

CHAPEL ALLERTON PARISH COUNCIL

Minutes of Chapel Allerton Parish Council meeting held at 6.30pm on Tuesday 22nd May 2023 in the Old School Room, Stone Allerton. BS26 2NL.

Present: Cllrs Blakemore, Wallach, Wathen, Williams & Torrens-Spence.

In attendance: S Millard-Jones – Clerk. Cllrs Munt & McGuire and approximately 3 members of the public.

The meeting was opened at 6.34pm.

****Public Question Time****

1. Member of the public raised that he would like to retain the close links with the Parish Council (PC) and asked if there were any concerns surrounding the Cider Barn business that he runs. He asked to contact him directly should there be any issues.
2. Concerns were raised regarding blocked drains. This had already been reported by the PC, however, the Clerk was asked to follow this up.

01.05.23 To elect a Chairman and Vice-Chair

It was **resolved** to appoint Cllr Blakemore as Chair and Cllr Wallach as Vice-Chair.

02.05.23 To sign Declaration of Acceptance of Office

Cllrs Blakemore and Wallach signed the Declaration of Acceptance of Office.

03.05.23 To receive apologies for absence:

John Crosby (footpaths officer)

04.05.23 To receive declarations of personal/prejudicial/disclosable pecuniary interests

None

05.05.23 To approve Minutes of the Parish Council Meeting held on 18th of April 2023

Since the Parish Council (PC) mins were written, the Clerk has been made aware that it is Harry Munt and Ben Ferguson who are overlooking the windmill rather than Pauline Ham. The minutes from the Meeting of the Parish Council on the 18th of April 2023 having been previously circulated, were taken as read. It was **resolved** to approve the Minutes.

06.05.23 To elect representatives for the municipal year 2022-23 for the following areas:

- **Windmill Management Committee** – Cllr Wathen
- **Appointment of Planning Group** – Cllrs Blakemore, Torrens-Spence & Wallach.
- **Election of a Footpaths Officer** – John Crosby
- **Election of Councillor for Environmental issues** - Cllr Torrens-Spence

07.05.23 The Old School Room Lease

The Clerk had submitted the email to Paul Wattam (Crook Peak Parochial Parish Church) on the 15th May. No response had been received. The Clerk to chase mid-June.

08.05.23 Update from Cllrs. F. Torrens-Spence and M. Wallach on implementation of Article 4.

No update

09.05.23 Footpaths Officer Report

John Crosby provided the following report in his absence;

This report covers the period from early January 2023, when I took up the duties, to the present. I would like, at the outset, to acknowledge the great work of my predecessor, Peter Duggan-Rees, whose enthusiastic and tireless efforts had the Parish's paths in such good condition before he sadly passed away.

Chapel Allerton Parish has a rich network of designated public footpaths & bridleways; 31 in total, covering many miles as they crisscross our parish in all directions.

Of the 31 public footpaths recognised by Somerset County Council, there is just one which is not currently in practical existence (Path AX 12/1, which should run north-south, parallel between Cosewood Lane and Allerton Moor Drove). I am told the Parish Council decided, some years ago, to let it lapse largely due to the costs of putting stiles/gates through the many hedges. Plus, there are other parallel rights of way which can be easily used.

Of the other 30 public footpaths & bridleways available, most are widely used. There are, however, some paths & bridleways - not many- where access is restricted to some extent. Notably for horse riders, fallen trees block the Allerton Moor Drove bridleway just south of Broadness Bow bridge and just south of the Chapel Allerton-Mark road. Both blockages have been reported to Somerset County Council's Rights of Way/Highway Group, who are responsible for organising and paying contractors to clear the blockage. For walkers, there are a few paths where the access between fields is somewhat restricted, such as a gate tied with string or an electric fence across the path. However, the vast majority are clear of obstacles, well marked and used.

Finally of note is the condition of Broadness Bow bridge (path 12/13), SCC still haven't decided the way ahead. Meanwhile it has removed the wire barriers in that vicinity, as it recognised they were being by-passed anyway, and put signs up saying "Danger Unsafe Bridge ... Do not use for your own safety".

Before closing my report, I would like to acknowledge the efforts and goodwill of the landowners over whose land the public rights of way cross. Without their support and cooperation, the Parish's public footpaths and bridleways wouldn't be the delightful tapestry they are!

10.05.23 Chair report

Cllr Blakemore reported to be disappointed with the lack of progress with enforcement. It seems that retrospective applications are not uncommon. There seems a lack of support from the enforcement team.

Speeding continues to be an issue; speed restriction signs haven't been put in place. Particularly on the top Road in Ashton, nothing seems to have been done.

Small plots of land sold recently seem to have caravans on them and is there an issue with travellers. Land is being advertised as amenity land, suitable for and it should remain agricultural land.

Cllr Munt reported that Ros Wyke is the point of contact for enforcement matters.

11.05.23 Reports: To include Police, County Councillor, outside bodies, reports from Councillors representatives on external groups.

12.05.23 To resolve that the parish council is eligible to use the General Power of Competence under the Parish Councils (General Power of Competence) (Prescribed Conditions) Order 2012

It was **resolved** that the parish council is eligible to use the General Power of Competence.

13.05.23 To review and adopt current Standing & Financial Orders (R)

It was **resolved** to re- adopt the current Standing & Financial Orders.

14.05.23 Audit (R) To adopt the Risk Assessment and to note the Statement of Internal Control. To note that Register of Assets is up to date and is due for review in March 2024.

It was **resolved** to adopt the Risk Assessment and to note the Statement of Internal Control.

15.05.23 To adopt the LGA Code of Conduct 2021 and to confirm that summons, agendas and other documents will be accepted by email as proper service (R)

It was **resolved** to re-adopt the LGA Code of Conduct 2021 and to confirm that summons, agendas and other documents will be accepted by email as proper service.

16.05.23 To consider & confirm that the Council is insured with Hiscox:

The Parish Council is in year two of the agreement. The Clerk to review in the first financial quarter of 2024.

17.05.23 To confirm the time and place of Full Council meetings up to and including the next Annual Parish Council Meeting

The following dates were agreed upon, Monday 3rd July. Change August 21st meeting to September 4th. October 2nd.

Remaining dates are to be an agenda item for the July meeting.

18.05.23 To consider & confirm continuation of annual subscriptions to SALC & SLCC

It was **resolved** to approve the continuation of annual subscriptions to SALC & SLCC.

19.05.23 Planning

15/23/00003 The Olde Farm, Stone Allerton, Axbridge, Somerset, BS26 2NP. Fell 9No. Conifers (T1 & T2). Crown lift 1No. Walnut (T3) to 2.5m above ground level and reduce end weight on lateral growth on garden side by 1.5-2.0m. Reduce crown of 1No. Cherry Plum (T4) by 1.5m. Reduce crown of 1No. Apple (T5) and 1No. Pear (T6) by 0.5m and thin out crowns by 15%.

The Clerk had requested an extension for comments. It was **resolved** to support the tree officers' recommendations.

15/23/00002 Erection of agricultural storage building with welfare facility and solar panels (revised scheme).

It was **resolved** to object on the following grounds:

Application Site

1. The application site is approx. 3.5 acres (as stated by the applicants) and situated off Scotland Lane and in the reasonably remote part of Binham Moor. It has no direct access to a public highway as confirmed by Somerset Highways Authority in response to application 15/22/00004.

Planning History

2. An application for the erection of an agricultural building and garage, including the installation of solar panels plus the siting of a static caravan was made in 2022 under application number 15/22/00004. The application was refused.

3. The Parish Council objects to the application on the following grounds:

3.1. It is inappropriate development in open countryside. The National Planning Policy Framework establishes in paragraph 84 support for the development and diversification of agricultural businesses this cannot apply to this site which is under 4 acres in total and where the applicant only intends to use a small percentage of the site for agricultural and horticultural purposes. The applicants have not submitted any business plan to show how the business on such a small site will be sustainable. This small area would not be economically viable and could not support any sustainable business of supply of hay to the local farming community as the applicants have stated.

3.2. Whilst the proposed building is said to be linked to running an agricultural business there is no evidence of any activity of any meaningful nature taking place at the time or since the last planning application.

3.3. The horticulture would result in the use of fertilizers. Following the judgement (known as Dutch N), Natural England have advised that, in light of the unfavourable condition of the Somerset

Levels and Moors Ramsar, due to high levels of phosphates leaching into the local ecosystem any application that would result in additional phosphate loading in the catchment should be subject to a Habitats Regulations Assessment and if necessary, mitigation measures. No mitigation solution has been put forward to address this issue. In the absence of any such information, an unacceptable impact in the form of increased phosphate loading cannot be ruled out and as such the application is considered to be contrary to policy D20 Sedgemoor Local Plan 2011-2032.

3.4. The application includes solar panels on the roof of the shed which could be in part be used for lighting. If the application is to be approved the Council would request a condition that no external lighting is to be allowed this is to ensure that nocturnal wildlife is not to be disturbed.

3.5. The Council is concerned that with a shed of this size it could in part be converted to residential use. The Council would request that any planning consent prohibit all future domestic use. Further that there is a prohibition on the use of the field for the storage including a static caravan. The applicants currently have stationed a touring caravan on the site.

15/23/00004 Brook House Farm, New Road, Chapel Allerton, Axbridge, BS26 2PA Conversion of Barn (Class Q) to Dwelling (Class C3).

It was **resolved** to object on the following grounds: The Parish Council objects to the change of use under the prior planning for change of use from agricultural building to residential dwelling under Class Q of the Town and Country Planning (General Permitted Development) (England) Order 2015.

The Government's Planning Practice Guidance (PPG) states that "it is not the intention of the permitted development right to allow the rebuilding work which would go beyond what is reasonably necessary for the conversion to residential use would be considered to have the permitted development right". This is reinforced by paragraph 105 of the PPG.

The case law has established that a proposal must comprise a "conversion" and not a "rebuild" to qualify as permitted development right. Rebuilding work which would go beyond what is reasonably necessary for the conversion of the building for residential use will not qualify as a conversion for the purposes of Class Q.

It is a requirement for Class Q that the building must be structurally capable of functioning as a residence without structural additions or reinforcements. The Applicant has offered no evidence to show whether the building is suitable for conversion as no structural survey has been provided.

The building comprises flimsy corrugated iron walls on two sides the other two being entirely open with no further supporting walls. The roof is of corrugated iron. This is not an enclosed building suitable for conversion.

Further, the building must have been used for agricultural purposes on 20th March 2013 or proof must be given that it was in use prior to this date, but not since. If the building was brought into use after this date, it must have been in agricultural use for 10 years. No evidence has been provided to establish agricultural use.

Finally, the proposed building is near a public footpath and will be visible.

20.05.23 Enforcements

To consider sending enforcement information to Ros Wyke.

21.05.23 Finance

a) Approval of Payments & Receipts (R)

To whom	Description	Net	VAT	Total
S Millard-Jones	Salary/expenses/HMRC/	£ 554.59	£ 11.70	£ 566.29
F Torrens Spence	Village statement brochures	£67.00	£ -	£ 67.00
Tasker	Village Design Statement work	£415.00	£ -	£415.00
Somerset Council	J Augustus Salary February & March. Payroll services charge	£640.86	£ 32.24	£673.10
Old School Room	Hire charges Jan/Feb/April 23	£30.00	£ -	£30.00
Old School Room	Hire charges May - Dec 22	£80.00	£ -	£80.00
C Harris	Microsoft subscription	£59.99	£ -	£59.99
Gallagher	Insurance renewal	£412.10		£412.10

It was **resolved** to pay the above by cheque

b) Approval of the bank reconciliation (R) The Clerk reported that reconciliation was not yet possible, due to not having access to the bank.

c) To note: S137 of £9.93 per elector for 2023-24

22.05.23

Admin:

The Clerk had managed to set up HMRC PAYE tools which is a free service to pay the Parish Council employee as opposed to using Somerset Council previously login. Government Gateway is awaiting authentication due to it being registered to a Clerk that left the Parish Council over 12 months ago. – unable to gain access No banking access as yet. Lloyds paperwork has been sent to add the Clerk as a signatory, once this has been done then the Clerk can arrange online access. A new cheque book has been requested as the cheque book handed over only had two cheques in it. Clerk currently chasing ICO certificate.

23.05.23

Correspondence

24.05.23

Items for next agenda:

- Policies and procedures
- Signatories
- Meeting dates

25.05.23

Meetings: Monday 3rd July. September 4th. October 2nd.

The meeting closed at 19.57pm