

KINGTON ST MICHAEL PARISH COUNCIL

DRAFT MINUTES

Council Meeting

held at 7.15pm

Kington St Michael Village Hall, Kington St Michael SN14 6HX

20th February 2025

Present: Cllr F Twisse (Vice Chair), Cllr P Macdonald, Cllr W Roe and Cllr S Woodhead.

Also Present: Six members of the public (Colin Labouchere, Cilla Labouchere, Patsy Davies, Mervyn Davies, Margaret Pratley and Allan Lamming) and Mr V Vines MBE Clerk of the Council.

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

PUBLIC QUESTION TIME

- i) Margaret Pratley asked if the Parish Steward could be asked to clean The Ridings left and right highways direction notice sign plates. Also, whether the Wiltshire Rights of Way Officer could be chased to resolve The Ham footpath and broken stile issue.
- ii) Colin Labouchere reported that there had been no public notification sign erected in regards to planning application PL/2025/00485 and because of this it was likely that the consultation period would be extended.
- iii) Cilla Labouchere advised that she had concerns in regards to the future maintenance of The Village Green and submitted a written personal appraisal of the historical circumstances suggesting that she believed it was time for the Parish Council to undertake further maintenance of the area in addition to the occasional mowing that was now in place. The Clerk advised that before considering this further the Council would include this as a Annual Parish Meeting agenda item to ascertain community views.

There were no further Questions raised.

REPORTS FROM UNITARY COUNCILLOR, PARISH COUNCILLORS & COUNCIL REPRESENTATIVES

There were no Reports.

24/081 APOLOGIES FOR ABSENCE

Apologies were received and accepted from Cllr G Gamble (Chair), Cllr A Hall, Cllr V Ingham, Cllr J Newton and Cllr M-C Simpson. Apologies were also received from Wiltshire Cllr H Greenman,

24/082 Declaration(s) of Interest – In accordance with Kington St Michael Parish Council’s Code of Conduct and Standing Orders

There were no Interests declared. (noted)

24/083 MINUTES Members had previously been circulated with the Minutes.

- i) The Council received, approved and signed as a true record the Minutes of the Parish Council Meeting held 16th January 2025. **Cllr P Macdonald proposed, Cllr S Woodhead seconded and RESOLVED UNANIMOUSLY**

24/084 PLANNING Prior to the consideration of the Planning Applications received, the opportunity was given for Applicants and their Representatives and any other interested parties to address the Council. In determining the applications the Council received representations in regards to application PL/2025/00485.

Planning Applications:

- a) PL/2025/00485 – Householder Planning Permission
Proposed alterations and extension to form larger garage accommodation and first floor office/store over
86-87, Kington St Michael, Chippenham SN14 6HX
For Mr James Willment

Following consideration of the application **the Council resolved to strongly object to the proposals**. The Council was normally supportive of householder’s proposals but on this occasion wished to raise strong objections.

The Council considered that the proposal was an over-development of the site frontage, changing a nondescript low-profile structure into an overbearing and incongruous built form within the Conservation Area and street picture detrimentally affecting important public views across the adjoining Village Green and spoiling adjacent historic assets.

In support of the objections the Council believed that the proposed works were not an extension to the existing garage to include office space but was a new build, possibly using remnants of the existing garage should the existing structure and foundations be structurally sound that was doubted by Members. The Council believed that the proposal was an attempt to erect self-contained residential accommodation within the Conservation Area, albeit within a residential curtilage, but physically detached from the host dwelling and accessed from the rear.

With this in mind the Council considered that there was conflict with the Wiltshire Local Plan and the National Planning Policy Framework (NPPF).

Section 16 of the NPPF referred to, conserving and enhancing the historic environment. In this regard, para 203 (f) stated that “the desirability of new development making a positive contribution to local character and distinctiveness”. With this in mind the Council contended that the proposed development would be an incongruous addition to the environment adjacent to the designated Village Green, the Village Hall and the Grade 11* St Michael & All Angels Church.

Furthermore, para 210 (c) stated that the Local Planning Authority should take account of “the desirability of the new development making a positive contribution to the local character and distinctiveness”. The Council contended that the proposed development was completely at odds with the local character and distinctiveness not

only in style of the building, but also in the removal of the grass bank adjacent replacing it with a tarmac drive and parking area immediately opposite the 12th Century Listed Church.

In the submitted Design, Access & Heritage Statement, the applicant via his agent Atelier 27 Ltd, had determined that the impact of the development was at “the lower end of the less than significant harm” scale. From the Parish Council’s perspective and from local community opinion received this was not a shared view on the proposal.

Para 212 of the NPPF stated that “when considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset’s conservation (the more important the asset the greater the weight should be). This irrespective of whether any potential harm amounts to substantial harm, total loss or less than substantial harm to its significance”.

Bearing in mind the close proximity of the Grade 11* Church, the proposed development was not appropriate and contravened para 212 in that the development within the setting of the heritage asset should require clear and convincing justification.

In addition proposed development did not preserve or enhance the conservation area or the adjacent grade 11 Listed cottages 86 to 89 Kington St Michael, the Village Green, the grade 11* Church and the Village Hall (formerly, the Village School). Thus it failed to meet para's 215, 219 and 221 of the NPPF in making a positive contribution to any of these buildings or surrounds.

In closing the Council’s view was that the planning application should be refused but should there be any chance that the proposal was considered acceptable in this location then to ensure the development should be used for ancillary purposes and enjoyment of the host dwelling and for no other purpose and should not be separated by sale or lease from the dwelling then a suitably worded planning condition should be included in any planning permission given by Wiltshire Council.

Furthermore, acknowledging that any permission given would condition the approval to the submitted drawings, there was doubt as to whether the accommodation proposed was practical to construct as envisaged, particularly with the first floor area height limitations and access arrangements to the first floor. This led to local concerns on potential increases in scale and bulk required to complete the project as envisaged.

Cllr P Macdonald proposed, Cllr S Woodhead seconded and RESOLVED UNANIMOUSLY

- b) PL/2025/00998 – Permission in Principle
Erection of up to 8 No Dwellings
Kington Langley Garage, Malmesbury Road, Kington Langley SN15 5PY
For KLD Property Investments Ltd

Following consideration of the application **the Council resolved to raise no objections to the proposal in principle** to the development of the site for housing development, subject to caveats.

The Council acknowledged that the site had previous refusal decisions, including an appeal dismissal. However, the Council believed that under the new Government’s national planning housing requirements, including those for Wiltshire where there was likely to be a significant shortfall then there was a change in circumstances that would need to be addressed in part through the use of brownfield development windfall

sites rather than continuing Greenfield allocations and the loss of valuable agricultural land.

The limited number of dwellings proposed meant that other than CIL benefits there was no potential for any public affordable housing provision. Consequently, the Council would much prefer a higher density development, possibly 16 No semi-detached dwellings that could provide low cost market housing provision and also some affordable social housing provision.

This may be considered a strange suggestion, bearing in mind the site's location and planning history, but if adopted could provide much needed small scale housing stock relatively close to Chippenham and also for the villages of Kington Langley and Kington St Michael which could benefit both Schools and communities.

A development of 16 No properties could, through legal agreements, connect pedestrian/cycle footways from both villages to Chippenham providing sustainable transport opportunities and also provide a solution to the A350 signal controlled crossroads pedestrian black spot that existed since the improvement works were carried out to this primary dual carriageway route from the M4 to Chippenham and onwards south.

Cllr P Macdonald proposed, Cllr S Woodhead seconded and RESOLVED UNANIMOUSLY

There were no further Planning Applications considered.

Planning General: Planning Decisions received and other Planning related Matters.

- a) PL/2024/10600 – Wiltshire Council R3
Renewal of permission for the existing Mobile classroom with toilets No 765(99)
Kington St Michael C Of E Primary School, The Ridings, Kington St Michael
SN14 6JE
For Wiltshire Council **Approved with Conditions 20th January 2025**
- b) PL/2023/08481 – Full Planning Permission
Development of a Solar Farm of up to 40MW ac of generating capacity,
comprising the Installation of Solar Photovoltaic Panels, Associated
Infrastructure and Associated Works including Grid Connection
Land at Red Barn, East of Kington St Michael, Chippenham, Wiltshire
For Eden RB Solar Ltd **Approved with Conditions 27th January 2025**
- c) Lime Down Solar Park – Statutory Consultation. The Council had received notification from Lime Down Solar Park Limited that a Statutory Consultation, under Section 42 of the Town & Country Planning Act 2008 was commencing on the 29th January 2025 and ending on the 19th March 2025. **Council Members agreed that** they would comment individually and also forward views to the Clerk who could respond on the Council's behalf.
- d) PL/2024/11343 – Householder Planning Permission
Proposed infill single storey extension to rear of garage/side of house
1 The Close, Kington St Michael, Chippenham SN14 6LE
For Mr & Mrs B Brunt **Approved with Conditions 5th February 2025**

There were no further planning matters reported.

24/085 FINANCE The Council considered financial matters.

- a) **Payments to make:** The Council considered and approved the following Payments:

KSM. Primary School. Newsletter printing. Inv KSM 20252901	£ 96.32
<i>Less Credit Note</i>	
KSM. Primary School. Newsletter printing. Inv KSM 20242511	£ 96.32
Place Studio Ltd. Neighbourhood Plan charges. Inv 025 24.01.25	£ 1,913.40

Cllr P Macdonald proposed, Cllr W Roe seconded and RESOLVED UNANIMOUSLY

- b) **Payments made:** The Council noted that there had been no Payments made since the last Council Meeting. **(noted)**
- c) **Receipts:** The Council noted the following Receipts since the last Council Meeting. **(noted)**

KSM Village Shop. "The Kingtons" book sales. A/c No 31545043	£ 100.00
KSM Book Recycling Scheme. Donation. A/c No 51563041	£ 100.00

- d) **Bank Accounts:** The Council **noted** that the Council's Bank Account balances at 5th February 2025 were:

HSBC Main Business A/c No 31545043	£ 65,924.89
HSBC Reserves A/c No 21545078	£ 47,537.68
HSBC Charities A/c No 71545051	£ 794.69
HSBC Defibrillator A/c no 51563041	£ 985.34

24/086 HIGHWAY MATTERS

- a) **Parish Stewards Programme/Requirements:** general issues for the Local Highway & Streetscene Community Team. Any works should be notified to Cllr P Macdonald the Council's Link Member. He reported on recently completed work and outstanding requests. Usual routine works included clearance of gullies and drains and highway pothole filling had been completed but the Steward would be reporting works that were too large for him to carry out under the Steward's Scheme to Wiltshire Highways.. A request would be made for gully clearance with a visit possibly in September. Parish Steward visits had been scheduled for 17th February, 17th March and the 15th April 2025. **(noted)**
- b) **Rights of Way:** general issues in regards to Public Footpaths and Bridleways within the Parish.
- There were no issues raised.
- c) **Highway & Footpaths Conditions and Maintenance:** general issues in regards to Highway Conditions and Maintenance within the Parish.
- i) Replacement Waste Bins. Pursuant to Minute 24/076 (c) (i). Wiltshire Highways would be requested to move the waste bin to the original position at The Ham. If unwilling then the Parish Council would offer to carry out the works. **(noted)**

- ii) Tor Hill Footpath Highway Boundary. Pursuant to Minute 24/076 (c) (iii). There had been no change in circumstances since the last Council Meeting. **(noted)**

24/087 UPDATE ON STANDING ITEMS

a) Recreation Ground –

- i) QE2 Recreation Field Group. There was no update on this occasion. **(noted)**
- ii) QE2 Recreation Field Capital Works. There was no update on this occasion. **(noted)**
- iii) QE2 Recreation Field Maintenance. There was no update on this occasion. **(noted)**
- iv) QE2 Recreation Field – Honey Knob Hill boundary. Minute 24/077 (a) (iv) referred. There was update on this occasion. **(noted)**

b) Notice Boards – There were no issues raised. **(noted)**

c) Flooding & Drainage – There were no issues raised that had not been previously considered. **(noted)**

d) Parish/Community Website/Social Media – There were no issues raised. **(noted)**

e) Tor Hill Footpath Project – There was no update as the Council had deferred further consideration until the Neighbourhood Plan process was further advanced. **(noted)**

f) Kington St Michael Village Hall – There were no issues raised. **(noted)**

g) Kington St Michael Neighbourhood Plan – Cllr S Woodhead on behalf of the Steering Group reported that there was no change in circumstances since the last Council Meeting. **(noted)**

h) Kington St Michael Emergency Plan – There had been no change in circumstances since the last Council Meeting. **(noted)**

i) Village Newsletter – Comment was made that it was important to confirm/clarify whether an article published was from the Parish Council or from the community itself to avoid confusion. **(noted)**

j) Asset Register – There was no update required. **(noted)**

k) Insurance – There was no updated required. **(noted)**

l) Registration of Land and Buildings/Village Hall etc. There was no change in circumstances since the last Council Meeting. **(noted)**

m) Community Safety/Neighbourhood Watch: There had been no change in circumstances since the last Council Meeting. Although an appeal for volunteers had been previously made, there had been no interest shown. In these

circumstances the Clerk continued to circulate Community Messaging to those on the Council's Database. **(noted)**

- n) **Data Protection. GDPR** – There was no update required. **(noted)**
- o) **Queen's Platinum Jubilee – Celebration Bench.** Pursuant to Minute 24/077 (o). There had been no change in circumstances since the last Council Meeting. The Council could proceed with the installation at The Ham and would need to secure the quotation for installation on a concrete base. **(noted)**
- p) **Asset of Community Value - Future of the Jolly Huntsman Public House.** There had been no significant change in circumstances since the last Council Meeting. **(noted)**

24/088 CLERKS REPORT

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

- a) **Chippenham Local Highway and Footpath Group (LHFIG).** The LHFIG had met on the 9th January 2025. The Note Tracker had been received and circulated. The date of the next Meeting would be advised. **(noted)**
- b) **Wiltshire Operational Flood Group North.** The Flood Group had met on the 16th January 2025. There were no Minutes from the Meeting available yet. The date of the next Meeting would be advised. **(noted)**
- c) **Community Speedwatch-Speed Indication Devices (SIDS)-Autospeedwatch Devices.** Pursuant to Minute 24/078 c). The Clerk reported that two SID posts were held in stock. A local contractor had indicated that he could carry out the necessary works and a quotation was still required. **(noted)**
- d) **Pavement Parking-Provision of Bollards.** There had been no change in circumstances since the last Council Meeting. **(noted)**
- e) **Parish Council Database.** There had been no change in circumstances since the last Council Meeting. **(noted)**
- f) **Wiltshire Council Chippenham and Villages Area Board and Chippenham Community Area Parish Forum.** The next Area Board Meeting was scheduled for Monday 3rd March 2025 at 7.00pm in the Wiltshire History Centre, Chippenham. The Parish Forum would meet next on Wednesday 26th February 2025 at 7.00pm in Christian Malford Village Hall. The Guest Speakers would be Catherine Roper, the Wiltshire Chief Constable and also the Bobby Van Trust. The Council must consider representation at Forum Meetings. **(noted)**
- g) **School Travel Plan and Safe Place.** Pursuant to Minute 24/078 (g). The Council had identified the need for children's highway safety and had arranged for the refurbishment of the safety crossing through the LHFIG process. Alongside this the Council had also discussed sustainable travel (bus/walk/cycle) and safe routes including Tor Hill issues with the potential for a car park in that area of the village allowing children to walk through the village rather than be driven, potentially with additional paths or cycle lanes where feasible. At that time the Council had identified that there was no School Travel Plan in place and if there was this would open up opportunities for the School to apply for funding

towards infrastructure changes (safe crossings/safe parking/cycle sheds etc) which would allow for the School to pay for things that the Parish Council could not fund. It had been important to note that this funding would be for highway improvements for safe and sustainable travel and not for services such as “lollipop men/ladies” and the like. There had been staff changes taking place at the School and the Council had agreed to delay approaching the School until a more appropriate time. **It was agreed that** the School could now be approached to ascertain if they had any plans to produce a Travel Plan that could lead to safer environment for School children and the community generally.

- h) **Wiltshire and Swindon Prepared - Local Resilience Forum (LRF) - Emergency Contact Hubs.** Minute 24/078 (k) referred). There remained a need for the Council to review their emergency-planning situation to ensure it is fit for purpose. The new Council would need to consider this as a high priority. **(noted)**
- i) **CPRE Wiltshire Best Kept Village Competition 2025.** The Council had been invited to enter this year’s Best Kept Village Competition. Entry Guidelines had been received with the closing date for entries being the 17th April 2025. The Council was disinclined to enter but would include the matter as an Annual Parish Meeting agenda item to ascertain community views.
- j) **Proposed Application to stop-up Highway – 1 The Ham, Kington St Michael.** The Pursuant to Minute 24/078 (j). The Council had been requested to consider a proposal by the Owner of No 1, The Ham, Kington St Michael to Stop-Up a section of highway land adjacent to the property under Section 116, Highways Act 1980. The Council had previously determined that they would reluctantly agree to the consent but that it was conditional on a number of issues to be resolved by Wiltshire Council to prevent continuing disagreements and to resolve the siting of the public bench and waste bin. Wiltshire Council Legal Services had responded and sought the Council’s further views. The Council had been assured that Wiltshire Council was in the process of resolving matters relating to the siting of the waste bin and celebration bench. The Council had already agreed that they had no objections in principle to the proposal **and confirmed that** they would raise no objections.
- k) **Parish Council Elections – 1st May 2025.** The Wiltshire Society of Local Council Clerks had recently received a presentation from the Wiltshire Council Elections Team regarding the forthcoming Elections, 1st May 2025, which will include 2,118 Town and Parish Council seats. The Elections Act 2022 brought in some changes for the Elections this time and Clerks had been asked to suggest candidates attend the online webinar and read Election packs in full, even if they had been through the process several times before. Nomination forms would be accepted at three hubs – Chippenham, Trowbridge and Salisbury. **(noted)**
- l) **Wiltshire Council Planning Town and Parish Forum.** The Council had been advised that the next session was to be held on Wednesday 5th March 2025 – 6.00pm to 8.00pm. This was an online event and Wiltshire Council was encouraging a high attendance. The session would include a general update about the planning service at Wiltshire Council, discussions on the Local Plan, national planning policy updates, conservation and design, and the planning process including appeals and how all can work together. To book for the session, Members could email Janine.mead@wiltshire.gov.uk who would send a TEAMS invitation link. (noted)

- m) **Parish Council Elections – WALC Online Session – 5th March 2025.** The Council was informed that Wiltshire Association of Local Councils had put together an online session for prospective candidates. **(noted)**

24/089 ANNUAL PARISH MEETING 2025

The Annual Parish Meeting was scheduled for Thursday 10th April 2025 at 7.30pm. There was a legal requirement to hold an Annual Parish Meeting between 1st March and 1st June each year. The Council wish to gain maximum publicity through the Newsletter and other means.

In this instance this will be the last Annual Parish Meeting before the Parish Council Elections to be held on the 1st May 2025. In fact the closing date for nominations was Wednesday 2nd April 2025 and those standing for election will be known and whether the Election will be contested or non-contested. If the former then as the date was within the purdah period then the Annual Meeting could not be used for electioneering purposes.

There needed to be a legal framework to the Meeting and the legal requirements met, to include a Parish Council Annual Report, usually via a Council Chairman's Report and Budget 2025-2026 information. The opportunity should be given for Reports from Local Organisations, Parish Council Sub-Groups or Committees and the Wiltshire Council Member. The remainder of the Agenda is to be flexible and is in the hands of Parishioners in attendance. As a starting point the Council will suggest some Agenda items that might be appropriate.

At this time they include:

- a. Recreation Ground Facilities
- b. CPRE Best Kept Village Competition 2025
- c. Tor Hill Footpath Project
- d. Community Safety/Neighbourhood Watch/Emergency Plan
- e. Traffic Speeds – the provision of Autospeedwatch Tools and Speed Identification Device (SID)
- f. Community Speedwatch
- g. Great British Spring Clean 2025
- h. Village Green and other Assets – the maintenance and improvement
- i. Rights of Way – Footpath maintenance – Community Warden
- j. Village Communications
- k. Jolly Huntsman Public House – Asset of Community Value
- l. KSM Neighbourhood Plan

Council Members agreed that some refreshments would be provided for attendees and the Village Shop will be asked to assist.

24/090 COUNCILLORS REPORTS AND ITEMS FOR NEXT FULL COUNCIL MEETING

There were no matters raised.

24/091 DATE OF NEXT MEETING

The next Council Meeting would be held at **7.15pm, on Thursday 20th March 2025.**

PART 2 AGENDA

The following Item related to Confidential Matters and in accordance with Kington St Michael Parish Council Standing Orders (Admission of Public and Press to Meetings) it was considered that in view of the confidential nature of the business to be transacted, in accordance with the Public Bodies (Admission to Meetings) Act 1960 (as amended), the Public and Press should be excluded for the remainder of the Meeting and they were instructed to withdraw.

- a) Kington St Michael Neighbourhood Plan – Site Allocation/s and related matters.

The item was deferred until the next Council Meeting.

Signed:

Chair, Kington St Michael Parish Council

Date: **20th March 2025**