

MINUTES of a Planning Committee of Melksham Without Parish Council held on Monday 12th August 2013 at Crown Chambers, Market Place, Melksham at 7.00 p.m.

Present: Cllr. Richard Wood (Chairman) Cllrs. Alan Baines; Rolf Brindle Gregory Coombes and Mike Sankey.

Cllrs. Paul Carter and Terry Chivers also attended this meeting together with two governors of Forest and Sandridge School, Glen Godwin from Pegasus Planning and some members of the public

Apologies: Cllrs John Glover and. Adam Nardell

- 181/13 **Declarations of Interest:** Cllr. Carter declared an interest in PA W13 00524/FUL for redevelopment of the Forest and Sandridge School site as his son was a governor and his grandchildren attended the school.

It was resolved to suspend Standing Orders to allow a period for public participation.

- 182/13 **Public Participation**

1. PA W13 01857 Double garage, porch and workshop: The applicant Mr Booth reported that previous permission had been granted for a new garage in 2003 but the previous owner had not built it. When he had moved in last November, he had made modifications to provide increased space for a workroom as both he and his wife worked from home.

2. Redevelopment of Forest and Sandridge School and Construction of new school East of Melksham: Glenn Godwin reported both sets of revised plans for the two school sites had amendments. At the last Meeting he had attended there was not enough time to talk about the new school and he was concerned the two plans were then being considered separately although they were inextricably linked since the new two-entry school would not be funded, if the existing school site was not approved. It was legitimate to review both applications together as material considerations were a factor in planning and Planning Officer Mike Wilmott would be making this clear in his report. The fact that an application was contrary to the Development Plan did not mean it had to be refused if there were other material considerations. Development of the existing site was the only way the two-entry school could be funded and the developer had been close to withdrawing both applications. The existing school site could be refused due to being contrary to policy but the site then had to be developed for something else and employment would have a greater impact on traffic. Twelve housing units would generate a small amount of traffic. The planners had asked for the four back units to be moved further away from the back boundary to soften the impact and they were now 0.66 m from the hedge. Wiltshire Highways had required better sight lines and a 2m service strip allowance had been put at the front. This had put the houses back by 1m.

Planning officers recognised it was not a normal housing site, but were willing to take into account that this would enable pupils from Forest and Sandridge a way to have a new modern building and the new school would give community use as well. It was estimated that twelve dwellings would generate approx 3 vehicles in and 6 out in the morning and 3 vehicles out and 6 in during in the afternoon, much less than for the

school which typically generated approx. 140 traffic movements in the morning and 108 in the afternoon; based on other school surveys. Section 143 of the Localism Act allowed for improvements from one site to be used to enable development elsewhere. For the new school, the revised plans had minor amendments: more car parking spaces, an in and out system and fencing increased to 3m height to protect properties from sports balls, along Snarlton Lane.

Mike Keen from Blackmore Farm at Sandridge Common emphasised that while he was not against the development, something had to be done first about the existing flooding problem at the cottages nearby. Residents had been trying to get action for some time and nobody was listening. When it last occurred, the cottages were only saved from flooding by water being pumped down to the sewer. With more new houses and more hard standing there was nowhere for the excess water to go. A solid boundary had to be placed between the new development and the field as this land was used for cattle with calves and if there was trespass, any one in the field could be attacked. From a safety point of view a block wall was needed so cows could not see through, or otherwise people from the new development would be trying to make holes into the field. To date he had worked with Forest and Sandridge School and had allowed them to use his fields and woods at times.

Trevor Burbidge of 256 Sandridge Common reported the cottages only had soakaways. Residents there had worked hard to keep water out of their homes. Recently there had been 1 foot of water which came within inches of going in the front doors. Nobody had done anything about the drains yet. None of them had been cleared although there had been water right to the middle of A3102. Why had no action been taken? The Council needed to make a visit to see where parts of the road were crumbling due to water damage. At Forest and Sandridge School when a new gravel path had been put in, nobody bothered to check the drain and the very next day it flooded. Putting in concrete buildings would create more flooding.

He also wished to endorse what Mike Keen had said about the danger from calving cows. People had been killed at Bath because they had ignored them.

David Couzens reported he had been a School Foundation Governor for many years. In 2005, the School Prospectus had laid out plans for the new school and eight years later, people were just still talking. During this time a whole generation had passed through the school and been denied education in good quality buildings. He agreed the flooding did need fixing, but it was also pertinent now to move ahead. At the moment 700-800 houses were being built without its focal point - the school. Facts had to be faced. In a time of recession, neither the Church, or Wiltshire Council or the Parish Council had the money so if the old school site was not developed there would be a community without any centre. The present school took 210 as maximum capacity. How many more parents were to be turned away before parents started to say Melksham was not interested in them. They could continue to spend thousands of pounds propping up the failing building, but it was not 21st century education. They were using a humidifier constantly to keep the damp out. If the status quo continued with two separate one-entry schools, the problems would not be solved because the deteriorating building had a limited life.

The Chairman asked Glenn Godwin to respond to the flooding concerns.

Glen Godwinn reported that he did not have all the details to hand but there was a Drainage Statement included with the planning application. The school covered 2,819 sq m of concrete whereas even with 15 new dwellings, the total amount would only be 2, 804 sq m. He would take on board the concerns re the back hedge and put in a stock-proof fence plus double- plant hawthorn hedge.

He also mentioned the previous consultation that had taken place when 130 people had attended the school, of which 75% were in favour of both applications. Only 8% were not in favour of the new housing.

Cllr. Chivers emphasised that with a new estate and new road, there should be new drains as well.

Mr Burbidge reported that nothing had been done at Sandridge.

The Council re-convened.

183/13

W13 00524/FUL Forest & Sandridge School, Sandridge Road North east to Sandridge Hill, Sandridge Common. Redevelopment of existing school site to provide 12 no dwellings and assoc. infrastructure *Revised plans*

The Planning Committee noted a copy letter from Pegasus Planning to the Planning Officer to confirm highway issues had now been addressed. One letter of objection was also received.

Cllr. Petty stated that while he was aware of the funding problem he did appreciate the apparent blackmail and felt earlier comments on the Parish Council still stood. Wiltshire Council had been responsible for negotiating the S106 Agreement, with its shortfalls, and as a result was trying to make the existing school fund the new school.

Cllr. Coombes emphasised he was not happy with the previous Council comments and did not agree it was unsustainable. It was a brown field site and there were amenities nearby such as a pet store, a supermarket and a place of worship. He had been disappointed at the reference to possible light pollution.

Cllr. Baines agreed with Cllr. Petty that to say a community would not get a new school unless there were houses on the old school site did sound like blackmail. There had been no preparation to date for replacing the old Victorian school and the temporary classrooms over the past eight years; a long enough period to raise some funds. The provision for a school site within the new development was part of the S. 106 Agreement and part of the overall development. There would still be a school without the 12 house development, albeit not to replace Forest and Sandridge School unless funds were made available. There were all sorts of other sites like Forest and Sandridge school site where it could be claimed extra development was needed to provide funds. The scheme was not just to do with an old building which needed to be replaced. The site was unsuitable because it was isolated and located right on the edge of a very busy road where very few if anyone could claim this was their most local school. Once upon a time there had been a bus service but now generally parents drove their pupils to school, causing traffic problems. The reasons that had been

applied to the need to move the school; that it was isolated and difficult to access on a fast road were equally valid to the new housing being proposed there. The revised plans had made some highway improvements which had reduced the usable area of the site for housing, but the changes had brought other risks due to the proposal to take out the hedgerow and the steel crash barrier. This barrier had been erected after an accident resulting in a vehicle breaching the school grounds, to protect the site from any vehicles being able to land in the school grounds ever again. If houses were built there, they too would be at risk, so the barrier should be retained. Housing development did need to be located at sustainable locations or otherwise Wiltshire Council was going against its own planning principles. A professional urban designer from Wiltshire Council had deemed the site unsustainable for a number of reasons. Why was this designer now being ignored? Where were the measures to address the points made by the designer?

Cllr. Brindle emphasised that he objected to the demolition of the Victorian school building. The Parish Council and residents had asked for this to be retained but were being ignored. He did not object to the houses.

Cllr. Sankey felt there was scope to retain the old school, and place a new building adjacent to it.

Cllr. Chivers (*not a member of the Planning Committee*) advised the Committee to support the application. He agreed with Cllr. Coombes that it was a brown field site and had to be used for some kind of development. He felt it would be better to support the application with amendments that were acceptable than to lose the issue. The Highways Officer was now supporting it, as was the Urban Designer. He agreed with Mr Burbidge that there was a serious flooding issue which needed to be addressed first and that the safety barrier should be retained. The coach service, currently used by 114 pupils would only be retained until this September and then another 114 families would be walking or using cars to get to school. The Victorian building had never been listed. It was falling down. There had been massive cuts to Local Council budgets so there was no other way to get the extra funds.

The Chair, Cllr Wood then spoke.

Cllr. Brindle *interjected to query whether Cllr. Wood had a pecuniary interest as an education employee of Wiltshire Council.*

Cllr. Wood made clear he was retired and did not have an interest. *It was noted Wiltshire Council was not a joint applicant for this application.*

Cllr. Wood also expressed disquiet about being blackmailed into having to accept housing to raise enough funds. He felt for the kids who were being educated in unsuitable buildings. It appeared the school had been permitted to over-expand due to possible unwise admission policies in the past but there was no doubt that it had to relocate to get a decent building. While the existing school building was old it had been stripped of its character due to internal changes. He agreed the safety barrier should be retained. As regards the revised plans, he was concerned that this was just a strip of houses without any focal point or place for children to play. The development needed a central open space.

Cllr. Brindle emphasised the Council was not against the principle of development but against the wrong sort of development. What was on offer did not comply with the Designer's report or the Parish Council's wishes. The Council had liked the original play area. The Council had always supported having the new school. However it was important to get the plans right before it went to committee. It was not the Council's fault if there was not enough finance.

Cllr. Petty agreed that as it stood it was not the right development. The back boundary did need close board fencing, with hedgerow planting in the middle and then stock-proof fencing on the field side. A Flood Risk Assessment was needed with input from Wessex Water and the Environment Agency. There needed to be an element of affordable housing, an amenity area in line with National Planning Framework rules and a crash barrier, to protect residential properties.

There was discussion as to whether a 30 m.p.h. limit should be retained.

Cllr. Baines reported that once the school had gone, national highway criteria for A and B class roads did not warrant having less than a 40 m.p.h. limit. He was not surprised that the earlier consultation with parents had been successful since many of them had been told that if they did not support the development they would not get a school which was not correct.

Cllr. Coombes requested a recorded vote and proposed that the Council welcome the application with certain amendments as discussed:

- The need for back stock proof fencing
- Full flood risk assessment
- Right amount of affordable housing
- Better sustainable transport in excess on one bus per day
- Safety crash barrier
- Focal, central play area

Cllr. Chivers informed that the Wilts. Council Drainage Engineer had stated he was happy with the amended plans but this needed to be checked. Excess water was being put into the foul sewer. It was noted there was no longer a pump and water was now going into a new drainage system for the development.

Cllr. Carter (*not a member of the Planning Committee*) felt it was important to get the new school built to the highest possible specification and that there needed to be a spurt towards getting things done.

Resolved: Cllr. Coombes then proposed, seconded by Cllr Wood that the Council approve the revised plans subject to the amendments as bulleted. Cllrs. Coombes, Wood, Baines, Sankey and Petty voted for the motion. Cllr. Brindle voted against the motion. *The motion was approved.*

- Comments** While my Council accepts the revised plans, with the reduction in the number of houses and the safer access to this site are an improvement on the original application, the development still requires considerable amendment and improvement to be safe and acceptable for residential use. The Parish Council is willing to approve this development, subject to the following changes to the plans:-*
- a) The play park/green area for children which has been removed, needs to be reinstated or otherwise children of the families likely to inhabit 3 and 4 bed detached homes will have nowhere to go or play.*
 - b) The development requires a central focus to convert what is now a conglomeration of unconnected modern houses into a community. This could be achieved by placing a green play park at the centre.*
 - c) Since the fields behind the current site are used for cattle with calves, it is imperative that the back boundary to the site has a) strong high picket fence on residential side b) double hedgerow c) stock-proof fencing on the field side. (The farmer landowner attended the meeting last night to make clear that calving cattle will go for anyone who gets near their calves and so his fields need to be made completely trespass-proof from residents, especially children who could get into the field)*
 - d) As there is already a significant flooding problem at the cottages nearby, a full flood risk assessment needs to be done to find ways of alleviating existing as well as potential future flooding problems.*
 - e) There needs to be an element of affordable housing, either on site or as contribution towards another scheme in the Melksham Without area; in line with the National Planning Framework guidelines.*
 - f) It is important that the existing crash barrier is retained to permanently protect residents' safety in the future. It was erected some years ago after a very serious accident when the school was shut resulting in a car going through the hedge and ending up in the playground. Since being erected, the barrier has proved effective to stop breaches despite there being several other accidents in the vicinity. (The most recent accident was last Tuesday) The barrier needs to be kept, especially as the existing thick mature hedgerow is being removed to make room for the larger visibility splay.*
 - g) The need for sustainable transport needs to be addressed as otherwise houses will remain isolated and solely dependent on private transport. Currently there is only one bus a day; not enough to connect the development to the town.*

In summary, the Parish Council wishes to make clear it does fully recognise the urgent need for this facility to be built in view of the state of the present building, and it does fully support plans for the larger new two class -entry school. The Staff and Governors at Forest and Sandridge School have had to cope for far too long in unacceptable conditions and Wiltshire Council and the Salisbury Diocese have known for many years that the school has been deteriorating. All pupils deserve to be educated in the best possible environment. However the Parish Council feels it is also important to ensure that this development is right for the site and for those who will live there in the future. My Council therefore looks forward to receiving revised plans which will take on board all the points raised and which will make the very best of what, you must agree, is a difficult location.

- 184/13 **W13 00489/REM Land North East of Snowberry Lane and South of Sandridge School. Construction of a new dual-use two form entry Primary School with associated access and landscaping.**

Cllr. Baines welcomed the increase in fencing height to protect properties in Snarlton Lane from balls flying off the pitches and the improvements to have an in and out to the car park.

Resolved: *This application be unanimously approved.*

Comments: *The Parish Council approves these plans unanimously and welcomes the increase in height to the fencing at the rear of properties in Snarlton Lane, that have been made and the improvement to the car park.*

Cllr. Coombes left the Meeting at 8.20 p.m.

- 185/13 **Other planning applications:** The Planning Committee considered the following planning applications:

(i) **W13 01652/FUL Morley, 3 Beeches Green, Shaw To demolish and rebuild to match existing garage (Retrospective permission)**

Comments: *My Council notes that the garage has been re-built on exactly the same alignment as the earlier garage which is still subject to an insurance claim. It is alleged that a tree on the playing field boundary caused subsidence to the earlier garage. The Council draws attention to the fact that the earlier garage did not have planning permission.*

There were no objections to the following planning applications:

(ii) **W13 01857 /FUL Shaun, 4 Halifax Road, Bowerhill.SN12 6SL Proposed side and rear extensions**

(iii) **W13 01987 Mike Booth, 18 Shaw Hill. Proposed double garage with workroom attached and front porch.**

- 186/13 **Planning Correspondence:**

(i) **Local Centre land development -S 106 Agreement funds for MUGA at Bowerhill:** The Committee noted a copy of a Parish Council application to Wiltshire Council for release of funds to build the new MUGA at Bowerhill. It was noted that the application included having a Street Snooker Court adjacent to the main MUGA. It was hoped that MWPC in liaison with BRAG and the community would be able to apply for extra funds to install this extra facility. The Clerk reported that she had asked for a meeting with Wilts. Council Recreation Officers to determine the exact site for the new facility, prior to applying for quotations.

(ii) **No waiting Traffic Order for Bowerhill:** The Planning Committee noted that, in addition to No Waiting Restrictions within the Bowerhill residential area at

Bader Park, Beaufort Close, Cheshire Close, De Haviland Close, Halifax Road and Mitchell Drive, no waiting restrictions were also being proposed for Commerce Way, Hampton Park West and Portal Road. A section of the Spa was also included. The closing date for comments was 27th August.

Cllr Petty expressed reservations about the need for restrictions to apply “at any time” and queried why there did not appear to be restrictions outside Police HQ. He emphasised that Wiltshire Council needed to address the parking problems by supplying appropriate public transport, rather than just moving them through restrictions.

Recommended: *No objections.*

- (iii) **Old Chestnut, Shaw Playing Field:** An arboricultural report was received from Woodland & Countryside Management Ltd. This drew attention to the deterioration of the tree and put forward three possible options for future management:
- (i) To fell to ground level and if possible carve the stump into a seat.
 - (ii) To reduce the existing crown and remove existing branches down to the stump, leaving a deadwood habitat for insects and birds
 - (iii) To retain the tree and create a risk zone for exclusion from public use, using temporary excursion fencing and erecting a notice to explain the tree is being left for habitat and biodiversity reasons.

Steve Russell also suggested that a new tree be planted.

Recommended: *It was agreed the tree should be cut down to stump level and if possible a seat be cut into it. It was agreed in the long-term a new tree should be planted. It was also agreed that the Caretaker be asked to fence off the tree with safety orange fencing until this work could be done.*

- (iv) **Eden Grove Garages:** The Committee noted a reply from Selwood Housing to Cllr. Chivers to confirm that at present there were no plans to build on garages at Eden Grove and no planning application had been submitted. Persons interested in renting a garage needed to contact Selwood Housing on 01225 715715.

187/13

Urgent Correspondence:

Bowerhill Sports Field – Pitch hole infill: A request was received from Rob Bridges for 5 tonnes top soil to fill in holes in the junior pitches at the Sports Field to make them safe for play. It was noted that the cost of top soil was £38.27 per tonne + VAT for loose soil and £44.27 per tonne + VAT for bags.

Recommended: *The Council purchase 2 no bags from Gerrishes at a cost of £88.54 + VAT.*

Pavilion Cleaning Contract: Due to an error Marc Adams had quoted the wrong amount for cleaning the Pavilion. The correct cost for 2 hrs per week was £600 + VAT for 6 months, not £300.

Recommended: *The Council request 1.5. hrs cleaning per week at a cost of £450 + VAT for six months.*

Meeting closed at 8.32 p.m.

Chairman, 9th September 2013