

**Minutes for Blunsdon's Extraordinary Parish Council Meeting of 2025/26 was held on Monday 23rd February 2026** at 7.30pm. This meeting was held at Blunsdon Village Hall.

**Cllr Members Present:** Cllrs Ian Jankinson (IJ), Jim Tayler (JT), Ian Selwood (IS), Peter Hughes (PH), Sandra Keates (SK), & Paul Weston (PW), Kingsley Poulton (KP) & Nick Gardiner (NG) arrived 7:55 pm

**Ward Councilors Present:** Cllrs S Weisinger, V Manro & N Gardiner: **Members of Public** – 27: **Officers:** Debbie Braiden, Clerk

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### **EO/FEB26/001 - APOLOGIES**

No apologies received.

### **EO/FEB26/002 - DECLARATIONS OF INTEREST**

1. There were no declarations of interest from councillors.
2. No written requests for dispensations for disclosable pecuniary or non-pecuniary interests were received, therefore, no requests for dispensation were made.

### **EO/FEB26/003 - PUBLIC RECESS**

Strong objections were reiterated regarding the planning application, with concerns that the development is inappropriate for the location and conflicts with local and national policy.

Two main key issues highlighted: **noise** and **public safety**, particularly for the nearby farm worker accommodation (S/OUT/23/1499) situated opposite the site.

The lack of planning enforcement to control the planning conditions was also raised.

#### **Resident 1. Road Safety Concerns – Front Lane & Rose Lane**

- Very concerned with heavy construction traffic which will cause significant safety concerns for walkers, horse riders, and dog walkers. The lanes are very narrow, in poor condition, and have no passing spaces with pedestrians already exposed from normal traffic loads. How will this be monitored, there is National Recognition for Quiet Lanes which leads principals of and expectation of traffic adapting to its surroundings.
- Residents request proper safety measures, proper risk assessment, and that construction traffic have strict restrictions when using these lanes. We want to work constructively to prevent an accident occurring.
- Residents ask for a follow-up meeting to collaborate on safety solutions before, during and throughout the build.

#### **Resident 2. Resident Concerns & Objections Regarding Planning Application (S/OUT23/1499 – Rivan Site)**

- Thanked the Council for its strong support and opposition to the application.
- Issues raised around noise, public safety, and lack of continuous independent noise monitoring.

- Safety concerns include lack of detailed risk assessment for nearby homes, deferred evacuation/bunding plans, and approval of hydrogen elements without assessing risks to residents.

### **Noise Concerns**

- The noise assessment submitted by Rivan was incomplete, stating the design was at an early stage with unspecified equipment. There are no details or spec of the direct air capture fans or compressors.
- Planning approval does not require ongoing independent noise monitoring, only a single BS 4142 assessment within three months of first use. This is not adequate.
- Risk identified that residents may face persistent industrial noise without regular, publicly reported monitoring.

### **Public Safety Concerns**

- The farm worker accommodation, as the closest residential property, was not referenced in the safety plan.
- Key safety assessments (HAZOP, DSEAR, explosion modelling, bunding, evacuation plans) were deferred until after consent, meaning risk to residents was not properly assessed.
- This omission was described as a significant material planning concern.

### **Resident 3. Potential Judicial Review (JR) Discussion**

- Residents and councillors question whether the planning officer misinterpreted reports.

**Reapplication** -If a JR is successful, the decision is revoked the applicant may still reapply.

### **Resident 4. Key issues identified for potential JR:**

- Legal accuracy & safety (condition 19 compliance)
- Quality assurance (third-party audit)
- Procedural fairness
- Adequacy of officer report and weighting of material considerations (biodiversity, conservation, etc.)
- An independent 3<sup>rd</sup> party audit on an annual basis was not in original document.

### **Resident 5. Planning Committee Queries**

- Committee consisted of 9 members; 7 attended, 1 absent, 1 declared interest.
- Concerns raised about whether councillors were approached by Rivan and whether interests should have been declared.
- FOI requests suggested for email communications between councillors and Rivan.

Ward members confirmed the Committee was quorate and therefore legal. He confirmed that one member was substituted with the Chair choosing not to vote.

## **Resident 6. Safety Reporting and Officer Transparency**

- Concerns about information transparency led to confirmation that an FOI is needed, since Rivan approached the two members who voted against.

IS asked if this was allowed, Ward member confirmed yes, but we do not act pre-determined.

IS - Fire & Rescue assessment reportedly outdated and completed before information about flaring was known.

KP – Action is required immediately as we only have 4 weeks left since decision.

## **EO/FEB26/004 - Legal Advice & Funding Considerations**

- Judicial Review – to examine whether Swindon Borough Council acted unlawfully or with procedural unfairness. This must be filed within six weeks of decision being granted and may incur significant legal costs. External advice may be sought from Campaign for Rural England and Crown Justice.
- Council unanimously **approved** to seek professional legal advice on potential JR strength with the knowledge other parishes experienced similar scenarios, with typical initial costs around £5–6k.
- Potential use of CIL funds to support legal work to be explored. IJ and RFO **granted** delegated authority to approve which fund it is paid from.
- The development is inappropriate for the location and conflicts with local and national policies.

## **Next Steps Agreed**

- Prepare communications leaflet for village magazine once legal advice is received
- Campaign for rural England or Crown funding
- Monitoring – to hold the applicant to all planning conditions through structured resident reporting.
- Ongoing - Collect evidence from villagers to support JR criteria is encouraged.

**EO/FEB26/005** - The Chairman closed the Meeting at 8.45 pm

**AFTER MEETING NOTE:** The collective process has already started, and we have the following list:

- Inaccuracies in the planning officer's report that may have misinformed committee members.
- Lack of engagement at the Committee meeting by the three members who voted for the application.
- The lack of fact checking regarding tilted in the public's benefit.

- Reaction by two Councillors to information added by PO at the beginning of his report. This information obviously had not been shared prior to all Committee members prior to the meeting allowing determination.
- Reports that the case was pre-determined before the meeting.
- The recently approved Farm workers accommodation is the closest residential property to the proposed gas plant, but Rivan's outline safety plan makes no reference to it. Key technical assessments- HAZOP, DSEAR, detailed explosion risk modelling, bunding and emergency evacuation plans were all deferred until after consent. That means the planning committee approved an industrial gas plant, involving Hydrogen, Carbon dioxide and Propane gas storage and Methane production without properly assessing the risk to the people who will live closest to it.
- This is not a minor oversight this is a material planning consideration that goes to the heart of public safety and the soundness of this decision.
- A resident has queried whether the applicant can legally connect to the gas main, noting that published requirements appear difficult to meet. They reported receiving no response from National Gas when seeking clarification. Concern was raised about how the gas would be handled if a connection is not permitted, including the possibility of regular lorry movements. As this was the key justification given by Rivan for choosing the site, the resident felt confirmation was essential. Here are two links provided:  
<https://share.google/WvRBJPE0AZReyQhvx>  
<https://share.google/LTgzv7fNUZF6CwENx>
- Absence of a Fire Risk Strategy
- The application does not include a comprehensive Fire Risk Strategy.
- Given that the proposal involves:
  - Storage of hydrogen gas in 11 large domes
  - Storage of carbon dioxide
  - Injection of methane into the national gas grid
  - Use and storage of propane (LPG) for gas enrichment
  - This constitutes a major flammable gas installation with foreseeable fire and explosion hazards.
- A Fire Risk Strategy is normally required to demonstrate:
  - Fire prevention and ignition control measures
  - Explosion risk mitigation
  - Separation distances and thermal radiation modelling
  - Emergency access arrangements
  - Fire water supply provision such as hydrants
    - On-site detection and automatic shutdown systems
    - Emergency response planning

The absence of such documentation prevents the Planning Authority from properly assessing compliance with public safety policies under the National Planning Policy Framework (NPPF), particularly those concerning safe development and major hazard installations.

Planning permission should not be granted where safety-critical documentation is deferred.

- Regulatory Oversight – HSE and COMAH Considerations  
It is acknowledged that under the current regulatory framework:

The Health and Safety Executive (HSE) is the statutory consultee for major hazard installations.

- The Fire and Rescue Authority no longer provide primary safety assessment under the Fire and Rescue Services Act reforms and instead refers to Building Regulations compliance.

However:

- Planning and Building Regulations are separate legal regimes.
- The HSE's role in planning is advisory in relation to:
  - COMAH thresholds (Control of Major Accident Hazards Regulations)
  - Consultation distances
  - Individual and societal risk contours

It remains the responsibility of the Local Planning Authority to ensure that:

- Adequate hazard information is submitted at outline/full planning stage
- Land-use compatibility is properly assessed
- Emergency access and public safety considerations are resolved
- If the development approaches or exceeds COMAH thresholds for hydrogen or LPG storage, a full safety case will be required. Even if below COMAH thresholds, the installation remains a high-consequence hazard site.

The application does not clearly state:

- Aggregate hydrogen storage volume
  - Propane storage volume
  - Whether COMAH lower-tier or upper-tier thresholds are triggered
  - Whether a Quantitative Risk Assessment (QRA) has been undertaken
  - Without this information, the Planning Authority cannot make a properly informed decision.
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- Single Access Route – Emergency Response Limitations
  - The site is accessed via narrow, single-track rural lanes with only one route in and out.
  - This raises significant safety concerns:
    - Limited emergency appliance access
    - No secondary evacuation route
    - Potential blockage during incident
    - Delayed response times in rural area
    - Limited space for fire appliances, tankers and evacuation vehicles
  - Major gas installations typically require robust emergency planning provisions. A single-point access arrangement increases risk exposure and should be assessed through a formal Emergency Access Strategy.
  - No such assessment appears in the submission.
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- Proximity of Residential Accommodation
  - A recently approved farm labourer dwelling lies directly opposite the site boundary. The outline safety documentation does not appear to acknowledge

this residential receptor. For hazardous installations involving flammable gases, planning guidance requires consideration of:

- Blast overpressure zones
  - Thermal radiation contours
  - Vapour cloud dispersion modelling
  - Individual Risk Per Annum (IRPA)
  - If the dwelling was not included in the applicant's hazard modelling, the risk assessment is incomplete.
  - The presence of residential accommodation materially affects land-use compatibility assessment and should trigger further scrutiny by HSE and the Planning Authority.
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- Combined Hazard Profile
  - The proposed development includes:
    - Hydrogen (highly flammable, low ignition energy, wide flammability range)
    - Propane (heavier-than-air LPG with vapour cloud explosion risk)
    - Methane injection and compression infrastructure
    - Pressurised storage systems
    - Solar electrical generation systems (additional ignition source considerations)
  - The interaction of these elements elevates the risk profile beyond that of a standard agricultural or light industrial facility.
  - The application does not provide sufficient technical documentation to demonstrate:
    - Explosion mitigation design
    - Ignition source zoning
    - ATEX compliance
    - Overpressure protection
    - Emergency shutdown systems
  - Planning Policy Considerations
  - Under the NPPF, planning decisions should ensure that development:
    - Is safe for its lifetime
    - Does not expose the public to unacceptable risk
    - Accounts for major accident hazards
    - Ensures appropriate emergency access

Granting permission without a Fire Strategy and without a clear hazard assessment conflict with these principles.

## Conclusion

- This application lacks essential safety documentation necessary for informed decision-making.

In particular:

- No Fire Risk Strategy has been submitted
- No clear COMAH threshold assessment is provided
- Emergency access concerns remain unresolved
- Nearby residential accommodation appears unaccounted for in risk modelling
- Until these matters are fully addressed through submission of:
  - A comprehensive Fire Risk Strategy
  - A Quantitative Risk Assessment
  - Confirmation of COMAH status

Emergency Access Strategy

Confirmation of HSE consultation response

The Planning Authority cannot lawfully conclude that the development is safe.

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Signed by Chairman, Monday 2<sup>nd</sup> March 2026