

# FINAL VERSION

## NYTHE, ELDENE & LIDEN

### PARISH COUNCIL

### COUNCIL MEETING

**Minutes of the meeting held on 14<sup>th</sup> December 2020 at 6.30pm**

**Via Zoom Video Link**

#### **Present**

Cllr K Parry (Chair)  
Cllr D Bell (Vice-Chair)  
Cllr G Stubbs  
Cllr Z Hawson  
Cllr B Soloman  
Cllr A Hunt  
Cllr O Ibitoye  
Cllr G Cruse

#### **Officers**

Emma Hill (Parish Clerk)

#### **Public**

Sean Wilson  
Pam Jones  
Gail Collins  
Julie Margerum  
Allan Woodhams

**422**

#### **Apologies**

No Apologies full attendance.

**423**

#### **Declaration of Interest & Applications for Dispensation**

None

**424**

#### **Minutes of the Previous Meeting**

It was **RESOLVED** that the minutes of the Parish Council Meeting on 23<sup>rd</sup> September 2020 approved as a correct record.

**425**

#### **Public Questions**

Sean Wilson raised a discussion regarding the future of Liden Library, Sean stated that Covingham Library has shutdown due to lack of funding and wanted to know the situation with regards to Liden Library and the charitable trust. Cllr Kevin Parry advised he has contacted the chair who had given Cllr Kevin Parry his full assurance that Liden Library is safe, the parish council provide funding to the library. The funding will be on the draft budget as a January 2021 agenda item for discussion and approval by the councillors. Sean Wilson asked the question regarding the closure of the Library in March 2020 and if the money that the parish has previously given the Library trust had been used or will that be carried forward until next year, Cllr Kevin Parry advised the current situation is that the parish would have paid the grant in April 2020 to this date the Parish Council has not

received a request from the Library trust, this has been discussed with the chair and Cllr Kevin Parry was advised they would potentially submit a bill for the remaining part of the twenty one year. The Parish council has not paid any money from April this financial year up until today to the library trust, the library is currently closed so there has been no costs to date the staff are employed by Swindon Borough Council.

Pam Jones has joined the meeting to listen to the outcome of the request for the Shaftesbury Lake works.

Julie Margerum raised a discussion regarding Wildlife Julie asked if the Parish council have a Wildlife policy, Cllr Kevin Parry advised the Parish Council do not have a wildlife policy. Cllr Kevin Parry advised our contractor works alongside the government guidelines. Julie stated that the bushes between Ridge Nether Moor and White Edge Moor were cleared instead of being cut back Julie sees this as detrimental to all kinds of wildlife including the Hedgehogs. Julie has asked the councillors to have a walk over and see how awful it all looks now and advised she would have been happy to have organised a group to tidy up the area, but the public were not given that opportunity. Julie believes the contractor is not sticking to government guidelines and urges all councillors to pay more attention to these areas.

426

**Schedule of Payments**

**RESOLVED** that the Schedule of Payments which appears as Appendix A in the Minute Book be approved – invoices for November 2020 (£16,650.88) as approved by Council.

427

**Bank Reconciliations and Accounts**

The Clerk submitted Bank Reconciliation and Accounts for November 2020, a copy of which appears as Appendix B in the Minute Book.

**RESOLVED** that the Bank Reconciliation and Accounts which appears as Appendix B in the Minute Book be approved.

428

**Granted Planning Permission**

To note that approval has been granted for 3 Carroll Close, Liden Swindon SN3 6JH for the erection of a first-floor side extension and single storey front and rear extensions. 1. The development hereby permitted shall be begun before the expiration of three years from the date of this permission. Reason: To comply with the requirements of Section 91 (1) of the Town & Country Planning Act 1990. 2. The development hereby permitted shall be constructed using external facing materials that match and correspond with those of the existing buildings. Such facing materials shall be retained thereafter in their approved form. Reason: To ensure that the appearance of the development is satisfactory. 3. This approval shall be in respect of drawing no. 2044.1 Rev A, Block Plan and Site Location Plan received by the Local Planning Authority on 04 Aug 2020. Reason: To define the scope of the development hereby permitted, in accordance with section 72 of the Town and Country Planning Act 1990. S/HOU/20/0959/PEKO [www.swindon.gov.uk/planning](http://www.swindon.gov.uk/planning) Page 2 of 3 Informatives 1. Whilst the development generates a net gain in floor space and is Community Infrastructure Levy (CIL) liable, it is exempt from CIL liability under CIL Regulation 42, as it constitutes minor development for the purposes of calculating CIL liability because the proposed extensions floorspace is below 100 sqm GIA. 2. The applicant is advised that the granting of planning permission does not authorise the applicant to carry out any works on, over or under your neighbour's land or property without first obtaining their consent or undertaken of Party Wall Agreement.

To note permission has been granted for BP Service Station, Marlborough Road Swindon SN3 6AA for Installation of Electric Vehicle (EV) Charging Bays and associated works. This approval shall be in respect of the dwgs no. 15301-LP Site Location Plan, 15301-EVC-20 Existing Layout, 15301-EVC-21 Existing Elevations, 15301-EVC-22 Proposed Layout, 15301-EVC-23 Proposed Elevations, 15301-EVC-24 Proposed Equipment Elevations, Planning Design & Access Statement, Cover Letter all received by the Local Planning Authority on the 10th August 2020 and photo showing indicative bollard height details received by the Local Planning Authority on the 02nd October 2020. Reason: To define the scope of the development hereby permitted, in accordance with section 72 of the Town and Country Planning Act 1990. 2. The development hereby permitted shall be begun before the expiration of three years from the date of this permission. Reason: To comply with the requirements of Section 91 (1) of the Town & Country Planning Act 1990. S/20/0986/CHHO [www.swindon.gov.uk/planning](http://www.swindon.gov.uk/planning) Page 2 of 4 Informatives 1. CIL - Outside Meaning of Development: The development proposed does not constitute Community Infrastructure Levy (CIL) liable development as the proposed works fall outside the 'meaning of development' for CIL purposes in accordance with the Community Infrastructure Levy (England and Wales) CIL Regulations 2010 (as amended) Regulation 6. 2. The applicant is encouraged to register the charge points on the National Charge Point Registry.

To note permission granted for 7 Fairlawn, Liden Swindon SN3 6ET for the erection of a first floor front extension. 1. The development hereby permitted shall be begun before the expiration of three years from the date of this permission. Reason: To comply with the requirements of Section 91 (1) of the Town & Country Planning Act 1990. 2. This approval shall be in respect of drawing number 2062.1 (elevations) and block plan received by the Local Planning Authority on the 22nd August 2020. Reason: To define the scope of the development hereby permitted, in accordance with section 72 of the Town & Country Planning Act 1990. 3. The development hereby permitted shall be constructed using external facing materials that match and correspond with those of the existing buildings. Such facing materials shall be retained thereafter in their approved form. Reason: To ensure that the appearance of the development is satisfactory. S/HOU/20/1075/EMMI [www.swindon.gov.uk/planning](http://www.swindon.gov.uk/planning) Page 2 of 3 Informatives 1. CIL - Reg. 42 Exemption for Minor development: Whilst the development generates a net gain in floor space and is Community Infrastructure Levy (CIL) liable, it is exempt from CIL liability under CIL Regulation 42, as it constitutes minor development for the purposes of calculating CIL liability because the proposed extensions floorspace is below 100 sqm GIA. 2. The granting of planning permission does not authorise you to carry out any works on, over or under your neighbour's land or property without first obtaining their consent.

To note permission granted for 24 Dickens Close, Liden Swindon SN3 6JN for the Erection of a conservatory. 1. The development hereby permitted shall be begun before the expiration of three years from the date of this permission. Reason: To comply with the requirements of Section 91 (1) of the Town & Country Planning Act 1990. 2. This approval shall be in respect of drawing number 2W and block plan received by the Local Planning Authority on the 16th September 2020. Reason: To define the scope of the development hereby permitted, in accordance with section 72 of the Town & Country Planning Act 1990. Informatives 1. CIL - Reg. 42 Exemption for Minor development: Whilst the development generates a net gain in floor space and is Community Infrastructure Levy (CIL) liable, it is exempt from CIL liability under CIL Regulation 42, as it constitutes minor development for the purposes S/HOU/20/1177/EMMI [www.swindon.gov.uk/planning](http://www.swindon.gov.uk/planning) Page 2 of 3 of calculating CIL liability because the proposed extensions floorspace is below 100 sqm GIA. 2. The granting of planning permission does not authorise you to carry out any works on, over or under your neighbour's land or property without first obtaining their consent.

To note permission has been granted for Grant Advertisement Consent for Unit 1, Dorcan Way Centre Dorcan Way Swindon SN3 3TZ to Display of various illuminated signage. This approval shall be in respect of the following drawings and details: Unnumbered Location Plan; Unnumbered Block Plan; Swindon (634) - Planning Booklet Issue 01-25- 06-

20 received by the Local Planning Authority on 5 August 2020. Reason: To define the scope of the development hereby permitted, in accordance with section 72 of the Town and Country Planning Act 1990. 2. The illumination of the totem signage (signage 7) hereby permitted shall not exceed 400cd/m<sup>2</sup>, be static and not intermittent. Reason: In the interests of amenity and highway safety. Informatives 1. CIL - Outside Meaning of Development: The development proposed does not constitute Community Infrastructure Levy (CIL) liable development as the proposed works fall outside the 'meaning of development' for CIL purposes in accordance with the Community Infrastructure Levy (England and Wales) CIL Regulations 2010 (as amended) Regulation 6. S/ADV/20/0968/RACH [www.swindon.gov.uk/planning](http://www.swindon.gov.uk/planning) 2. You are advised that prior to installation to, a) you should have the structural design for the foundation of the totem sign confirmed as suitable with SBC's Highways Assets team in accordance with the Highways Act, and b) have current Public Liability Insurance of at least £5Million against any event of toppling into the public highway.

To note planning permission granted for 74 Okebourne Park, Liden Swindon SN3 6AJ for the erection of first floor side, single storey front and rear extensions.

The development hereby permitted shall be begun before the expiration of three years from the date of this permission. Reason: To comply with the requirements of Section 91 (1) of the Town & Country Planning Act 1990. 2. This approval shall be in respect of Unnumbered Ordnance Survey Site Location Plan; Unnumbered Block Plan; Drawing No. HOP.55.003 Existing and Proposed Plans received by the Local Planning Authority on 27 August 2020. Reason: To define the scope of the development hereby permitted, in accordance with section 72 of the Town and Country Planning Act 1990. 3. The development hereby permitted shall be constructed using external facing materials that match and correspond with those of the existing buildings. Such facing materials shall be retained thereafter in their approved form. Reason: To ensure that the appearance of the development is satisfactory. S/HOU/20/1097/RACH [www.swindon.gov.uk/planning](http://www.swindon.gov.uk/planning) Page 2 of 3 Informatives 1. There is a risk that bats may occur at the development site. Many species of bat depend on buildings for roosting, with each having its own preferred type of roost. Most species roost in crevices such as under ridge tiles, behind roofing felt or in cavity walls and are therefore not often seen in the roof space. Bat roosts are protected all times by the Conservation of Habitats and Species Regulations 2017 (as amended) even when bats are temporarily absent because, being creatures of habit, they usually return to the same roost site every year. Planning permission for development does not provide a defence against prosecution under this legislation or substitute for the need to obtain a bat licence if an offence is likely. If bats or evidence of bats is found during the works, the applicant is advised to stop work and follow advice from an independent ecologist or to contact the Bat Advice Service on 0845 1300 228, email [enquiries@bats.org.uk](mailto:enquiries@bats.org.uk) or visit the Bat Conservation Trust website. 2. CIL - Reg. 42 Exemption for Minor development: Whilst the development generates a net gain in floor space and is Community Infrastructure Levy (CIL) liable, it is exempt from CIL liability under CIL Regulation 42, as it constitutes minor development for the purposes of calculating CIL liability because the proposed extensions floorspace is below 100 sqm GIA.

To note permission granted for 22 Northfield Way, Nythe Swindon SN3 3NJ for Erection of a single storey rear extension and replacement canopy to side/ rear. 1. The development hereby permitted shall be begun before the expiration of three years from the date of this permission. Reason: To comply with the requirements of Section 91 (1) of the Town & Country Planning Act 1990. 2. The development hereby permitted shall be constructed using external facing materials that match and correspond with those of the existing buildings. Such facing materials shall be retained thereafter in their approved form. Reason: To ensure that the appearance of the development is satisfactory. 3. This approval shall be in respect of drawings 'Existing/Proposed Plans - X4, Existing/Proposed Site Plan - 621/050 & 005' and the site location plan received by the Local Planning Authority on 1st October 2020. Reason: To define the scope of the development hereby permitted, in

accordance with section 72 of the Town and Country Planning Act 1990.

S/HOU/20/1259/CHHI [www.swindon.gov.uk/planning](http://www.swindon.gov.uk/planning) Page 2 of 3 Informatives 1. CIL - Reg. 42 Exemption for Minor development: Whilst the development generates a net gain in floor space and is Community Infrastructure Levy (CIL) liable, it is exempt from CIL liability under CIL Regulation 42, as it constitutes minor development for the purposes of calculating CIL liability because the proposed extensions floorspace is below 100 sqm GIA. To note planning permission granted for Land At Faraday Road, Dorcan Swindon SN3 5JY for the Erection of plant for the manufacture of asphalt as part of existing tarmac recycling depot (Sui Generis). 1. The development hereby permitted shall be begun before the expiration of three years from the date of this permission. Reason: To comply with the requirements of Section 91 (1) of the Town & Country Planning Act 1990. 2. This approval shall be in respect of drawing numbers: 20 309 09, 20 327 01, 20 327 11 Rev A and 20 327 12 received by the Local Planning Authority on 2nd October 2020. Reason: To define the scope of the development hereby permitted, in accordance with section 72 of the Town and Country Planning Act 1990. Director of Strategic Development Date: 27th November 2020 S/20/1274/TB [www.swindon.gov.uk/planning](http://www.swindon.gov.uk/planning) Page 2 of 2 Notes "The Local Planning Authority", and "the application" referred to within this notice, are described on page 1 of this notice. The conditions have been imposed for the reasons set out within this notice. In addition to this consent, if this permission results in amendments to or provision of new properties please contact [gazetteers@swindon.gov.uk](mailto:gazetteers@swindon.gov.uk) or telephone: 01793 466271 for information and advice regarding the registration of new or revised property addresses. The naming of streets and addressing of properties within the Borough, is controlled by Swindon Borough Council under the Town Improvement Clauses Act 1847. The Act is used to make sure that any new street names, building names and numbers are allocated logically and that a unique and unambiguous address is provided for every property within the Borough. If the Applicant is aggrieved by the decision of the Local Planning Authority to grant permission for the proposed development with conditions, the applicant may appeal to the Secretary of State in accordance with section 78 of the Town and Country Planning Act 1990, within 6 months of the date of the decision. Appeals must be made on a form that is obtainable from the Secretary of State at The Planning Inspectorate, Temple Quay House, 2 The Square, Temple Quay, Bristol BS1 6PN or alternatively you may appeal online at <https://www.gov.uk/government/organisations/planning-inspectorate> The Secretary of State can allow a longer period for giving notice of an appeal, but will not normally be prepared to use this power unless there are special circumstances which excuse the delay in giving notice of appeal. The Secretary of State need not consider an appeal if it seems to the Secretary of State that the Local Planning Authority could not have granted planning permission without the conditions they imposed, having regard to the statutory requirements, to the provisions of any development order and to any directions given under a development order. In practice, the Secretary of State does not refuse to consider appeals solely because the Local Planning Authority based their decision on a direction given by the Secretary of State. If the permission to develop land is granted with conditions, the owner of the land may claim that the owner can neither put the land to a reasonably beneficial use in its existing state nor render the land capable of a reasonably beneficial use by the carrying out of any development which has been or would be permitted. In these circumstances, the owner, may serve a purchase notice on the Council. This notice will require the Council to purchase the owner's interest in the land in accordance with the provision of Chapter I of Part 6 of the Town and Country Planning Act 1990.

To note permission granted at the Land Adjacent To The Avalon Centre, Hindle Way Dorcan Swindon for the Outline application for the erection of residential care accommodation (Use Class C2) - All matters reserved. 1. The development hereby permitted shall be commenced either before the expiration of 3 years from the date of this permission, or before the expiration of 2 years from the date of the last of the reserved matters to be approved, whichever is the later. Reason: To enable the Council to review the suitability of the development in accordance with Section 92(2) of the Town and Country Planning Act 1990.

429

**Refusal of Planning Permission**

To note prior approval refused for the erection of a single storey rear extension measuring 4.0m (from original rear wall), 2.7 (maximum height) and 2.3m (height to eaves) – 19 Fraser Close Nythe Swindon SN3 3RP. 1. The proposal does not comply with paragraph (d) of paragraphs (a) - (k) of A1 of Part 1, of Schedule 2 of the GPDO 2015. The proposed works does not fall within the scope of permitted development and therefore planning permission is required. Informatives 1. Whilst the development generates a net gain in floor space and is Community Infrastructure Levy (CIL) liable, it is exempt from CIL liability under CIL Regulation 42, as it constitutes minor development for the purposes of calculating CIL liability because the proposed extensions floorspace is below 100 sqm GIA. 2. This decision shall be in respect of drawing no. 20/091 and Site Location Plan received by the Local Planning Authority on 08 October 2019. S/PHOU/20/1176 Page 2 of 2 S/PHOU/20/1176 Page 2 of 2. If the Applicant is aggrieved by the decision of the Local Planning Authority to refuse prior approval for the proposed development, the applicant may appeal to the Secretary of State, within 12 weeks of the date of the decision. Appeals must be made on a form that is obtainable from the Planning Inspectorate, Temple Quay House, 2 The Square, Temple Quay, Bristol BS1 6PN or alternatively you may appeal online at <https://www.gov.uk/government/organisations/planning-inspectorate>

430

**Co-op of Parish Councillor**

Allan Woodham has put himself forward the Parish Councillor position. Allan has lived in Nythe for many years and is looking forward to joining the Nythe Eldene Liden Parish Council, the councillors voted on the co-opt of Allan, and all agreed.

431

**Shaftesbury Lake – Future Plans**

Pam Jones had put a request in for the support of additional works to Shaftesbury Lake these are the introduction of more wildflower beds, fruit trees and more bushy shrubs meaning less maintained flower beds and more useful for the wildlife. The quote received is for £950. As the Parish has supported Pam and the friends of Shaftesbury Lake and with area improving with the works completed, the councillors agreed to sign off the additional work and quote.

432

**Dog Fouling – Pavements in Ward**

Cllr David Bell opened a discussion of any ideas to reduce dog fouling in the ward, its unsightly and a health hazard to anyone using the grassed areas in the summer months. Cllr Kevin Parry said that if a fine is given and taken to court and challenged it is difficult to be proved without video evidence. The Parish Council have requested the Clerk to write to our local MP Robert Buckland for a change in legislation.

433

**Internal Audit Report (Visit 1 of 3) Recommendations**

Internal Audit Report viewed by the council, the clerk to work through the recommendation before visit number two in 2021. It is to be noted for one of the recommendations that Zach Hawson did not vote of the payment of £18.72.

434

**Staffing (All members of Public and Staff are exempt and asked to leave)**

Private and confidential

435

**Additional Item added – Anonymous Letter**

Cllr Kevin Parry advised that one of the councillors had received a letter through their front door on Sunday 13<sup>th</sup> December, regarding Liden Library the letter was addressed to Cllr Kevin Parry as well as all other councillors. The clerk will forward that email onto all the other councillors. Cllr Kevin Parry advised the Clerk to write to the Chairman of the Library Trust and to obtain the answer for the questions within the letter, if anyone had any questions, they wished to be added to the email they are to inform the clerk. The Clerk will circulate the email on receipt from the Chairman of the Trust, unfortunately due to the letter being anonymous this cannot be shared with whoever sent the letter. The response will be brought back as an agenda item at the next meeting.

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**Date of Next Meeting**

Wednesday 13<sup>th</sup> January 2021 Via Zoom Video Call.

Signed .....

Date.....

Chair of the Council