for completing pension returns/uploading pension data to the pension provider.

You will be responsible for making payments to employees, HMRC, pension and any other organisations e.g. attachment of earnings or saving schemes.

Fee

The offer of payroll services is based on up to 3 employees paid monthly, the fee is £156 a year. New starters added within contract are charged at £10 per set up and any year end P11D submissions are charged at £10 per employee submission.

Submissions of the declaration of compliance to the pension regulator will be charged at £10 per submission.

The fee will be reviewed from time to time and you will be notified of any intention to increase the fee at least 3 months before the increase date.

Payment for the payroll services will be made on receipt of an invoice and will be payable within 30



Licensed and regulated by the Association of Accounting Technicians to provide services in accordance with licence number 3239 details of which are displayed at the address shown.

Registered company number 10880898

days of the invoice date. I reserve the right to charge an administration fee of £10.00 for unreasonably late payment.

Termination of contract

The contract can be terminated by either party with one calendar months' notice.

File destruction

We are registered with the Information Commissioner's Office for handling of data.

Whilst certain documents may legally belong to you, unless you tell us not to, we intend to destroy correspondence and other papers that we store which are more than seven years old, other than documents which we think may be of continuing significance. If you require the retention of any document, you must notify us of that fact in writing.

If this contract ends, information relating to the payroll will be destroyed at the end of the financial year of when the contract ends.

Ethical guidelines

We will observe the ethical guidelines of the Association of Accounting Technicians and accept instructions to act for you on the basis that we will act in accordance with those guidelines. A copy of these guidelines will be supplied to you on request. My AAT licence does not allow for the undertaking of investment work or giving pensions advice.

Customer service

We are committed to providing a high standard of customer service. If you have any ideas as to how the service to you could be improved, or if you are dissatisfied with the service you are receiving, please let us know. In the event that you have a complaint, we will look into this carefully and promptly and do all we can to explain the position to you or address your concerns. If you are still not satisfied you may of course make a complaint to the Association of Accounting Technicians. Arrangements are in place for continuity in practice.

Third parties

All accounts, statements and reports prepared by me are for your exclusive use within your business or to meet specific statutory responsibilities. They should not be shown to any other party without our prior consent.

No third party shall acquire any rights pursuant to our agreement to provide professional services.

Applicable law

This engagement letter is governed by, and construed in accordance with, English law. The Courts of England will have exclusive jurisdiction in relation to any claim, dispute or difference concerning this engagement letter and any matter arising from it. Each party irrevocably waives any right it may have to object to any action being brought in those courts, to claim that the action has been brought in an inappropriate forum, or to claim that those courts do not have jurisdiction.

Disclaimer

We will not be liable for any loss suffered by you or any third party as a result of our compliance with the Anti Money Laundering Legislation or any UK law or at all.

Please note the responsibility for the detection of irregularities and fraud rests with you and that this would normally be outside the scope of the engagement.

Agreement of terms

Once agreed, this letter will remain effective from the date of signature until it is replaced. Either party may vary or terminate our authority to act on your behalf at any time without penalty. Notice of termination must be given in writing.

Privacy Policy

Your personal information is being processed by DM Payroll Services Ltd. We are devoted to managing personal information in line with current legislation and best practice, this includes the General Data Protection Regulation (GDPR) which was active from May 25th, 2018. Whenever you provide personal information, we will treat information in accordance with our privacy policy.

Description of processing

The following is a broad description of the way this organisation processes personal information:

Reasons/purposes for processing information

We process personal information to enable us to provide accounting, auditing and related services, to maintain our own accounts and records.

Type/classes of information processed.

We process information relating to the above reasons/purposes. This information may include:

- Personal details
- Financial details
- Employment details

We also process sensitive classes of information that may include:

- Date of birth
- National Insurance Number

Who the information is processed about

We process personal information about customers and employees.

Who the information may be shared with

We sometimes need to share the personal information we process with the individual themselves and other organisations. Where this is necessary, we are required to comply with all aspects of the Data Protection Act (DPA). What follows is a description of the types of organisations we may need to share some of the personal information we process with for one or more reasons. Where necessary or required we share information with:

- central government- HMRC
- financial organisations- Pension providers
- ombudsmen and regulatory authorities- if necessary
- credit reference and debt collection agencies- Courts or department of work and pensions.

Personal information security

We have in place security measures, rules and technical measures to specifically protect your personal data from unauthorised or improper use, and from accidental loss. We are only responsible for the security of your data once it has been received, i.e. we are not responsible if it is lost in the post.

Access to Personal Information

If you wish, you can obtain a copy of any personal information we have about you by sending your request to daine@dmpayrollservices.co.uk. We will provide you, at no charge, an electronic copy of

all the personal data that we have regarding you within 30 days; although we shall require proof of your identity.

Retention Policy

Retention Period		
Existing clients	Electronic and paper copy	Employee pay history: Review 3 years from the end of the financial year to which they relate. Payroll sheets: Review 3 years from the end of the financial year to which they relate.
Previous clients		Destroyed after the end of the current financial year.
Authority:	DM Payroll Services	
Information Asset Owner:	Director	
Location Held:	Laptops and safe	
Permanent Preservation:	No	
References:	Information Commissioners Office: Retention Schedule.	
Sensitive Personal Data:	Yes	

Rights of Data Subjects

The right to be informed	Data subjects should be clear about what, why and in what way, Personal Identifiable Information (PII) will be processed.
The right of access	Data subjects have the right to learn what PII is held on them by whom and why
The right of rectification	Data subjects can request corrections to their PII
The right to erase	Data subjects can request to be forgotten
The right to restrict processing	Data subjects can ask organisation to stop processing their PII
The right to data portability	Data subjects can ask for their PII in machine readable format or to have it sent to another organisation
The right to object	Data subjects can object to organisation processing their PII
Automated decision making and profiling	Protection against targeted marketing and decision making

If you wish to require more information regarding rights, you can do this by consulting the Information Commissioners Office (ICO) website or contact our Data Protection Officer for more specific enquires at peter@dmpayrollservices.co.uk.

Would you please confirm your agreement to the terms set out in this letter by signing and returning the enclosed copy? If anything is unclear to you or you require any further information please let me know.

I confirm I am a qualified Accounting Technician and Payroll Administrator, licenced and regulated by the Association of Accounting Technicians. We hold Professional Indemnity insurance with Trafalgar Insurance.

Please confirm acceptance of this contract by signing and returning the slip below.

Yours sincerely

Diane Malley

Diane Malley

I/We* confirm that I/we* have read and understood the contents of this letter and agree that it accurately reflects the services that I/we* have instructed you to provide.

Signed Print Name

on behalf of (Name of Employer)

Dated

I/We* confirm that I/we* have read, understood the Privacy Policy and agree to DM Payroll Services Ltd using personal data for the purpose of processing payroll and associated responsibilities.

Signed Dated



The Planning Inspectorate

3C
Temple Quay House
2 The Square
Bristol
BS1 6PN

Direct Line: 0303 444 5371
Customer Services:
0303 444 5000

Email: Ve.rt@planninginspectorate.gov.uk
www.gov.uk/planning-inspectorate

Your Ref: PL/2023/02473

Our Ref: APP/Y3940/W/24/3337786

Planning Appeals
Wiltshire Council
Monkton Park Office
Chippenham
Wiltshire
SN5 1ER

22 August 2024

Dear Sir/Madam,

Town and Country Planning Act 1990

Appeal by NEIL AND EMMA JARMOLINSKI

Site Address: SKI'S TREES COMPOUND AND YARD, ADJACENT TO BLACKFORD'S INDUSTRIAL ESTATE , GREENHILL, ROYAL WOOTTON BASSETT, WILTSHIRE,

I enclose a copy of our Inspector's decision on the above appeal(s), together with a copy of the decision on an application for an award of costs.

If you wish to learn more about how an appeal decision or related cost decision may be challenged, or to give feedback or raise complaint about the way we handled the appeal(s), you may wish to visit our "Feedback & Complaints" webpage at <https://www.gov.uk/government/organisations/planning-inspectorate/about/complaints-procedure>.

If you do not have internet access you may write to the Customer Quality Unit at the address above. Alternatively, if you would prefer hard copies of our information on the right to challenge and our feedback procedure, please contact our Customer Service Team on 0303 444 5000.

The Planning Inspectorate is not the administering body for High Court challenges and cannot change or revoke the outcome of an appeal decision. If you feel there are grounds for challenging the decision you may consider obtaining legal advice as only the High Court can quash the decision. If you would like more information on the strictly enforced deadlines and grounds for challenge, or a copy of the forms for lodging a challenge, please contact the Administrative Court on 020 7947 6655.

Guidance on Awards of costs, including how the amount of costs can be settled, can be located following the Planning Practice Guidance.

<http://planningguidance.communities.gov.uk/blog/guidance/appeals/how-to-make-an-application-for-an-award-of-costs/>

We are continually seeking ways to improve the quality of service we provide to our customers. As part of this commitment we are seeking feedback from those who use our

service. It would be appreciated if you could take some time to complete this short survey, which should take no more than a few minutes complete:

https://www.surveymonkey.co.uk/r/Planning_inspectorate_customer_survey

Thank you in advance for taking the time to provide us with valuable feedback.

Yours sincerely,

Adam Hill

Adam Hill

<https://www.gov.uk/government/publications/planning-inspectorate-privacy-notice>

Where applicable, you can use the internet to submit documents, to see information and to check the progress of cases through GOV.UK. The address of the search page is - <https://www.gov.uk/appeal-planning-inspectorate>



Appeal Decision

Hearing held on 6 August 2024

Site visit made on 6 August 2024

by C Carpenter BA MA MRTPI

an Inspector appointed by the Secretary of State

Decision date: 22nd August 2024

Appeal Ref: APP/Y3940/W/24/3337786

Ski's Trees Compound & Yard, Adjacent to Blackfords Industrial Estate, Greenhill, Royal Wootton Bassett SN4 8EH

- The appeal is made under section 78 of the Town and Country Planning Act 1990 (as amended) against a refusal to grant planning permission.
 - The appeal is made by Mr & Mrs Neil & Emma Jarmolinski against the decision of Wiltshire Council.
 - The application Ref is PL/2023/02473.
 - The development proposed is erection of security lodge and associated works.
-

Decision

1. The appeal is dismissed.

Applications for Costs

2. An application for costs was made by Mr & Mrs Neil & Emma Jarmolinski against Wiltshire Council. This application is the subject of a separate decision.

Preliminary Matters

3. The Council has published a Draft Local Plan under Regulation 19 of the Town and Country Planning (Local Plans) (England) Regulations 2012. However, I am not aware of the extent of unresolved objections or whether its policies will be considered as consistent with the National Planning Policy Framework (the Framework). Consequently, in accordance with Framework paragraph 48, I give it limited weight.
4. On 30 July 2024, the Government published a consultation on proposed reforms to the Framework and other changes to the planning system, with an accompanying Written Ministerial Statement (WMS). I invited the parties to consider the relevance of these proposals to the appeal before the hearing, and this matter was also discussed at it. I have taken account of the parties' comments in my decision.

Background and Main Issues

5. The Council refused the application on the basis that the proposed development would constitute a dwelling. However, the appellants contend the building would be multi-functional with incidental staff accommodation, not a dwelling.
6. Therefore, the main issues in this appeal are:
 - whether the proposed development would constitute a dwelling; and

- whether the site represents an appropriate location for the proposed development, having regard to the settlement strategy.

Reasons

Whether a dwelling

7. The appellants clarified that one member of the business's staff would occupy the proposed lodge, and they would live there all year round. The building would include an inter-connected bedroom, bathroom, lounge and kitchen, all of which would be accessed via a dedicated external doorway. The parties agree the size of this accommodation would exceed the Nationally Described Space Standards for a one person, one bedroom dwelling. I find this space would be capable of independent occupation by one person.
8. I note there would be an internal door connecting the living accommodation to the separate office/meeting space. However, the office space would have its own external entrance, toilet and kitchenette. Therefore, there would be no functional inter-dependence between the office area and the living accommodation. Moreover, the living accommodation would be larger in area than the office space and its associated facilities.
9. I have considered the appellants' argument that the proposed accommodation would not constitute a dwelling because it would not include waste and cycle storage or external amenity space in accordance with the requirements of the Wiltshire Design Guide 2024 (WDG) for dwellings.
10. The site would be large enough to accommodate waste and cycle storage, and these facilities could be secured via condition were the appeal to be allowed. I accept that, if the permitted timber drying and seasoning store¹ were built in addition to the proposed lodge, there would not be sufficient space to accommodate a private amenity area equal to the footprint of the proposed living accommodation, as required by the WDG. Nevertheless, there could be space for a smaller amenity area in the corner of the site, and the WDG is guidance only and allows for site-specific constraints to be factored in. Consequently, whether the proposed dwelling would be *sui generis* or within the C3 use class, I do not find compliance with the WDG to be determinative in this main issue.
11. It has been put to me that the proposed lodge could not be severed from the rest of the appeal site. In the appellants' opinion, this is because the site is a single planning unit and the proposed lodge would be served by the same access as the proposed timber drying and seasoning store, the permission for which is extant.
12. Even if the wider site is a single planning unit in its present form, and whether or not the permitted store is built out, on the evidence before me I see no reason why the access route could not be shared by different users. Moreover, there is no mechanism before me to prevent future severance of the lodge from the rest of the site. I am therefore unpersuaded by this argument.
13. Taking all this together, I conclude the proposed development would constitute a dwelling.

¹ Permission reference PL/2021/10797

Appropriate location?

14. The parties agree the appeal site is outside of defined settlement boundaries, so is in the countryside for planning policy purposes. At the hearing, they agreed Policy CP48 of the Wiltshire Core Strategy 2015 (WCS) and saved Policy H4 of the North Wiltshire Local Plan 2011 (NWLP) are relevant to the proposed development; and that Ski's Trees, which is a tree surgery business, is a rural based enterprise that provides employment essential to the countryside.
15. WCS Policy CP48 supports proposals for residential development outside the defined limits of development where these meet the accommodation needs required to enable workers to live at or in the immediate vicinity of their place of work in the interests of employment essential to the countryside. The Policy states such proposals should be supported by functional and financial evidence. Supporting paragraph 6.67 adds that opportunities for accommodation within nearby settlements must be considered initially.
16. The provisions of saved NWLP Policy H4 are broadly consistent with those in WCS Policy CP48. NWLP supporting paragraph 9.7 states justification for a rural based occupational dwelling will be based on the functional and financial tests set out in Government guidance. The Council clarified at the hearing that this is a reference to former Planning Policy Statement 7, which has been superseded by the Framework. Accordingly, I give this reference to Government guidance minimal weight.
17. The appellants argue the functional need for the proposed development is to increase the security of their business. They explained through oral evidence that security threats to the business have persisted since the break-ins and theft reported to the Police in 2022. Calls from neighbours about suspicious activity in the area are received approximately monthly, generally at night and over weekends when no-one is on site. Whilst on-site CCTV cameras can be monitored from a mobile phone, this and other security measures that have been installed – including retractable bollards, palisade fencing on the boundary with the car park, movement-sensitive lighting and heavy-duty locks – do not, in the appellants' opinion, provide a sufficient deterrent to potential burglars because they "aren't bothered".
18. The appellants confirmed they live some four miles from the appeal site, and it takes about 15 minutes to reach the site or longer if traffic conditions are bad. Other employees of the business live a similar or greater distance from the site.
19. I am satisfied on the evidence before me that Ski's Trees is an established business with an operational need to store expensive equipment at the appeal site. I acknowledge the significant financial impact theft of this equipment would have on the business and the ongoing concern of the appellants about the security of their enterprise. I recognise the considerable investment already made by the appellants in improving the security of the site, including measures installed before the break-ins in 2022. I note the proposed office space would be preferable to the shipping container currently used for that purpose, which would then become available for further secure storage. I also accept the proposed modular-build development would be considerably more affordable for the appellants than trying to buy a dwelling in Greenhill.

20. However, the evidence does not indicate equipment has been stolen since the theft reported in 2022, notwithstanding suspicious activity in the area. This suggests current security measures are having some deterrent effect. Moreover, on the evidence presented at the hearing, I am not persuaded that all other potential options to improve security have been fully explored, such as an overnight security guard, an alarm and/or sharing security measures with neighbouring businesses. Nor has the Police's offer of advice on crime prevention measures on site been followed up. Whilst such other measures could be expensive, there is no compelling evidence to demonstrate they would be more costly to the business than the solution proposed in this appeal.
21. In addition, I am not persuaded the proposed lodge would be more effective than other yet untried crime prevention measures. It would be unreasonable to require the occupant of the lodge never to leave the site during evenings and weekends, so there would likely be times when no-one was present. There is also no guarantee the occupant would wake up if a break-in were to occur, given the bedroom would be at the rear of the lodge.
22. The effectiveness of on-site staff accommodation could potentially be tested through a trial of temporary accommodation at the site, such as a caravan. The appellants said at the hearing they had not considered this because a caravan would not be appropriate for the site. However, as no such application has been made to date, this assertion is unsubstantiated.
23. The Council indicated at the hearing that they sometimes allow proposals for temporary accommodation to support rural enterprises if a functional and financial need has been demonstrated. Therefore, there may be merit in exploring this option further with the Council.
24. Taking all this together, there is not sufficient functional and financial evidence to satisfy me the proposed development of a permanent dwelling is essential or required to enable a worker to live at the appeal site. Consequently, the requirements of WCS Policy CP48 and NWLP Policy H4 have not been fully addressed.
25. The appellant would be willing to accept a condition restricting use of the proposed lodge to a worker associated with the tree surgery business. However, this would not overcome the gaps in functional and financial evidence I have identified.
26. There are several homes relatively close to the appeal site on either side of it, in a linear arrangement along Greenhill. Therefore, notwithstanding that there are also commercial uses along Greenhill, I find the proposed dwelling would not be an isolated home in the countryside for the purposes of paragraph 84 of the Framework.
27. Nevertheless, for the above reasons, I conclude the site does not represent an appropriate location for the proposed development, having regard to the settlement strategy. This is contrary to WCS Policies CP1 and CP2, which define the settlement strategy for Wiltshire, and contrary to WCS Policy CP48 and saved NWLP Policy H4.

Other Matters

28. The presence of someone living at the appeal site could help increase surveillance in Greenhill more generally. The proposal would therefore have

some support from WCS Policy 57, the Framework and the WDG, which seek to ensure developments create places that are safe. However, given the occupant would not necessarily be always present and views from the lodge towards the road and Blackfords Industrial Estate would be restricted by existing boundary treatments, I give this benefit limited weight.

29. The proposed development would make a modest contribution to the local economy through construction and future occupiers' use of local services and facilities. The purpose-built office space would also help to retain or expand an existing rural business, in accordance with WCS Policy 34, Policy LM6 of the Lydiard Millicent Neighbourhood Plan (LMNP) and the Framework. That said, the introduction of a dwelling onto employment land protected by these same Policies would limit the weight of the scheme's economic benefits.
30. The provision of a dwelling on previously developed land would help boost the supply of homes in accordance with the Framework. As only one home would be delivered, I give this benefit limited weight.
31. At the hearing, the parties agreed that, according to footnote 8 and paragraph 226 of the Framework, the Council is only required to demonstrate four years' supply of deliverable housing sites. This is because the Council has an emerging Local Plan that has reached Regulation 19 stage, including both a Policies Map and allocations towards meeting housing need. The parties also agreed the Council can currently demonstrate 4.2 years' supply and that, consequently, the presumption in favour of development is not engaged. I concur.
32. Under the Government's proposed changes to national policy, the Council would be required to demonstrate a five-year supply of housing land, rather than four. At the hearing, the parties agreed that - in that scenario - the presumption in favour of sustainable development at paragraph 11d) of the Framework would be engaged because the Council's demonstrated supply falls short of five years. However, they disagreed about the weight to be given to the Government's proposed changes in this appeal. The Council said they should be given very little weight, but the appellants said the Government's intentions were clear and considerable weight should be given to the WMS.
33. The proposed revisions to the Framework are draft and therefore may be subject to change before the final Framework is published. I recognise the significance of the WMS as an expression of government policy. However, it does not refer to the specific detail of the proposed wording changes affecting Framework paragraph 11d). Consequently, I give these proposed wording changes only limited weight at this stage, and this does not change my finding about the presumption.
34. In addition, given the limited weight I have given more generally to the Regulation 19 emerging Plan, I do not accept that potential future changes to the settlement strategy render WCS Policy CP1 out of date such that this would trigger the presumption.
35. The Council has raised no concern with highway safety, the appearance of the proposed lodge, or its effect on the living conditions of neighbouring occupiers. On the evidence before me I see no reason to disagree. However, an absence of harm in these respects is a neutral factor.

Conclusion

36. I have found the proposal conflicts with the development plan, read as a whole. No other material considerations, including the Framework, have been shown to indicate that a decision should be taken otherwise than in accordance with it. Therefore, the appeal should be dismissed.

C Carpenter

INSPECTOR

APPEARANCES

FOR THE APPELLANT:

Mr Neil Jarmolinski	Appellant
Mrs Emma Jarmolinski	Appellant
Mr Gary Lewis Llewellyn BSc (Hons) DipUP MRTPI	Independent Planning Consultant

FOR THE LOCAL PLANNING AUTHORITY:

Mrs Olivia Tresise	Planning Officer, Wiltshire Council
Mr Adrian Walker	Planning Manager, Wiltshire Council

ADDITIONAL DOCUMENTS SUBMITTED AT THE HEARING

DOC1 A2-sized copies of drawing nos GH-EX-01 Existing Site Plan, GH-PR-01 Proposed Site Plan and GH-SL-01 Proposed Security Lodge.



Costs Decision

Hearing held on 6 August 2024

Site visit made on 6 August 2024

by C Carpenter BA MA MRTPI

an Inspector appointed by the Secretary of State

Decision date: 22nd August 2024

**Costs application in relation to Appeal Ref: APP/Y3940/W/24/3337786
Ski's Trees Compound & Yard, Adjacent to Blackfords Industrial Estate,
Greenhill, Royal Wootton Bassett SN4 8EH**

- The application is made under the Town and Country Planning Act 1990, sections 78, 322 and Schedule 6, and the Local Government Act 1972, section 250(5).
 - The application is made by Mr & Mrs Neil & Emma Jarmolinski for a full award of costs against Wiltshire Council.
 - The appeal was against the refusal of planning permission for erection of security lodge and associated works.
-

Decision

1. The application for an award of costs is refused.

The submissions for Mr & Mrs Neil & Emma Jarmolinski

2. The costs application was submitted in writing. No additional points were made orally.

The response by Wiltshire Council

3. The response was made in writing. No additional points were made orally.

Reasons

4. Parties in planning appeals normally meet their own expenses. However, the Planning Practice Guidance (PPG) advises that costs may be awarded against a party who has behaved unreasonably and thereby caused the party applying for costs to incur unnecessary or wasted expense in the appeal process.
5. The applicants consider the Council has exhibited unreasonable behaviour that is both procedural and substantive in nature.
6. In relation to procedure, they contend the decision-making process was slow; communication with them, via their architect/agent, was poor; the application was not processed in a proactive way in accordance with paragraph 38 of the Framework; and the Planning Officer did not make effective use of the site visit. In addition, they are concerned the Council took into account consultation responses from the Highways Officer and Wiltshire Police Designing Out Crime Officer (WP), although they were not specifically identified on the list of consultees document. They argue the WP representation, which was dated the day before the application was refused, was not brought to their attention or that of their architect/agent prior to the decision being taken. Consequently, the applicants say they were denied the right of reply to it or the opportunity to follow up the Police's offer of crime prevention advice.

7. In relation to the substance of the matter under appeal, the applicants argue the WP representation was inaccurate with respect to the security measures that were in place at the time of the break-ins and theft in 2022, and that it was consequently misleading. They therefore consider the Council gave inappropriate weight to this representation and did not fully understand the circumstances surrounding the application when taking its decision.
8. The time taken to process the planning application clearly exceeded statutory time limits. However, on the evidence before me the Council sought and secured agreement to extensions of time in accordance with article 34 of the Town and Country Planning (Development Management Procedure) (England) Order 2015 (as amended). In addition, even if communication was not always as prompt as it could have been, the Council was proactive in seeking additional information from the applicants. For example, they asked questions about the security of the site and consideration of alternative options in their email of 19 September 2023.
9. In relation to the site visit, I am satisfied on the evidence before me that the Planning Officer used this to gather evidence and information about the site and surrounding area. The visit was therefore undertaken in a manner consistent with Wiltshire Council's published information on the stages of a planning application. There was no obligation on the Officer to ask for information from the applicant during the visit and it was reasonable for her to want to discuss her observations with a more senior officer. Further information was subsequently requested in writing via the applicants' agent, which was also a reasonable approach.
10. The Highways Department at Wiltshire Council is a statutory consultee, so the Council was required to consult them.
11. The PPG¹ makes clear that, in addition to statutory consultees, local planning authorities will need to consider whether there are planning policy reasons to engage other consultees who are likely to have an interest in a proposed development. Consultation with non-statutory consultees can be directed appropriately to avoid unnecessary consultation.
12. In this case, given security was central to the planning merits of the application, it was reasonable for the Council to consult WP in a non-statutory capacity, whether or not they were specifically identified on a consultation list. There was no requirement for the Council to allow the applicants a right of reply to the Police's comments or to encourage the Police to provide advice directly to them. That said, I recognise the scope for clearer communication about this aspect of the proposal could have been greater had WP comments been sought earlier in the process.
13. Nevertheless, this does not amount to unreasonable behaviour on the part of the Council in relation to its consultation procedure.
14. As regards the substance of the Council's decision, in my opinion the decision report gives a broadly fair account of the comments from WP and does not place undue weight on their suggestion that palisade fencing had been installed since the 2022 break-ins. The report considers the WP comments alongside evidence from the applicants. The identified gaps in both functional and

¹ Paragraph: 022 Reference ID: 15-022-20140306

financial evidence would have been present even if the WP comments had not mentioned the palisade fencing. Therefore, whether or not there was a factual error in the WP comments, it was not determinative. Overall, I find the Council's report demonstrates a reasonable understanding of the circumstances surrounding the application.

15. For the above reasons, I conclude unreasonable behaviour resulting in unnecessary or wasted expense has not occurred and an award of costs is not warranted.

C Carpenter

INSPECTOR

23.179 Jubilee Club House Trees

Members approved the recommendation to have the trees behind the Jubilee Club House professionally assessed. Quotes Requested. UPDATE: Contractor site visit took place 27 Aug, awaiting quote. Further site visits with alternative contractors to be arranged.

23.184 Holborn Footpath

There are two specific places along the footpath where the holes are very deep and currently filled with water. After discussions, Members AGREED for contractors to be approached for quotes to fill in the holes and to redress the whole length. Quotes Requested. UPDATE: Contractor site visit took place 27 Aug, awaiting quote. Further site visits with alternative contractors to be arranged.

23.204 Footpath Working Group

The hedging that denotes Lydiard Green and the neighbouring farmland has gaps in places. There is no right of access onto this private land at any of these points. There are three pillboxes on/surrounding the Green, only one of which is on the Village Green itself. Once the information boards have been put in situ, it is possible that members of the public may try and access the private land area. Members RESOLVED to spend up to £1000 to plant new hedging and replacement trees, met from Ear Marked Reserves set aside for Footpaths/Lydiard Green. UPDATE: New hedging has been planted by the Working Group. Replacement tree species next to be identified.

PQT – 2 May – Updates

A resident raised concerns for the safety of users on footpath LMIL60. For at least the last ten years the metal gate blocking LMIL60 has been locked shut. This means that those wishing to use the footpath have to clamber over the gate or the adjoining metal bars. The Clerk asked the resident to email her the details and she would contact Wiltshire Council. UPDATE: The Clerk is in communication with WC regarding this issue. WC officer has made a site visit and will now contact the landowner.

PQT – 5 June – Updates

- A resident raised concerns that a resident in Stone Lane who previously had a retrospective planning application and associated appeal refused, has started to develop again, and has also not reinstated the boundary as was instructed to do as a result of the application refusal. The resident was asked to email the Clerk with the detail to follow up with Wiltshire Council Enforcement. UPDATE – Clerk awaiting contact from the resident.
- A resident raised concerns around the layby across Common Platt at the bottom of Stone Lane being driven across by vehicles. The road markings are being eroded and are not being maintained and as a result, cars are being driven over utilities and causing damage. The resident was advised to report this to Wiltshire Council using the MyWilts app and the Clerk would do the same. UPDATE – Clerk has reported to Wiltshire Council. 4 JULY MEETING UPDATE: Resident was present and Members asked him to report via the MyWilts app – Clerk awaiting response from Wiltshire Council.
- A resident raised concerns that the T-junction at the bottom of Stone Lane is being used as a bend as the road markings have largely disappeared. Members agreed to discuss adding this issue to the LHFIG list at the next meeting although the priorities for this year have already been agreed. Suggested the resident reports every incident / near miss to Wiltshire Council and keeps a log to accompany the photos they have been taking. UPDATE – Clerk awaiting contact from the resident.

24.60 Pedestrians in Road Signage – The Street

Members considered the request for a “pedestrians on the road sign” to warn cars of the risk to life in this area 46a to approx. 58 The Street. The suggested location for the signs would be on existing poles. After discussions, Members AGREED for the Clerk to approach the Engineer for the Local Highways and Footpath Improvement Group (LHFIG). UPDATE: Investigations complete, added to September agenda. CLOSED.

24.61 Repairs to Play Area Fence Posts

A budget of £60 (sixty pounds) was allocated from the Play Area Maintenance budget for the Parish Handyman to do the work. UPDATE: The two fence posts are not in such condition that the repair needs to be undertaken urgently therefore it is expected this will be completed by Autumn.

24.63 Speed Indicator Devices (SIDs)

Members APPROVED the purchase of four additional mounting bars. UPDATE: SIDs and mounting bars have been received and will shortly be put into position by the Parish Handyman.

PQT – 1 Aug UPDATES

- A resident raised concerns about the new occupants of Unit 5 Bagbury Park regarding the unauthorised expansion of the site and speeding high powered vehicles travelling along Lydiard Green towards Lydiard Millicent. Wiltshire Councillor Bucknell confirmed both he and the Clerk have reported the site expansion to WC planning enforcement. Trees being felled and the hedgerow removal in nesting season may have breached the Countryside and Wildlife Act and so the police have been notified of this. Wiltshire Councillor Bucknell has also reported the antisocial behaviour to Sergeant Jamie Ball at Wiltshire Police, and suggested that the resident compiles a noise log to be able to raise a noise complaint. Clerk to contact the occupiers of the other units at Bagbury Park and Uplands School to establish the impact of these issues on their businesses. UPDATE – Clerk has had no response to letters sent to all occupiers of units within Bagbury Park. Wiltshire Council's response to Enforcement Complaint included as an agenda item.
- A resident has noticed a pothole has appeared on Lydiard Green. The resident was advised to report this using the MyWilts portal and upon receipt of the location information from the resident, the Clerk would do the same. UPDATE – Clerk reported via MyWilts and the pothole has now been filled. CLOSED.

24.75 Financial Accounts

Members NOTED the first Quarter Income and Expenditure Detailed Report. Clerk to provide Councillors with further detail of expenditure within nominal codes 4054 – Legal Fees and 4055 Professional Fees. UPDATE – Clarification provided. CLOSED.

24.77 Planning Applications

Application: PL/2024/06287 – Full planning permission	Applicant: Mr J Forty
Address: Land at Greensend, Lydiard Millicent, SN5 3LP	
Proposal: Completion of one existing redundant dwelling and erection of one new dwelling	
Members RESOLVED to call an extraordinary meeting of the council to discuss this application.	

UPDATE – Meeting held 12 August. CLOSED.

24.80 Jubilee Club House Hearing Induction Loop and Sound Quality Resolution

Members APPROVED the installation of a hearing induction loop, one switched spur and of acoustic ceiling and wall panels. UPDATE – Contractors have been notified of works order. Further agenda item for discussion relating to acoustic ceiling and wall panels.

24.82 JCH Fire Safety Requirements

Members APPROVED the installation of two emergency light fittings and the removal of one smoke detector. UPDATE – Contractor has been notified of works order. Awaiting date for installation.

24.83 Flaxlands Solar Farm Plans Update

Members AGREED a project briefing would be required. UPDATE: Briefing scheduled for 14 Oct, time TBC.

1 August 2024

On 15 July, we set out that while one union (GMB) had accepted this year's offer, it had been rejected by the two other unions, UNISON and UNITE.

Both organisations are now moving to a ballot for industrial action of their members. UNITE have advised that their ballot will begin on 27 August and end on 15 October while the UNISON ballot will start on 4 September and finish on 16 October.

Therefore, the pay award from 1 April 2024 will AGAIN be delayed until mid to late October at the earliest.

The national employers advise very strongly against imposing any pay offer before the collective bargaining process has concluded. To do so would not only fragment the unity of the employers' position but would also leave councils vulnerable to questions being asked by auditors about why, in the absence of a national collective agreement, expenditure has been unnecessarily incurred. There are also legal considerations and previous caselaw on this question.

Earlier this week the government announced a pay increase for the public sector of 5.5%, this being the figure recommended by various pay review bodies. However, this level of pay increase cannot be imposed on local government and the process for agreeing the 2024/25 pay award will remain as above, irrespective of what happens in other parts of the public sector.

Government seeking views of proposed changes to the National Planning Policy Framework (NPPF)

1 August 2024

The government is seeking views on proposed changes to the NPPF to support its wider objective “to achieve sustainable growth in our planning system” and “commitments to achieve economic growth and build 1.5 million new homes”.

Specified proposals included in the revised NPPF (which sets out the government’s planning policies for England and how these should be applied) include:

- Make the standard method for assessing housing needs mandatory, requiring local authorities to plan for the resulting housing need figure, planning for a lower figure only when they can demonstrate hard constraints and that they have exhausted all other options
- Reverse other changes to the NPPF made in December 2023 which were detrimental to housing supply
- Implement a new standard method and calculation to ensure local plans are ambitious enough to support the government’s manifesto commitment of 1.5 million new homes in this Parliament
- Broaden the existing definition of brownfield land, set a strengthened expectation that applications on brownfield land will be approved and that plans should promote an uplift in density in urban areas
- Identify grey belt land within the Green Belt, to be brought forward into the planning system through both plan and decision-making to meet development needs
- Improve the operation of ‘the presumption’ in favour of sustainable development, to ensure it acts an effective fail safe to support housing supply, by clarifying the circumstances in which it applies; and, introducing new safeguards, to make clear that its application cannot justify poor quality development
- Deliver affordable, well-designed homes, with new “golden rules” for land released in the Green Belt to ensure it delivers in the public interest
- Make wider changes to ensure that local planning authorities are able to prioritise the types of affordable homes their communities need on all housing development and that the planning system supports a more diverse housebuilding sector
- Support economic growth in key sectors, aligned with the government’s industrial strategy and future local growth plans, including laboratories, gigafactories, datacentres, digital economies and freight and logistics - given their importance to our economic future
- Deliver community needs to support society and the creation of healthy places
- Support clean energy and the environment, including through support for onshore wind and renewables

SLCC intends to respond to the consultation. If you would like to contribute to our response, please send your comments by email to Andrew Towlerton, SLCC National Planning Advisor, at Andrew.Towlerton@slcc.co.uk by close of play Tuesday 17 September 2024.

WILTSHIRE NEIGHBOURHOOD WATCH ASSOCIATION

ANNUAL GENERAL MEETING

Saturday 5th October 2024

10.00am until 12noon (prompt)

Venue: Wiltshire Police HQ, Devizes SN10 2DN

(Bay window room)

Refreshments available from 09.30am

Agenda outline:

10.00 – 10.40 Wiltshire NHW Association AGM

10.40 – 11.10 Catherine Roper, Wiltshire Chief Constable

11.10 – 11.30 Q and A

11.30 – 11.50 Bill Boffin, Wiltshire Cybercrime Ambassador 'The Internet of Things...'

11.50 – 12.00 AOB

(A full agenda can be found on our website www.wiltshirenhw.org using the Events link)

Our Association would welcome your attendance and contribution to our AGM in the knowledge that we all share a common interest in the principles inherent in supporting Safer Communities.

RSVP

Paul Sunners, Chair Wiltshire NHW Association

wnhwa.chair@gmail.com

Members are requested to NOTE the correspondence received via email from a resident on 16 August.

At the last meeting the matter of 2 quad bikes was raised in connection with their behaviour through the village. Over the last week they have now decided that Bagbury Lane is a suitable place to develop their stunt skills. Today they have visited the lane on two separate occasions after 4.30pm and spent around 10 -15 minutes practicing "wheelies". Both these quad's are exceptionally noisy and this is a very quiet lane used a lot by horse riders and dog walkers and a stable is situated in the lane. I have now captured their details as follows:

Bike 1. Red 448cc Quad Bike Manufactured by Dinli. Registration is VX07 GZF.

Bike 2. Blue 448cc Quad Bike Manufactured by Dinli. Registration YJ61 KVR.

I have approached the person on the blue bike and explained that this behaviour is inappropriate and particularly dangerous. I have also explained that I have video evidence of their activities (didn't manage to record the wheelies but they don't know this, and their registrations. I have told them that if the behaviour repeats I will go to the police with the evidence. As I write this they are busy circulating around Purton, Greatfield, Greenhill and Lydiard Millicent at a reduced speed.

Attached is a video extract from my camera of the first time I passed them where they had abandoned the red bike in the lane to fettle the blue bike. The second is picture taken as they were turning into Bagbury lane before I approached them some 10 minutes later.

So, if these lads continue to be a nuisance you now have all you need to identify them.

Members are requested to NOTE the correspondence and CONSIDER a response.

Wiltshire Council has published the draft Gypsies and Travellers Development Plan Document (DPD) along with accompanying evidence reports, for formal consultation. The Gypsies and Travellers DPD sets out the vision and framework to allocate land for Gypsies and Travellers in sustainable locations meeting identified permanent and temporary accommodation needs up to 2036 (since revised to 2038), in line with Government planning policy and legislation. Once adopted, relevant planning applications will be determined against the Plan, making it an important document in meeting accommodation need for Gypsy and Traveller communities in Wiltshire.

Comments are invited on the Gypsies and Travellers DPD and supporting evidence base documents during the consultation period, which runs from **9am on Tuesday 20th August to 5pm on Friday 4th October 2024**.

In-person events are being held across the county on selected dates from Wednesday 4th September to Thursday 12th September to enable you to find out more information as part of the consultation. You can just turn up to the in-person events, there is no need to book. There will also be an online webinar event on Tuesday 3rd September, however you must register beforehand to attend the online event. To see the full list of in-person events or to register for the online webinar event, see <https://www.wiltshire.gov.uk/planning-gypsy-travellers>. Officers will be available during all sessions to answer questions about the Gypsies and Travellers DPD and we would encourage people to attend and find out more about what the DPD proposes in their area.

How to respond

The Gypsies and Travellers DPD and supporting evidence documents are available to view and download at <https://www.wiltshire.gov.uk/planning-gypsy-travellers> from 9am on Tuesday 20th August, and people can also download a representation form and a simplified guidance note from this page.

We welcome your comments via the following means:

- Online via the council's dedicated consultation portal: <http://consult.wiltshire.gov.uk/portal>. This is the most efficient and effective way to make representations. Further information on how to use the portal can be found at www.wiltshire.gov.uk/local-plan
- By email using the representation form available at <https://www.wiltshire.gov.uk/planning-gypsy-travellers> and returned to strategicplanning@wiltshire.gov.uk
- By post in writing by completing a representation form and submitting this to:

Strategic Planning
Planning Directorate
Wiltshire Council
County Hall
Bythesea Road
Trowbridge
Wiltshire
BA14 8JN.

Please note that copies of all comments (including your personal details) will be made available for the public to view and therefore cannot be treated as confidential. Anonymous representations cannot be accepted.

Copies of all the consultation documents can be viewed during normal opening hours at the Council's main offices at Monkton Park in Chippenham, Bourne Hill in Salisbury, and County Hall in Trowbridge.

The following documents: the draft Gypsies and Travellers Development Plan Document, draft Sustainability Appraisal Report, draft Habitats Regulations Assessment and Evidence base reports will be made available to view at the following libraries during normal opening hours:

- Amesbury Library, Smithfield Street, Amesbury, SP4 7AL
- Bradford on Avon Library, Bridge Street, Bradford on Avon, BA15 1BY
- Calne Library, The Strand, Calne, SN11 0JU
- Chippenham Library, Timber Street, Chippenham, SN15 3EJ
- Springfield Community Campus, Beechfield Road, Corsham, SN13 9DN
- Devizes Library, Sheep Street, Devizes, SN10 1DL
- Malmesbury Library, 24 Cross Hayes, Malmesbury, SN16 9BG
- Marlborough Library, 91 High Street, Marlborough, SN8 1HD
- Melksham Community Campus, Market Place, Melksham, SN12 6ES
- Pewsey Library, Aston Close, Pewsey, SN9 5EQ
- Royal Wootton Bassett Library, Borough Fields, Royal Wootton Bassett, SN4 7AX
- Salisbury Library, Market Walk, Salisbury, SP1 1BL
- Tidworth Library, Tidworth Leisure Centre, Nadder Road, Tidworth, SP9 7QA
- Tisbury Library, Nadder Community Campus, Tisbury, SP3 6HJ
- Trowbridge Library, County Hall, Bythesea Road, Trowbridge, BA14 8JN
- Warminster Library, Three Horseshoes Walk, Warminster, BA12 9BT
- Westbury Library, Westbury House, 15 Edward Street, Westbury, BA13 3BD

Information on library opening times can be found at:

<https://apps.wiltshire.gov.uk/librariesinformation>. Electronic access to all submission documents will be available at all Wiltshire Council libraries.

Following the consultation, the council will consider the comments received before submitting the Gypsies and Travellers DPD and supporting evidence to the Secretary of State for examination. All comments received during this consultation will be passed on to the appointed independent Planning Inspector at that stage.

Any representation received may be accompanied by a request to be notified at a specific address of any of the following: that the Gypsies and Travellers DPD has been submitted to the Secretary of State for independent examination; that the Inspector's Report (including any recommendations) into the DPD has been published; and that the Gypsies and Travellers DPD has been adopted.

Should you require further information, please email: strategicplanning@wiltshire.gov.uk or call 01225 713223.

Planning and Compulsory Purchase Act 2004

The Town and Country Planning (Local Planning) (England) Regulations 2012 (Regulation 19)

The Environmental Assessment of Plans and Programmes Regulations 2004

Wiltshire Gypsies and Travellers Development Plan Document

Statement of the Representations Procedure and availability of documents

If you have a comment to make about the Wiltshire Gypsies and Travellers Development Plan Document ('the draft Plan'), it is important that we hear from you. To those not familiar with the planning system, the consultation and representation form can appear complicated and technical, so we have prepared this guide to provide explanation of the process and terms used alongside information on how to comment and where to find information.

This guidance document sets out the items described in 1) – 9) below:

1) Title of document

Title of the development plan document published for consultation.

2) Subject matter

What the development plan document published for consultation is about.

3) Period for submission of representations

When the period of consultation starts and closes.

4) Where to view the draft Plan and supporting documents (statement of fact)

Webpage link and list of locations where consultation documents can be found.

5) Things to consider when making a representation

Regarding 'soundness' and legal compliance.

6) How to submit your representation

Online, by email or by post.

7) Notification of next stages and what happens next

Tell us if you want to be notified.

8) Contact for more information

Email, phone, and postal address of the strategic planning policy team.

9) Representation form

Explanation and example of representation form.

1) Title of document

Wiltshire Gypsies and Traveller Development Plan Document.

This is the pre-submission draft published for the Regulation 19 consultation.

2) Subject matter

The Development Plan Document (hereafter referred to as 'the draft Plan') has been informed by the Regulation 18 consultation that took place in 2021 and replaces 'Core Policy 47: Meeting the needs of gypsies and travellers and travelling showpeople' of the adopted Wiltshire Core Strategy (2015). The draft Plan sets out Wiltshire Council's strategic planning policies for meeting the accommodation needs of gypsies and travelling showpeople, covering the period of 1st April 2024 to 31st March 2038. Consistent with national policy, the draft Plan seeks to address the accommodation needs of gypsies and travellers and travelling showpeople who meet the planning definitions as follows:

Gypsies and travellers - Persons of nomadic habit of life whatever their race or origin, including such persons who on grounds only of their own or their family's or dependants' educational or health needs or old age have ceased to travel temporarily or permanently, but excluding members of an organised group of travelling showpeople or circus people travelling together as such.

Travelling showpeople - Members of a group organised for the purposes of holding fairs, circuses or shows (whether or not travelling together as such). This includes such persons who on the grounds of their own or their family's or dependants' more localised pattern of trading, educational or health needs or old age have ceased to travel temporarily or permanently, but excludes Gypsies and Travellers as defined above.

It also sets out the approach to meeting needs for culturally appropriate accommodation for gypsies and travellers that do not meet the planning definition.

If adopted, the Plan will form part of the development plan for Wiltshire and guide decisions on future development.

The proposed submission documents include: the draft Plan; the draft Sustainability Appraisal Report (incorporating requirements of the Environmental Assessment of Plans and Programmes Regulations 2004); the draft Habitat Regulations Assessment, and various evidence base reports that form part of the evidence base for the draft Plan.

The role of this consultation is to provide the opportunity for representations to be made on the 'soundness' and legal compliance of the draft Plan before it is submitted to the Secretary of State for Examination. See Item 5 below for more information.

Following consultation, the Council will register and consider the comments received before submitting the draft Plan to the Ministry of Housing, Communities and Local Government.

3) Period for submission of representations

The period for submitting representations relating to the draft Plan begins at **9am Tuesday 20 August 2024** and closes at **5pm on Friday 4 October 2024**. Representations received beyond this date may not be considered.

4) Where to view the plan and supporting documents (statement of fact)

You can view and download the draft Plan and the supporting documents on the council's website here: www.wiltshire.gov.uk/planning-gypsy-travellers.

Hard copies of the draft Plan and supporting documents will be available to view during normal office hours at the Council's main offices:

- Monkton Park, Chippenham, Wiltshire, SN15 1ER (9am to 5pm, Monday to Friday)
- Bourne Hill, The Council House, Bourne Hill, Salisbury, Wiltshire, SP1 3UZ (9am to 5pm, Monday to Friday)
- County Hall, Bythesea Road, Trowbridge, Wiltshire, BA14 8JN (9am to 5pm Monday to Friday)

The following documents: the draft Plan; the draft Sustainability Appraisal Report (incorporating requirements of the Environmental Assessment of Plans and Programmes Regulations 2004); the draft Habitat Regulations Assessment, and various evidence base reports, will be made available to view at the following libraries during normal opening hours:

- Amesbury Library, Smithfield Street, Amesbury, Wiltshire, SP4 7AL
- Bradford On Avon Library, Bridge Street, Bradford On Avon, Wiltshire, BA15 1BY
- Calne Library, The Strand, Calne, Wiltshire, SN11 0JU
- Chippenham Library, Timber Street, Chippenham, Wiltshire, SN15 3EJ
- Springfield Community Campus, Beechfield Road, Corsham, Wiltshire, SN13 9DN
- Devizes Library, Sheep Street, Devizes, Wiltshire, SN10 1DL
- Malmesbury Library, 24 Cross Hayes, Malmesbury, Wiltshire, SN16 9BG
- Marlborough Library, 91 High Street, Marlborough, Wiltshire, SN8 1HD
- Melksham Community Campus, Market Place, Melksham, Wiltshire, SN12 6ES
- Pewsey Library, Aston Close, Pewsey, Wiltshire, SN9 5EQ
- Royal Wootton Bassett Library, Borough Fields, Royal Wootton Bassett, Wiltshire, SN4 7AX
- Salisbury Library, Market Walk, Salisbury, Wiltshire, SP1 1BL
- Tidworth Library, Nadder Road, Tidworth, Wiltshire, SP9 7QA
- Tisbury Library, Nadder Community Campus, Weaveland Road, Tisbury, Wiltshire, SP3 6HJ
- Trowbridge Library, County Hall, Bythesea Road, Trowbridge, Wiltshire, BA14 8JN
- Warminster Library, Three Horseshoes Walk, Warminster, Wiltshire, BA12 9BT
- Westbury Library, Westbury House, 15 Edward Street, Westbury, Wiltshire, BA13 3BD

Wiltshire Gypsies and Traveller Development Plan Document Statement of Representations Procedure (Regulation 19 consultation)

Information on library opening times can be found at:

<https://apps.wiltshire.gov.uk/librariesinformation>

Electronic access to all submission documents will be available at all Wiltshire Council libraries.

If you require the consultation documents in an alternative format, please contact strategicplanning@wiltshire.gov.uk.

Physical copies of documents can be provided to individuals if requested. The printing and postage costs will be incurred by those requesting additional copies. If you wish to make a purchase, please contact strategicplanning@wiltshire.gov.uk.

There will be a live webinar on Tuesday 3 September 2024 at 6:00pm to 7:30pm and five drop-in events held around the county where you can ask questions and gain further information about the consultation. More information on these events can be found at: www.wiltshire.gov.uk/planning-gypsy-travellers.

5) Things to consider when making a representation

The draft Plan has been published by the Local Planning Authority (LPA) (Wiltshire Council) for representations to be made on it before it is submitted for examination by an independent Planning Inspector. The Planning and Compulsory Purchase Act 2004, as amended, states that the purpose of the examination is to consider whether the draft Plan complies with the relevant legal requirements, including the duty to co-operate, and is sound. The Inspector will consider all representations on the draft Plan that are made within the consultation period set by the LPA.

Specifically, we are asking people to consider the following when making representations:

i) Legal compliance.

This encompasses whether the draft Plan complies with the relevant legislation and regulations in the way it has been prepared and its content. Things to consider include the following before making a representation of legal compliance:

- The draft Plan should comply with all relevant requirements of the Planning and Compulsory Purchase Act 2004 (as amended) and the Town and Country Planning (Local Planning) (England) Regulations 2012, as amended.
- The draft Plan should be included in the LPA's current Local Development Scheme¹ (LDS) and the key stages set out in the LDS should have been followed. The LDS is effectively a programme of work prepared by the LPA, setting out the plans it proposes to produce. It will set out the key stages in the production of any plans which the LPA proposes to bring forward for examination.
- The process of community involvement for the draft Plan in question should be in general accordance with the LPA's Statement of Community Involvement² (SCI). The SCI sets out the LPA's strategy for involving the community in the preparation and revision of plans and the consideration of planning applications.

¹ Wiltshire Local Development Scheme (LDS), Wiltshire Council. For the latest Wiltshire local development scheme please visit: [Local Development Scheme - Wiltshire Council](#).

² Wiltshire Statement of Community Involvement, Wiltshire Council. For the latest Wiltshire statement of community involvement please visit: [Statement of Community Involvement - Wiltshire Council](#).

Wiltshire Gypsies and Traveller Development Plan Document Statement of Representations
Procedure (Regulation 19 consultation)

- The LPA is also required to provide a Sustainability Appraisal (SA) report when it publishes a plan. This should identify the process by which SA has been carried out, and the baseline information used to inform the process and the outcomes of that process. SA is a tool for assessing the extent to which the plan, when judged against reasonable alternatives, will help to achieve relevant environmental, economic and social objectives.
- The Habitats Regulations Assessment (HRA) will also be available and needs to be carried out for the Plan, in order to protect the integrity of internationally important nature conservation sites.

To access these documents, alongside other supporting documents, please go to: www.wiltshire.gov.uk/planning-gypsy-travellers.

ii) Soundness.

The tests of soundness are set out in national policy (National Planning Policy Framework). Plans are sound if they are:

- (a) Positively prepared – providing a strategy which, as a minimum, seeks to meet the area's objectively assessed needs; and is informed by agreements with other authorities, so that unmet need from neighbouring areas is accommodated where it is practical to do so and is consistent with achieving sustainable development;
- (b) Justified – an appropriate strategy, taking into account the reasonable alternatives, and based on proportionate evidence;
- (c) Effective – deliverable over the plan period, and based on effective joint working on cross-boundary strategic matters that have been dealt with rather than deferred, as evidenced by the statement of common ground; and
- (d) Consistent with national policy – enabling the delivery of sustainable development in accordance with the policies in this Framework and other statements of national planning policy, where relevant.

If you think the content of the draft Plan is not sound because it does not include a policy on a particular issue, you should go through the following steps before making representations:

- Is the issue with which you are concerned already covered specifically by national planning policy?
- Is the issue with which you are concerned already covered by another policy in the draft Plan?
- If the policy is not covered elsewhere, in what way is the draft Plan unsound without the policy?
- If the draft Plan is unsound without the policy, what should the policy say?

iii) Complies with the Duty to co-operate.

Section 33A of the PCPA requires the LPA to engage constructively, actively and on an ongoing basis with neighbouring authorities and certain other bodies over strategic matters during the preparation of the Plan. The LPA will be expected to provide evidence of how they have complied with the duty.

6) How to submit your representation

Representations can be submitted via the following means:

- Online via the council's consultation portal accessible via this link: www.wiltshire.gov.uk/planning-gypsy-travellers.
- By email using the form available at: www.wiltshire.gov.uk/planning-gypsy-travellers and returned to strategicplanning@wiltshire.gov.uk; or
- By post in writing by using the form and sending this to: Strategic Planning, Planning Directorate, Wiltshire Council, County Hall, Bythesea Road, Trowbridge, Wiltshire, BA14 8JN.

Representations should be made on the representation form. The use of the standard representation form is strongly recommended as this will ensure that comments are related to the matters relevant to the subsequent examination by a planning inspector. Further information on the representation form can be found in Section 9 below.

If you wish to make a representation seeking a modification to the draft Plan you should set out clearly in what way you consider the draft Plan or part of the draft Plan is legally non-compliant or unsound, having regard as appropriate to the soundness criteria in section 5(ii) above. Your representation should be as succinct as possible and supported by evidence wherever possible. It will be helpful if you also say precisely how you think the draft Plan should be modified.

You should concisely provide all the evidence and supporting information necessary to support your representation and your suggested modification. You should not assume that you will have a further opportunity to make submissions. Any further submissions after the Plan has been submitted for examination may only be made if invited by the Inspector, based on the matters and issues they identify.

Where groups or individuals share a common view on the draft Plan, it would be very helpful if they would make a single representation which represents that view, rather a large number of separate representations repeating the same points. In such cases the group should indicate how many people it is representing and how the representation has been authorised.

Please consider carefully how you would like your representation to be dealt with in the examination: whether you are content to rely on your written representation, or whether you wish to take part in hearing session(s). Only representors who are seeking a change to the draft Plan have a right to be heard at the hearing session(s), if they so request. In considering this, please note that written and oral representations carry the same weight and will be given equal consideration in the examination process.

Please note: all submitted representations will be made publicly available. To ensure an effective and fair examination, it is important that the Inspector and all other participants in the examination process are able to know who has made representations on the Plan. The LPA will therefore ensure that the names of those making representations can be made available (including publication on the LPA's website) and taken into account by the Inspector.

The council therefore cannot accept anonymous representations – you must provide us with your name and contact details. Address details will not be made publicly available. All personal data

will be handled in line with the council's Strategic Planning privacy policy. You can view the Council's privacy notice at <https://www.wiltshire.gov.uk/planning-privacy-notice>.

7) Notification of next stages and what happens next

When making your representations using the representation form you will have the option to request to be notified via email, or at a postal address, of any of the following stages of the Plan's process:

- the submission of the Wiltshire Gypsies and Travellers Development Plan Document for independent examination;
- the publication of the planning inspector's report following examination of the Wiltshire Gypsies and Travellers Development Plan Document; and
- the adoption of the Wiltshire Gypsies and Travellers Development Plan Document.

If you wish to be kept informed of the above stages please double check that the contact details you include with your representation are correct so we can contact you regarding this.

Once the Regulation 19 representation period has closed, updates regarding the status of the draft Plan will be published on the Council's planning policy webpages. Any person who makes a submission during the Regulation 19 representation period who wishes to be kept informed of its progress will automatically be added to the Strategic Planning team's database and will be provided with updates on the progress of the Plan. If you wish to be removed from this database, please contact Strategicplanning@wiltshire.gov.uk.

Following the end of the consultation period, the Council will summarise the main issues raised and submit the draft Plan, accompanying evidence and all submitted representations to the Secretary of State, who will appoint an Inspector to undertake an independent examination. The Inspector will assess whether the Plan meets the relevant legal requirements, complies with the Duty to Cooperate, and is sound. This submission is anticipated to take place in quarter one 2025 with the examination and hearings anticipated to take place following this.

8) Contact for more information

If you would like any further information on the draft Plan, proposed submission documents, or any of the supporting documents, please contact us via:

- Telephone: 01225 713223
- Email: Strategicplanning@wiltshire.gov.uk.
- Post: Strategic Planning, Planning Directorate, Wiltshire Council, County Hall, Bythesea Road, Trowbridge, Wiltshire, BA14 8JN.

9) Representation form

The representation form is split into two parts. Part A (personal details) of the form is where you provide your personal details. Please fill out as many parts of this section of the form as you can. We need this information to ensure that we can keep you informed about the next stages in the draft Plan's preparation. When the draft Plan is examined, the government-appointed Inspector may also wish to ask you for more information relating to your comments, or invite you to attend hearing sessions - where you will be given the opportunity to put your views to the Inspector and contribute to the discussion on the issues that you have raised.

Part B of the form is where you provide details of the representation you are making. This should identify which draft Plan policy/section/paragraph and/or proposed submission document section/paragraph the representation refers to.

Wherever possible it is encouraged that you submit comments online via the council's consultation portal accessible via this link: www.wiltshire.gov.uk/planning-gypsy-travellers. The representation form can also be downloaded from the council's website www.wiltshire.gov.uk/planning-gypsy-travellers.

A copy of the representation form can be found overleaf.

Wiltshire Gypsies and Travellers Development Plan Document

Ref:

(For official use only)

Publication Stage Representation Form

Please return to Wiltshire Council, by 5pm on Friday 4th October 2024

By post to: Strategic Planning, Planning Directorate, Wiltshire Council, County Hall, Bythesea Road, Trowbridge, Wiltshire, BA14 8JN.

By e-mail to: strategicplanning@wiltshire.gov.uk

For further information please visit: www.wiltshire.gov.uk/planning-gypsy-travellers
or Tel: 01225 713223

This form has two parts:

Part A – Personal details

Part B – Your representation(s). Please use a separate sheet for each representation.

Part A – Personal details

Please note the following:

- We cannot register your representation without your details.
- Representations cannot be kept confidential and will be available for public scrutiny, however, your contact details will not be published.
- All information will be sent for examination by an independent inspector.
- All personal data will be handled in line with the Council's Privacy Policy on Strategic Planning matters. You can view the Strategic Planning privacy notice at <https://www.wiltshire.gov.uk/planning-privacy-notice>.

**If an agent is appointed, please fill in your Title, Name and Organisation but the full contact details of the agent must be completed.*

	1. Personal details	2. Agent's details (if applicable)*
Title		
First name		
Last name		
Job title (where relevant)		
Organisation (where relevant)		
Address Line 1		
Address Line 2		
Address Line 3		
Address Line 4		
Postcode		
Telephone Number		
Email Address		

Part B – Please use a separate sheet for each representation.

Please note, in your representation you should set out **succinctly** and provide copies of all the evidence and supporting information necessary to support your representation and your suggested modification(s). You should not assume that you will have a further opportunity to make submissions.

After this stage, further submissions may only be made if invited by the Inspector, based on the matters and issues he or she identifies for examination.

3. To which part of the Wiltshire Gypsies and Travellers Development Plan Document does this representation relate?

Policy:	Paragraph:	Table:	Figure:
Site:		Other:	

4. Do you consider the Wiltshire Gypsies and Travellers Development Plan Document:

(i) Legally compliant	Yes:		No:	
(ii) Sound	Yes:		No:	
(iii) Complies with the duty to co-operate	Yes:		No:	
<i>Please indicate with an 'X' as appropriate</i>				

4b. If you think the Wiltshire Gypsies and Travellers Development Plan Document is not sound, please indicate the reason(s) why:

(1) Not positively prepared	
(2) Not justified	
(3) Not effective	
(4) Not consistent with national policy	
<i>Please indicate with an 'X' as appropriate</i>	

See the separate statement of representation procedure (guidance note) for further information on 'soundness'.

5. Please give details of why you consider the Wiltshire Gypsies and Travellers Development Plan Document is not legally compliant or is unsound or fails to comply with the duty to co-operate. Please be as precise as possible.

If you wish to **support** the Wiltshire Gypsies and Travellers Development Plan Document on the basis that you consider it is sound, legally compliant and meets the duty to cooperate, please also use this box to set out your comments.

--

(Continue on a separate sheet/expand box if necessary)

5a. If you wish to make a separate representation, relating to legal compliance, soundness or the duty to cooperate in relation to the accompanying Sustainability Appraisal (SA), please make them here.

(Continue on a separate sheet/expand box if necessary)

6. Please set out the modification(s) you consider necessary to make the Wiltshire Gypsies and Travellers Development Plan Document legally compliant and sound, in respect of any legal compliance or soundness matters you have identified at 5 above. (Please note that non-compliance with the duty to co-operate is incapable of modification at examination). You will need to say why each modification will make the Wiltshire Gypsies and Travellers Development Plan Document legally compliant or sound. It will be helpful if you are able to put forward your suggested revised wording of any policy or text. Please be as precise as possible.

(Continue on a separate sheet/expand box if necessary)

7. If your representation is seeking a modification to the plan, do you consider it necessary to participate in the examination hearing session(s)?

	No , I do not wish to participate in hearing session(s)		Yes , I wish to participate in hearing session(s)
--	--	--	--

8. If you wish to participate in the hearing session(s), please outline why you consider this to be necessary:

<i>(Continue on a separate sheet/ expand box if necessary)</i>
<i>Please note the Inspector will determine the most appropriate procedure to adopt to hear those who have indicated that they wish to participate in hearing session(s). You may be asked to confirm your wish to participate when the Inspector has identified the matters and issues for examination.</i>

9. Do you wish to be notified of any of the following?

Please tick all that apply.

The submission of the Wiltshire Gypsies and Travellers Development Plan Document for Independent Examination	
The publication of the report of the Inspector appointed to carry out the examination	
The adoption of the Wiltshire Gypsies and Travellers Development Plan Document	

Please ensure that we have either an up-to-date email address or postal address at which we can contact you.

Signature:		Date:	
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Wiltshire Gypsies and Travellers Development Plan Document

Planning and Compulsory Purchase Act 2004
The Town and Country Planning (Local Planning) (England) Regulations 2012
(Regulation 19)

The Environmental Assessment of Plans and Programmes Regulations 2004

Notice of Publication of the draft Wiltshire Gypsies and Travellers Development Plan Document

Notice is hereby given that Wiltshire Council has published the draft Wiltshire Gypsies and Travellers Development Plan Document ("the draft Plan") for a formal consultation period beginning on **Tuesday 20th August 2024** during which representations may be made.

Following consultation, the Council will register and consider the comments received before submitting the draft Plan to the Secretary of State for Housing, Communities and Local Government.

The draft Plan addresses the accommodation needs of Wiltshire's travelling communities to 2038 and updates Core Policy 47 'Meeting the needs of Gypsies and Travellers' of the Wiltshire Core Strategy. The draft Plan contains policies that collectively make provision for the permanent and temporary accommodation needs of the travelling community. These include policies allocating new sites and existing sites for additional pitches and plots. The draft Plan also safeguards existing sites so that they can continue to meet on-site needs in the longer term.

The proposed submission documents include: the draft Plan, the draft Sustainability Appraisal report (incorporating requirements of the Environmental Assessment of Plans and Programmes Regulations 2004), the draft Habitat Regulations Assessment and a number of other supporting documents that form part of the evidence base for the draft Plan.

The period for submitting representations relating to the draft Plan begins **9am Tuesday 20th August 2024** and closes at **5pm on Friday 4th October 2024**. Representations received beyond this date may not be considered. A statement of the representations procedure (guidance note) explaining how to comment can be viewed alongside the proposed submission documents. Please note that copies of all comments (including your personal details) will be made available for the public to view, and therefore cannot be treated as confidential. Anonymous comments cannot be accepted.

The proposed submission documents can be viewed on the Council's website at: www.wiltshire.gov.uk/planning-gypsy-travellers and during normal office hours at the Council's main offices: Monkton Park (Chippenham), Bourne Hill (Salisbury) and County Hall (Trowbridge).

The following documents: the draft Plan; the draft Sustainability Appraisal Report (incorporating requirements of the Environmental Assessment of Plans and Programmes Regulations 2004); the draft Habitat Regulations Assessment, and various evidence base reports will be made available to view at the following libraries during normal opening hours: Amesbury, Bradford on Avon, Calne, Chippenham, Corsham, Devizes, Malmesbury, Marlborough, Melksham, Pewsey, Royal Wootton Bassett, Salisbury, Tidworth, Tisbury, Trowbridge, Warminster, and Westbury.

Electronic access to all submission documents will be available at all Wiltshire Council libraries.

Representations can be submitted via the following means:

- online via the Council's consultation portal accessible via this link: www.wiltshire.gov.uk/planning-gypsy-travellers
- by email using the form available at: www.wiltshire.gov.uk/planning-gypsy-travellers and returned to <mailto:strategicplanning@wiltshire.gov.uk>; or
- by post in writing to: Strategic Planning, Planning Directorate, Wiltshire Council, County Hall, Bythesea Road, Trowbridge, Wiltshire, BA14 8JN.

The form has an accompanying statement of the representations procedure (guidance note) to assist in its completion. Please use a separate form for each representation you wish to make.

Address details will not be made publicly available. All personal data will be handled in line with the council's Strategic Planning privacy policy. You can view the Council's privacy notice at <https://www.wiltshire.gov.uk/planning-privacy-notice>.

Any representation may be accompanied by a request to be notified at a specified address (email/postal) of any of the following: that the draft Plan has been submitted to the Secretary of State for independent examination; that the Inspector's Report (including any recommendations) into the draft Plan has been published; and that the draft Plan has been adopted.

There will be a general information live webinar on Tuesday 3rd September 2024 at 6:00pm to 7.30pm and five drop-in events held around the county where you can ask questions and gain further information about the consultation. More information on these events can be found at: www.wiltshire.gov.uk/planning-gypsy-travellers

If you require more information or would like to request copies of documents, please contact Strategic Planning via email (<mailto:strategicplanning@wiltshire.gov.uk>), phone (01225 713223) or post to Strategic Planning, Planning Directorate, Wiltshire Council, County Hall, Bythesea Road, Trowbridge, Wiltshire, BA14 8JN. Please note that there will be a fee for providing any documents requested.

Nic Thomas

Director of Planning

Members are requested to:

- NOTE this report and CONSIDER the quote received
- CONSIDER the Clerk's recommendation

Background

At the last Parish Council meeting held on 1 August, Members APPROVED the installation of acoustic ceiling and wall panels at a cost of £2,299.75 (two thousand two hundred and ninety-nine pounds, 75p) ex VAT. (Min Ref. 24.80).

Update

Upon confirming the work order, the contractor noticed they had made a miscalculation when totalling the 3 components of the quote, and the total cost is in fact £2,499.75 (two thousand four hundred and ninety-nine pounds, 75p) ex VAT, an increase of £200 (two hundred pounds) ex. VAT.

Recommendations

Members are asked to CONSIDER the Clerk's recommendation to accept the contractor's revised quote of £2,499.75 (two thousand four hundred and ninety-nine pounds, 75p) ex. VAT.

Hayley Graham
August 2024

Members are requested to NOTE this report and CONSIDER the quote received.

Background

A resident highlighted there is a section of The Street (c. 50 metres) where pedestrians are forced to walk on the road, and requested that signage is put in place to warn drivers of the hazard. (Min ref. 24.37).

A new sign on the network would be considered as a new highway request and as such, go through the LHFIG process. The Council can bypass the LHFIG and pay the full cost.

At the Parish Council meeting held on 4 July, Members agreed for the Clerk to approach the engineer for the Local Highways and Footpath Improvement Group (LHFIG) for this to be costed outside of the LHFIG. (Min. ref. 24.60)

Investigations

After discussions with the LHFIG engineer, the existing lighting column below past the junction of The Street / Chestnut Springs has been identified as a suitable location to install a warning sign for traffic travelling towards Swindon.



The post east of Badgers Brook below could be replaced with a taller post to accommodate a warning sign for traffic travelling towards Lydiard Millicent, and the 30 repeater signs x 2 re-erected.



Quote

Wiltshire Council have confirmed the cost to complete this work is approx.. £380. Costs to be met from EMR LHFIF funds.

Members are requested to:

- NOTE this report and CONSIDER the recommendations
- Identify potential members of the working party

Background

This year the Parish Council commemorated the 80th Anniversary of D-Day with a pop-up museum and by lighting our beacon. Next year is the 80th Anniversary of VE (Victory in Europe) Day on 8th May, which is expected to be a much larger, celebratory event, so the recommendation is that we start to consider options to mark the date.

Proposal

To form a working party to lead the work to:

- Identify potential events to mark the occasion such as:
 - o An updated pop-up museum
 - o Performances from musical groups, particularly 40s-style
 - o An open gardens event (to reflect the Victory Gardens event that the Council ran in 1945)
 - o A “treasure trail” for children to identify the locations of war-time related events
 - o Potential events in conjunction with other organisations in the parish, such as the Parish Hall, the Church and the Sun Inn
 - o Events for children
 - o Any other events identified by the group
- Work with other parties as required to develop a plan for the events
- Identify any budget requirements for next FY.
- Bring recommendations to the full Council for approval

Recommendations

Members are asked to CONSIDER the proposal and identify potential members of the working party, including co-opting members for the public to help with the event.

Hayley Graham
August 2024

Members are requested to:

- NOTE this report

Background

Emails were received from a resident in July highlighting antisocial behaviour and possible planning breaches at Unit 5 Bagbury Park.

The Clerk filed an Enforcement Complaint with Wiltshire Council on 22 July.

Wiltshire Council Response – Received 27 August

Thank you for the enforcement complaint you submitted in respect of the above. I have now had the opportunity to conduct a site visit and have spoken with the new owner of the land.

The clearing of the land would not require planning permission, and the creation of the hardstanding and the erection of the fencing would be permitted development.

The owner has confirmed that the caravan is not in residential use but is used as a base for an overnight security guard. This will apparently be for around 6 months maybe slightly longer.

He has also confirmed that he has no intention of creating a new access and does intend to replant the hedgerow at some point.

In light of the above there is no breach of planning control at this time and I will therefore be closing the enforcement file. If you have further concerns in the future please do not hesitate to let me know and we can open a new file if necessary.

Kind Regards

Karen Fryer
Planning Enforcement Officer
Development Management

Hayley Graham
August 2024

**Lydiard Millicent Parish Council
Community Field Working Party
Terms of Reference**

The Community Field Working Party aim is to work with the Parish Hall Committee, who have expressed an interest in bringing the community field into use for the benefit of local residents and organisations.

Objectives

- To work with the Parish Hall Committee to draft a proposal for use of the community field which is mutually beneficial to both parties.
- To investigate the financial implications of bringing the community field into use.
- To investigate the legal and planning implications of bringing the community field into use.

Ways of Working

- The Working Party will elect a Chairman at its first meeting.
- At least 3 Councillors will form the Working Party. Quorate is a minimum of 3 Councillors.
- The Chairman and Vice-Chairman of the Council will be invited to any meetings.
- The Parish Clerk will attend meetings and take the notes on activities and progress, which will be reported back to the Parish Council as a standing item on the agenda.
- The Parish Clerk will action any requirements as directed by the Parish Council.
- Members of the Public may be co-opted as approved by the Parish Council.
- To manage the relationship with the Parish Hall Committee and be the first point of contact.
- Recommendations by the Working Party on the management of a project will be made to the Parish Council.
- The Working Party will have no spending power, all decisions and approval of associated expenditure will be made and minuted at full Parish Council meetings and shall be managed in accordance with Standing Orders and Financial Regulations.

LYDIARD MILLICENT PARISH COUNCIL MEETING
1 August 2024
held at the Jubilee Club House, Lydiard Millicent
at 19:00 hrs

Councillors Present:

M Allsop, Vice Chairman S Chalker D Coffey C Hacker
S Hill-Wheeler M Suleman

Others in Attendance: 4 members of the public and Wiltshire Councillor S Bucknell

Meeting Clerk: Hayley Graham

Public Question Time:

- A resident raised concerns about the new occupants of Unit 5 Bagbury Park regarding the unauthorised expansion of the site and speeding high powered vehicles travelling along Lydiard Green towards Lydiard Millicent. Wiltshire Councillor Bucknell confirmed both he and the Clerk have reported the site expansion to WC planning enforcement. Trees being felled and the hedgerow removal in nesting season may have breached the Countryside and Wildlife Act and so the police have been notified of this. Wiltshire Councillor Bucknell has also reported the antisocial behaviour to Sergeant Jamie Ball at Wiltshire Police, and suggested that the resident compiles a noise log to be able to raise a noise complaint. Clerk to contact the occupiers of the other units at Bagbury Park and Uplands School to establish the impact of these issues on their businesses.
- A resident highlighted they have recently noticed quad bikes frequently travelling through Greatfield and through Lydiard Millicent at what appears to be faster than the 30mph limit.
- A resident has noticed a pothole has appeared on Lydiard Green. The resident was advised to report this using the MyWilts portal and upon receipt of the location information from the resident, the Clerk would do the same.
- A resident expressed his concern that a recent communication from Wiltshire Council seemed to highlight only the positives in permitting traveller developments in the county with no mention of any perceived negatives. Wiltshire Councillor Bucknell confirmed WC are currently going through consultation on traveller site requirements.

MINUTES

24.68 Apologies for Absence

Apologies were RECEIVED from Councillors Westwood and Selwood.

24.69 Declarations of Interest and Dispensation Requests

The following Declaration of Interest was made:

Name	Min. Ref.	Type	Nature of Interest	Action
Cllr Hill-Wheeler	24.77	Non-Pecuniary	PL/2024/06287 - Planning application for neighbouring land	Did not take part in discussions and did not vote

24.70 Vice-Chairman's Announcements:

- There are still three councillor vacancies.
- All Saints Church have given their thanks for the grant awarded to their "Save the Nave" appeal in the July meeting.
- The Lydiards Magazine and the Parish Newsletter have been distributed to almost all households in the parish.
- Defibrillator training is taking place at the Parish Hall on Saturday 10 August at 9am and all are encouraged to attend.

24.71 Minutes

Members considered the minutes of the Parish meeting held on 4 July 2024. The minutes of the meeting were ADOPTED as a true record and signed by the Vice-Chairman.

24.72 Co-Option of New Councillor

Due to a change in personal circumstances, the candidate is unable to join the council at this time and so three vacancies remain.

24.73 **Appointment of Responsible Finance Officer**
Members RATIFIED the appointment of Hayley Graham as the Responsible Finance Officer.

- 24.74 **Wiltshire Councillor Update**
- Restrop update – the Planning Officer assigned to the application expects to make a decision by the end of August. The Drainage Officer was the only consultee to make no objection but this was subject to four conditions which Wiltshire Councillor Bucknell believes would be very difficult to meet.
 - Neighbourhood Plan – the parish Neighbourhood Plan is dependent on WC’s Local Plan, which is in jeopardy of being withdrawn due to the intention of the new government to consult on a revised NPPF (National Planning Policy Framework). The housing and land supply requirements are likely to increase significantly for Wiltshire, and this could present challenges for the parish in that cross-border collaborations may be required for Swindon to meet their requirements. Wiltshire Councillor Bucknell suggested that planning applications were likely to increase, and recommended that the council proceed with plans to update the Neighbourhood Plan.

Standing orders were SUSPENDED for public comment on the implications of the increase in housing and land supply requirements, and were REINSTATED before Members discussed further.

24.75 **Financial Accounts**
Members NOTED and APPROVED the Income & Expenditure Reports and Payments List.
Members NOTED the report.
Members NOTED the first Quarter Income and Expenditure Detailed Report. Clerk to provide Councillors with further detail of expenditure within nominal codes 4054 – Legal Fees and 4055 Professional Fees.

24.76 **Financial Regulations**
Members NOTED the report.
Members CONSIDERED and APPROVED the 2024 Financial Regulations.

24.77 **Planning Applications**
Members RECEIVED a report from Planning Group B, and after discussions:

Application: PL/2024/06409 – Householder planning permission	Applicant: Mr B Smith
Address: 3 Greatfield, Royal Wootton Bassett, SN4 8EQ	
Proposal: Proposed rear and front extension and detached garage	
Members RESOLVED to make NO COMMENT	

Standing orders were SUSPENDED for public comment on applications PL/2024/06529 and PL/2024/06511.

Application: PL/2024/06529 – Prior approval Part 3 Class R: Agricultural buildings to flexible commercial use	Applicant: Messrs C and W Marty and Smith
Address: Lydiard House Farm, Lydiard Millicent, SN5 3LW	
Proposal: Change of use of agricultural building 5 to form 1no. commercial unit (Class B8)	
Application: PL/2024/06511 – Full planning permission	Applicant: Messrs C and W Marty and Smith
Address: Lydiard House Farm, Lydiard Millicent, SN5 3LW	
Proposal: Proposed alterations to the external appearance	

Wiltshire Councillor Bucknell explained the difficulty with applications for this address is that the piecemeal approach does not allow for informed decision making when the impact of each standalone application could be seen as minimal. The main concern is around traffic; it is not yet known for what category of commercial usage the building will be used, and therefore the type or volume of traffic expected. Being situated next to Bagbury Park, it is possible there could be 2 medium sized industrial parks adjacent to one another, within a very small hamlet. Wiltshire Councillor Bucknell recommended a comprehensive planning application should be submitted for the site in its entirety, and Councillor Suleman suggested a transport study should be requested.

Standing orders were REINSTATED before members discussed applications PL/2024/06529 and PL/2024/06511 further.

Application: PL/2024/06529 – Prior approval Part 3 Class R: Agricultural buildings to flexible commercial use
Members RESOLVED to OBJECT to this application and for it to be called in should the Planning Officer wish to approve
Application: PL/2024/06511 – Full planning permission
Members RESOLVED to OBJECT to this application and for it to be called in should the Planning Officer wish to approve

Comments to include a request for a comprehensive plan to cover whole site and request for a transport study.

Standing orders were SUSPENDED for public comment on application PL/2024/06287 and were REINSTATED before Members discussed further.

Application: PL/2024/06287 – Full planning permission	Applicant: Mr J Forty
Address: Land at Greensend, Lydiard Millicent, SN5 3LP	
Proposal: Completion of one existing redundant dwelling and erection of one new dwelling	
Members RESOLVED to call an extraordinary meeting of the council to discuss this application.	

Members NOTED the following Wiltshire Council decisions:

Application: PL/2023/03007– Full planning permission	Applicant: Mr J Buckland
Address: 8A Greenhill, Royal Wootton Bassett, SN4 8EH	
Proposal: Retrospective application for the laying of hardcore on agricultural / equestrian yard to the rear of 8A Greenhill (Resubmission of PL/2022/08676)	WC Refused
Application: PL/2024/04409 – Prior approval Class R: Agricultural buildings to flexible commercial use	Applicant Name: Messrs C and W Marty and Smith
Address: Lydiard House Farm Lydiard Millicent, SN5 3LW	
Proposal: Change of use of agricultural buildings 2, 3 & 4 to form 3no. commercial units (Class B8).	Prior Approval Granted
Application: PL/2024/04408 – Full planning permission	Applicant Name: Messrs C and W Marty and Smith
Address: Lydiard House Farm Lydiard Millicent, SN5 3LW	
Proposal: Proposed alterations to the external appearance	WC Approved with Conditions

24.78 Clerks Report

23.179 Jubilee Club House Trees Members approved the recommendation to have the trees behind the Jubilee Club House professionally assessed. Quotes Requested.
23.184 Holborn Footpath There are two specific places along the footpath where the holes are very deep and currently filled with water. After discussions, Members AGREED for contractors to be approached for quotes to fill in the holes and to redress the whole length. Quotes Requested.
23.204 Footpath Working Group The hedging that denotes Lydiard Green and the neighbouring farmland has gaps in places. There is no right of access onto this private land at any of these points. There are three

pillboxes on/surrounding the Green, only one of which is on the Village Green itself. Once the information boards have been put in situ, it is possible that members of the public may try and access the private land area. Members RESOLVED to spend up to £1000 to plant new hedging and replacement trees, met from Ear Marked Reserves set aside for Footpaths/Lydiard Green. UPDATE: Hedging has been ordered and is due for delivery by 2 August.
PQT – 2 May – Updates A resident raised concerned for the safety of users on footpath LMIL60. For at least the last ten years the metal gate blocking LMIL60 has been locked shut. This means that those wishing to use the footpath have to clamber over the gate or the adjoining metal bars. The Clerk asked the resident to email her the details and she would contact Wiltshire Council. UPDATE: The Clerk is in communication with WC regarding this issue.
PQT – 5 June – Updates • A resident raised concerns that a resident in Stone Lane who previously had a retrospective planning application and associated appeal refused, has started to develop again, and has also not reinstated the boundary as was instructed to do as a result of the application refusal. The resident was asked to email the Clerk with the detail to pass to Wiltshire Council Enforcement. UPDATE – Clerk awaiting contact from the resident. • A resident raised concerns around the layby across Common Platt at the bottom of Stone Lane being driven across by vehicles. The road markings are being eroded and are not being maintained and as a result, cars are being driven over utilities and causing damage. The resident was advised to report this to Wiltshire Council using the MyWilts app, as would the Clerk. Clerk has reported to Wiltshire Council and is awaiting response. • A resident raised concerns that the T-junction at the bottom of Stone Lane is being used as a bend as the road markings have largely disappeared. Members agreed to discuss adding this issue to the LHFIG list at the next meeting although the priorities for this year have already been agreed. Suggested the resident reports every incident / near miss to Wiltshire Council and keeps a log to accompany the photos they have been taking. Clerk awaiting contact from the resident.
24.60 Pedestrians in Road Signage – The Street Members considered the request for a “pedestrians on the road sign” to warn cars of the risk to life in this area 46a to approx. 58 The Street. The suggested location for the signs would be on existing poles. After discussions, Members AGREED for the Clerk to approach the Engineer for the Local Highways and Footpath Improvement Group (LHFIG). UPDATE: The Clerk is in communication with WC regarding this issue.
24.61 Repairs to Play Area Fence Posts A budget of £60 (sixty pounds) was allocated from the Play Area Maintenance budget for the Parish Handyman to do the work. UPDATE: The two fence posts are not in such condition that the repair needs to be undertaken urgently therefore it is expected this will be completed by Autumn.
24.63 Speed Indicator Devices (SIDs) Members APPROVED the purchase of four additional mounting bars. UPDATE: SIDs and mounting bars have been received and will shortly be put into position by the Parish Handyman.

24.79

Correspondence

Members NOTED the correspondence received:

- a. SLCC Update NPPF Consultation
- b. Wiltshire Police Going on Holiday Poster
- c. WC Operational Flood Working Group Minutes – 23 May 2024
- d. WC Briefing Note Local Nature Recovery Strategy
- e. WC Briefing Note Local Nature Recovery Strategy Webinar and Survey Invitation
- f. WC Briefing Note Launch of Home Upgrade Grant with EDF Energy

- 24.80 **Jubilee Club House Hearing Induction Loop and Sound Quality Resolution**
Members NOTED the report and CONSIDERED the quotes received.
- Members APPROVED the installation of a hearing induction loop at a cost of £1,218.90 (one thousand two hundred and eighteen pounds, 90p) ex VAT. To facilitate the installation, Members APPROVED the installation of one switched spur at a cost of £210 (two hundred and ten pounds), no VAT payable.
Members APPROVED the installation of acoustic ceiling and wall panels at a cost of £2,299.75 (two thousand two hundred and ninety-nine pounds, 75p) ex VAT.
All costs to be met from Ear Marked Reserves Community Infrastructure Levy.
- 24.81 **Parish Newsletter**
Members RECEIVED a verbal report from Councillor Suleman. The Lydiards Magazine and enclosed Parish Newsletters have been distributed to most households in the parish. The distribution list appears to be out of date, the Clerk will contact Councillor Suleman to assist with updating it.
- 24.82 **JCH Fire Safety Requirements**
Members NOTED the report and CONSIDERED the recommendation. Members APPROVED the installation of two emergency light fittings and the removal of one smoke detector at a cost of £356.83 (three hundred and fifty-six pounds, 83p) no VAT payable. Costs to be met from Ear Marked Reserves JCH Refurbishment.
- 24.83 **Flaxlands Solar Farm Plans Update**
Members NOTED the correspondence and AGREED a project briefing would be required.
- 24.84 **Safety of Lithium Ion Batteries and e-bikes and Scooters**
Members NOTED the report and AGREED to support the campaign.
- 24.85 **Improved Traffic Chicane Signage – The Street**
Members NOTED the report and AGREED that no action was required at this time.
- 24.86 **Bagbury Park Expansion of Site and Antisocial Behaviour**
Members NOTED the correspondence but was not discussed further as the issue was discussed extensively in Public Question Time.
- Wiltshire Councillor Steve Bucknell and 2 members of the public left the meeting.
- 24.87 **SSEN Powering Communities to Net Zero (PCNZ) Fund**
Members NOTED the report and AGREED there were no projects in the pipeline that would be eligible for the scheme.
- 24.88 **Traffic Regulation Order for Consultation**
Members NOTED the order and AGREED not to submit comments.
- 24.89 **Wiltshire Council Drainage Engineer Visit**
Members NOTED the report. Councillor Hill-Wheeler requested that the maintenance of drains throughout the parish is pursued.
- 24.90 **Council and Community Representatives**
Members RECEIVED the following updates:
- | |
|---|
| <p>Local Highway & Footway Improvement Group (LHFIG) – Councillor Suleman
Next meeting taking place in September</p> <p>Speed Indication Devices – Councillor Chalker
At Greenhill, 14.45% of traffic speeds were over 35mph, and the top speed recorded was 68mph.</p> |
|---|
- 24.91 **Exclusion of the Public and Press**
Members RESOLVED that the Press and Public be excluded from the meeting during the consideration of the items in Part 2 of the Agenda, this is due to the confidential nature of the items being considered, under the Public Bodies (Admission of Meetings) Act 1960.

2 members of the public left the meeting.

24.92 **Land Issues**

Members RECEIVED an update from Councillor Allsop.

A report of land encroachment has been received from a resident this week.

An update on legal proceedings is expected from the solicitor next week.

Members NOTED the proposal from the Parish Hall Committee and AGREED a preferred option. Further discussions are required for the council to be able to draft a proposal and terms.

Councillor Hill-Wheeler left the meeting.

24.93 **Staff Issues**

Members APPROVED the High Speed Training requirements identified from a recent H&S inspection for all staff at a cost of £199 (one hundred and ninety-nine pounds) ex VAT.

Members APPROVED the FILCA qualification for the Clerk at a cost of £120 (one hundred and twenty pounds) ex VAT. All costs to be met from the training budget.

Meeting Closed at 20.56 hrs