

**MINUTES Of a Planning Committee Meeting of Melksham Without Parish Council held on Monday 30th September 2013 at Crown Chambers, Market Place, Melksham at 7.00 p.m.**

**Present:** Cllr. Richard Wood (Chairman); Cllrs. Alan Baines, Rolf Brindle, Gregory Coombes, Steve Petty and Mike Sankey. Cllr. John Glover attended from 7.15 p.m.

Cllr Terry Chivers attended the meeting as an observer and took no part in voting.

**Apologies:** Cllr. Adam Nardell (on holiday)

232/13 **Declarations of Interest:** None received.

***Resolved:** The Planning Committee agreed to suspend Standing Orders to allow for a period of public participation*

233/13 **Public Participation:**

**a) W13 00999 Dwelling at 63 Shaw Hill:** The applicant Mr Hallett noted that the Council had supported a resident's objections to his first planning application on grounds of highway safety. He emphasised his revised application offered a major improvement to safety highway for all residents living in the Lane and he hoped the Council would support it. He had invited all residents to walk the Lane to explain the improvement, as they had assumed the road only widened at the farm gate which was incorrect as the access would be wider too with improved visibility. Most had now agreed highway safety would be better when emerging from the Lane. The Planning Officer now supported the revised proposals in principle.

Mrs Hallett emphasised that a lot of the residents supported the application. The resident who had objected did not know the facts. Their application was facilitating an access improvement for 61A as well. Three properties would benefit from an improved joint access on to A365.

**b) Western Way roundabout sponsorship - future maintenance:** The roundabout sponsor, David Carson explained he had a fast-fit tyre business and wished the roundabout to reflect his business in an impressive way. Since his advertising signs had been put in, the maintenance had been poor. There were more docks than grass and lots of weeds in the borders. The Council's contractor had not cut the grass often enough. In view of this he wished to bring his own private contractor, to cut the grass every two weeks and carry out the necessary weed-spraying. This would cost about £1,000 more than the charge laid down by the Council's contractor but it would be worthwhile to have a much better kept roundabout, to reflect his business.

*The Council re-convened and it was agreed to advance this item on the agenda for immediate discussion.*

234/13 **Western Way roundabout sponsorship - future maintenance:** Cllr. Sankey proposed, seconded by Cllr Petty that the Council support Mr Carson bringing in and financing his own contractor direct. The Clerk informed that as the Licence was between Wiltshire Council and the Parish Council, Wiltshire Council would have to be in agreement and the Parish Council would have ultimate responsibility for the work being done. The chosen

contractor would need to give the Parish Council a copy of his public liability certificate. This was agreed. It was noted that no maintenance had been done by the prior contractor since the end of June as Mr Carson had not made any payments for maintenance. The grass had been cut by Balfour Beatty although this was not part of their contract. Cllr. Chivers agreed that Mr Carson should be permitted to have his own contractor. He also advised the Council that they should write to Cabinet Member John Thompson to let his know when the new contractor was not fulfilling his obligations. Cllr. Baines emphasised that the changeover from the old contractor to the new contractor had been unsatisfactory and this work had fallen between contracts.

**Recommended:** *The Council support Mr Carson employing his own contractor to maintain Western Way roundabout, subject to approval from Wiltshire Council.*

235/13 **Planning Applications:** The Planning Committee considered the following planning applications:

W13 04062/FUL Stephen Lindsey, 522 Semington Road, Melksham. Proposed hobby/workshop/cycle store

**Comments:** *No objections subject to there being an hours condition to ensure neighbours were not disturbed by noise at unsocial hours.*

W13 03390 D.C. Doel, Selves Farm, Forest Lane, Lacock, SN15 2PN Retrospective application for 3 year temporary mobile home on farm site.

It was noted that as this mobile home was on site to facilitate the building of a new dwelling, the Parish Council had asked that the mobile home be temporary, rather than permanent. This application replaced an earlier application for a permanent mobile home which had been withdrawn.

**Comments:** *No objections*

236/13 **Planning Correspondence**

a) **Appeal for W13/00919 for use of existing annexe as self-contained unit, land west of Old Coach House, Shaw Hill:** The Parish Council made no objection to this application and thus would not be opposing this Appeal.

b) **MUGA Hornchurch Road:** It was noted that Wiltshire Council had approved a MUGA size of 26 x 14 metres. The original site had been slightly revised to allow for the underground sewer line **Resolved:** *The Council approve the revised site and now apply for quotations.*

c) **W13 00524 Forest & Sandridge School redevelopment:** The Council noted that the Urban Designer employed by Wiltshire Council had recommended refusal of the revised plans because of the loss of the school building and the change of the rural character of Sandridge Common into a suburb. Proposals did not accord with the principles of the NPPF or Policy requirements in the First Alteration or draft Core Strategy. It contravened Policies C31a Parts, A,C and D; C34a, CP41, CP57 and all housing policies in terms of sustainable location. Cllrs. Baines and Brindle supported comments made by this Officer, especially in regard to the existing school building. Cllr. Coombes felt the report contained very little of the Designer's own work.

**d) Development East of Melksham - issues relating to S106 Agreement:** Cllr. Petty expressed concern that S106 Agreement funding was being taken from the "community benefit" pot to be used for construction of the new school. The Finance Officer explained that residents had contacted the Council because they thought pitches belonging to the new school site were being put in the wrong place. Staff had then researched this issue and while Wiltshire Council Officers had been slow to respond to enquiries, the developer had confirmed the new pitches were part of the community benefit for PA W04/0895 (detailed in S106 Agreement - Schedule 8). Work for this application had been delayed pending the outcome of the new school application. It appeared now the original S106 Agreement was now being amended to commute the sum for the four-changing room facility, to construction of the new school site. The Clerk expressed concern that when the Council had met the School/Wiltshire Council delegation for promotion of the development of the existing school site, this sum had not been mentioned. The £489,000 originally intended for a Local Centre and Community Hall was also going into the construction of the new school. Cllr. Baines reported that the school site had been slightly extended into the community land, leaving less room to build the changing rooms and public play area. If changing facilities were now made part of the school, this meant they would be less accessible to the public. In reality the community was missing out on the promised benefits. The Clerk reported she understood a meeting was being held between the developers, the diocese and Wiltshire Council to finalise the changes to S 106 Agreement. However since the Parish Council had been part of the Development Brief Group to negotiate community benefits at the beginning, she had written to request that a Council representative be present at any meeting to change S 106 Agreement. No reply had yet been received from Wiltshire Council. It was noted that the information relating to S 106 Agreement changes with revised plans for the site had come direct from the developer and not Wiltshire Council. Cllr. Chivers advised that the Council should make Carlton Brand, the Planning Director aware that the Planning Department was not replying to letters or phone calls.

**Resolved:** *The Council write to Wiltshire Council to express concern that the S 106 Agreement in respect of community benefits was being changed without due consultation with the Parish Council who also needed to know in advance when amendments to planning permissions were made.*

**e) Development east of Melksham - Diversion of Footpath 23: Recommended :** *The Council support this Diversion.*

**f) Herman Miller development - 11th September Chamber of Commerce Meeting:** It was noted that while approval had been given for this development to now go ahead, Herman Miller was waiting until the newts had been relocated to the ponds on the old Golf Course. Work was due to commence in the new year and would take about a year to complete. The new factory would not be occupied until the link road and new Pavilion were in place.

**g) Core Strategy Examination & further response from Hallam Land:** In the light of comments made by councillors at the Core Strategy Examination that were then included in a Hallam Land paper, the Clerk sought clarification as regards Council policy on future housing allocations and on continuing with the joint Neighbourhood Plan with

Melksham Town Council. It was noted that Neighbourhood Plan meetings had been interrupted by local council elections. Cllr. Petty emphasised the Neighbourhood Plan process could not progress very far until the Core Strategy had been formally approved. The Chair noted that the decision to have a joint Plan had been made some while ago (*Min. 198/12b 10<sup>th</sup> Sept 2012*) and advised against re-opening the matter. Following discussion, Cllr. Brindle proposed, seconded by Cllr Coombes that having a joint Neighbourhood Plan with the Town Council should be made an Agenda item at the next Council Meeting to give the new Council an opportunity to discuss this matter. This motion was carried.

**Resolved:** *The Joint Neighbourhood Plan be an item on the Agenda at the next full Council Meeting.*

**h) W13 00999/FUL Dwelling on land rear of 63 Shaw Hill:** The Planning Committee noted a report from Planning Officer Kate Sullivan to inform that revised plans were being prepared and the Parish Council would be consulted on the changes.

237/13

**Spring and Footpath 109, land adjacent to 112B Beanacre:** The Planning Committee noted a copy incident account from Mr Lea of how his neighbour had obstructed works he was doing on his land. This had been passed on to the Neighbourhood Policing Team for further action. A further report from Mr Lea also expressed concern about the positioning of concrete sleepers in the main river stream, at the back of his property, to build the very high back wall at 112 Beanacre. It seemed this wall had been constructed without planning permission on a flood plain and without consultation with the Dept of the Environment. Mr Lea was concerned this could lead to flooding and backing up in other areas of the village. Councillors questioned whether the right of way was being obstructed. The Clerk reported that a resident had also reported that a sign had been put up on the road stating that there was no right of way.

**Resolved:** *The Council refer these concerns to the Rights of Way Warden and the Environment Agency.*

238/13

**Footway Improvements, Middle Lane Whitley:** The Clerk presented the results of the recent survey in Middle Lane Whitley in a report that also included residents' comments and objections. Results were as follows:

SCHEME NO	YES	NO	YES BUT	NO RESPONSE
1. Footway through bank adjacent to Grange	29	3		1
2. Dropped kerbs inside Grange Close	30	2		1
3. Open ditch/stream opposite Coach House to be piped in & footway be put over grass.	22	9	1	1
4. Brookfield Rise -two dropped kerbs	31	1		1
5. Footway resurfacing opposite 109a and 109	31	1		1
6. Opposite 109 on Reading Room side	19	12		2

Cllr. Baines proposed, seconded by Cllr Coombes that the improvements as detailed above be supported, apart from No. 6 This proposal was unanimously agreed.

It was agreed not to support having a new footway on the slight bend close to the Reading Rooms and on that side of the road. The next CATG Meeting when the proposals would be discussed was on 16th October.

**Recommended:** *The Council inform Wiltshire Council that the Council wished the improvements as detailed above, to go ahead in the current financial year.*

239/13

**Community Infrastructure Levy** Briefing Note 163: The Planning Committee noted that the proposed CIL rates in Wiltshire were as follows:

<b>TYPE OF DEVELOPMENT</b>	<b>RATE OF CIL</b>
Residential	£70 per sq. metre
Retail ( <i>except retail warehouse, supermarkets &amp; similar development</i> )	£0 per sq. metre
Retail warehouse, supermarkets and similar development	£175 per square metre
Student housing and hotels	£70 per sq. metre
All other uses	£0 per square metre

The draft Charging Schedule would be submitted for independent examination in March 2014 with an intended adoption date in July 2014.

240/13

**Changes to procedures for processing tree works applications in a Conservation Area (TCA applications):** The Committee noted that Wiltshire Council was changing the procedure so that tree officers would only assess a TCA tree works application if an objection was raised by the Parish Council. This was to cut Tree Officers' work loads as well as recognise the important role played by local councils.

Meeting closed at 8.15 p.m.

Chairman, 14th October 2013