

MINUTES of the Planning Committee of Melksham Without Parish Council held on Monday 16th February 2015 at Crown Chambers, Melksham at 7.00 p.m.

Present: Cllr. Richard Wood (Chair); Cllrs. Gregory Coombes, Alan Baines, Rolf Brindle, Paul Carter, Jan Chivers, Steve Petty.

Cllr Terry Chivers attended as an observer.

Apologies: Cllrs. John Glover, Mike Sankey.

Housekeeping: The Chairman welcomed all to the meeting and explained the evacuation procedures in the event of a fire.

380/14 **Declarations of Interest:** Cllr Jan Chivers declared an interest in the Berryfield Park application 15/00420/FUL as an employee of Selwood Housing, and left the meeting when the application was considered. Cllr Terry Chivers declared an interest for the same reason, as his spouse worked at Selwood Housing and although not a member of the Planning Committee, also left the room when the item was discussed. Cllr Paul Carter declared an interest when a potential footpath to the rear of the new Forest & Sandridge School was discussed, as his son was a Governor at the school.

381/14 **Visit by Mick Latham, Selwood Housing (1):** Mick Latham had attended the meeting with reference to the Berryfield Park planning application. He suggested that he speak after a period of public participation so that he could answer any questions the residents may have.

The Council suspended standing orders for a period of public participation.

382/14 **Public Participation (1):** Residents expressed their views about planning application 15/00420/FUL Demolition of number 68 Berryfield Park to provide access to create 8 dwellings to the rear of 65-72 Berryfield Park. Applicant: Selwood Housing Society. The following points were raised:

- Concerns over additional traffic in Berryfield Park
- Noise
- Loss of privacy
- Loss of wildlife
- Detrimental effect on local wildlife. Deer and bats have been observed on the site.
- Other sites are available for building on, why were bigger greens not considered?
- Too close to existing housing
- Cars will spill out from development and park on Berryfield Park
- Junction to Berryfield Park is on a dangerous bend.
- Knocking down no. 68 (half of a semi-detached property) will leave no. 67 as a detached house which will be the only one in the road and will not blend in with the street scene and will look out of place
- Area is prone to flooding and was flooded last Winter by rainwater
- New houses will act as a barrier preventing rainwater from draining into the brook, causing flooding to back gardens of new houses and gardens of 65a, 65 and 66 Berryfield Park

- Query if flood assessment has been carried out on drainage ditch between Berryfield Park and Winston Road. Ditch believed to be blocked for years and causes flooding across fields and Berryfield Lane
- Land has been used a playing fields, and Parish Council planning policy states that recreational land already in existence should not be encroached upon in any way and green spaces should not be eroded.
- Light pollution to rear of existing properties
- Footpath to properties will create a crime area
- Danger of fire to rear fences of existing properties if tenants have bonfires (have had bonfires in the past locally)
- Due to flood assessments, the new properties have been moved back from the brook and now will have smaller gardens and houses will be even closer to existing properties.
- Concerns of how emergency services will access the new flats as there is only a footpath access
- Concerns that cars already parking on Berryfield Park outside houses will cause an obstruction in the future as would then be on a junction. Photos taken by the applicant were taken during the day when least amount of parked cars there and therefore did not reflect the amount of parked cars usually there

The Council re-convened.

383/14

Visit by Mick Latham, Selwood Housing (2): Mick Latham explained that this application process had started 18 months ago. A flood risk assessment was required, and a further report regarding flooding and drainage had also been undertaken.

Ecology: A bat survey had been undertaken at no. 68 Berryfield Park and no evidence of bats had been found. All trees on the brook were staying, as were most of the grass areas and hedges. A protection zone along the bank of the brook would be put in place to protect water voles. No wildlife would be disturbed during construction.

Drainage: Wessex Water had conducted a flood drainage survey on 13th February, and the ground levels of the dwellings were to be raised. The drainage ditch between Berryfield Park and Winston Road was not on Selwood Housing owned land and not part of this planning application.

Proximity of houses: The distance from the back of the existing houses to the back of the new dwellings would be 27.5m which exceeds the 20/21m requirement in planning terms.

Security/Access: A survey will be conducted by “Secure by Design” which is run by the police who will advise on whether the footpath should be lit or not. The footpath will have a locked gate at either end. The fire brigade have a reach of 60m from vehicle access to building, if further than that then a hydrant will be put in.

Traffic: If cars park on the junction then they will be causing an obstruction on the highway. The plans meet all planning and highways policy; however Selwood Housing were prepared to look at 20mph speed restriction zone, which would be enforceable by the police. A traffic management plan could be put in place with a planning condition which would restrict construction traffic to a single entry and exit point, rather than via

the loop at Berryfield Park. A condition survey would be conducted before and after construction with any resulting issues rectified after construction.

Amenity Land: The land had never been classed as amenity land, the records have been checked; and not all of the land was being used.

Other issues raised by residents but not pertinent to the planning application would be discussed with Mick Latham outside of the meeting.

The Council suspended standing orders for a period of public participation.

384/14 **Public Participation (2):** Residents expressed their views about planning application 14/11315/OUT Land at Snarlton Lane, Melksham Erection of 14 new residential dwellings and associated access. Applicant: c/o Michael Kavanagh.

The following points were raised:

- Concerns over increased traffic on Snarlton Lane, there are lots of pedestrians and an accident is waiting to happen. There is really poor lighting on the Lane and no footpath. There are always cars parked opposite the entrance to the new area. Many “sat nav” devices direct traffic down Snarlton Lane incorrectly rather than to the new housing development
- Residents already have no parking space available and have two cars
- The infill in the Lane and the new development has already put pressure on the area
- The current sewage arrangement has no access to the new site.
- Concerns over damage to the ancient hedgerow.
- Loss of faith with planning process and decision makers

Wiltshire Cllr Roy While:

Cllr While explained that the Parish Council had a good planning committee with lots of experience. He went on to explain that it was Wiltshire Council that made the decision on an application, that the Parish Council were a consultee. 90% of decisions were made by Officers, but there was an opportunity for Wiltshire Councillors to “call in” the application for decision by a Committee of elected Councillors. It was important that if residents requested an application to be called in that they should also then attend the subsequent Committee meeting to make their views known.

Wilts Cllr Roy While also reported that a draft agenda was now published for the Wiltshire Council Full Council meeting to be held on Tuesday 24th February which included recommendations on the Community Governance (Parish Boundaries) Review which had two options for Melksham Town/Melksham Without councils.

1. East of Melksham housing development to be within the Town Boundary
2. Merger of Town and Parish Council

The big item on the agenda was the Council Budget for 2015/16.

Wiltshire Cllr Terry Chivers reported that he had called in the application for Snarlton Lane 15/11315/OUT for decision by the Western Area Planning Committee.

The Council re-convened.

Planning Applications: Melksham Without Parish Council has considered the following applications and made the following comments:

14/11315/OUT Land at Snarlton Lane, Melksham.

Erection of 14 new residential dwellings and associated access. Applicant: c/o Michael Kavanagh:

Comments:

- 1) **Traffic and site management.** *Snarlton Lane is a narrow road with many houses having no off road parking. The amount of site traffic and the number of large vehicles is a concern to residents. Additionally the work required to transform the side road into an access road to the new housing would need to be managed to avoid preventing residents further down the road from being blocked in during the morning rush hour or prevented from returning home each evening.*
Parking is very limited and residents are concerned that site traffic would take up existing parking provision. The Council would like to see a condition imposed restricting construction to 8.30am to 5.30pm Monday to Friday, and Saturday 8.30am to 1pm only. However, it is noted that children walking to the new Forest & Sandridge School (opening September 2015) would access the school rear entrance from Snarlton Lane and could encounter construction traffic, and so it would be preferable for the construction traffic to not access site before 9am on term time weekdays if possible.
Snarlton Lane has been considered as a 20mph zone by the Melksham CATG (Community Area Transport Group) and the Council support this restriction, especially if more houses are built in the road.
- 2) **Contaminated site.** *The report states that the land is not at risk of having been contaminated however residents report that this land has shown up on property searches to neighbouring properties as potentially contaminated. The land has been used for commercial vehicle storage and maintenance for many years. It is a reasonable assumption that the land could be contaminated and would therefore require satisfactory treatment before dwellings can be erected.*
- 3) **Asbestos.** *Residents have expressed concern that one of the buildings to be demolished has an asbestos roof and note that no asbestos is listed in the report.*
- 4) **Boundary walls.** *Residents are concerned that existing boundary walls will be removed when buildings are demolished; and therefore request that provision be made to replace "like for like".*
- 5) **Noise and debris.** *The demolition and subsequent building works will be noisy and will create a great deal of dust/debris and other matter. Will the appointed constructor comply with the Considerate Constructors Scheme?*
- 6) **Privacy.** *Residents have concern over privacy and therefore request that windows in new properties are not facing directly into existing dwelling spaces.*
- 7) **Water level.** *The area around Snarlton Lane was significantly affected during the recent large scale builds. Gardens were extremely wet and properties experienced increased cases of damp. Has this been considered when submitting a planning request for a relatively small area within an area of land that has already undergone significant works in recent years?*

With regards to foul water, the pumping station is likely to be at capacity and another 14 houses could overload the system.

Most of the storm drainage runs into an open ditch to Clackers Brook and is not piped in, and again there are concerns of potential flooding.

The Council supports the comments made by the Wiltshire Council Drainage Engineer regarding concerns on foul and storm drainage.

- 8) **Protected hedge.** *It is residents' understanding that one of the hedges that will be affected by the construction is protected. Please can this be verified as it is not listed on the planning documents? The Council would prefer to see Plots 1&2 turned around to face the other way and moved back from Snarlton Lane; otherwise future residents are likely to make access onto Snarlton Lane through the ancient hedgerow.*
- 9) **Wildlife conservation.** *Residents report that bats are known to be in the area and therefore the Council would like to see a bat survey undertaken.*

The Council noted that Wiltshire Cllr Terry Chivers has called in this application to be considered by the Western Area Planning Committee.

Clls. Jan Chivers & Terry Chivers left the meeting (8.07pm) whilst the following application was considered.

15/00420/FUL 68, Berryfield Park, Melksham. SN12 6EE.

Demolition of number 68 Berryfield Park to provide access to create 8 dwellings to the rear of 65-72 Berryfield Park. Applicant: Selwood Housing Society.

The Council agreed that the green area had never been designated as a play area or a recreational area, and there had never been any play equipment on the site. The land did have some amenity value but a significant amount of the land would still be easily accessible after the build.

Comments: *The Council noted that many of the issues previously raised during the public consultation period had now been addressed, these included concerns relating to ecology, the nearby brook and potential risk of flooding.*

Due to the concerns of residents of obtrusive lighting causing disturbance at the rear of existing properties, the Council would like to see a tenancy condition imposed restricting the use of security lighting at the rear of new dwellings.

The Council would like to see a Site Traffic Management scheme put in place to prevent construction traffic using a circuitous route through Berryfield Park.

The Council would like to see a condition imposed restricting construction to 8.30am to 5.30pm Monday to Friday, and Saturday 8.30am to 1pm only.

The Council support a 20mph speed limit restriction on Berryfield Park, which is noted is a private road owned by Selwood Housing.

Due to the attendance of a number of residents at the Parish Council's Planning Committee meeting held on 16th February and their concerns raised; the Parish

Council will request Wiltshire Cllr Roy While to call in this application for a decision by the Western Area Planning Committee.

Cllr Jan Chivers returned to the meeting at 8.15pm.

15/00085/FUL 271, Sandridge Lane, Bromham. SN15 2JW.

Proposed demolition of existing dwelling and erection of replacement dwelling together with replacement of 85.3sqm total outbuildings with 60sqm garage to rear. Applicant: Mr. E Bowen & Ms. L Bryant.

***Comments:** The Council have no objections as long as provision is made for adequate storm drainage as there will be increased run off due to the larger roof area.*

15/00651/FUL Chestnut House, 53D, Beanacre, Melksham, Wilts. SN12 7PY. Two Storey Side Extension. Applicant: Mrs. Jill Tubbs.

***Comments:** The Council have no objections.*

15/00862/FUL The Barn and Store, Upper Beanacre Farmyard, Beanacre, Wiltshire. SN12 7PW.

Replacement of barn and store with chalet bungalow including double garage.

***Comments:** The Council have no objections however do have a concern regarding the provision of adequate visibility on egress as this is on the inside of the bend, and opposite the junction of Westlands Lane and the A350.*

386/14

Current Planning applications 14/10461/OUT & 14/06938/OUT Land East of Spa Road (450 dwellings)

- a) The Council noted that the additional comments made on the second application (14/10461) had now been submitted against the original application (14/06938).
- b) The Council noted that the following comments had been submitted following the receipt of amended drawings for the two applications.
***Comments:** The Council welcomes the amendment on application W/14/06938/OUT & W/14/10461/OUT that shows the application boundary redrawn to reflect the ownership of the boundary at Farmhouse Court. The Council welcomes the amendment on application W/14/06938/OUT with the addition of use D3 for community use as originally requested by the Parish Council; and notes that this now matches application W/14/10461/OUT.*
- c) The Council considered sending a Parish Council representative to the Strategic Area Planning Committee meeting when these applications were to be considered but agreed not to send a representative.

387/14

Planning Decisions & Enforcement Notices:

- a) **14/10385/VAR Land West of 429 Redstocks:** Variations to conditions imposed on 12/01907/FUL. The Council noted that this application had been refused and welcomed the decision.
- b) **Land North of the junction with Dakota Close and Hornchurch Road (now known as Manston Close)**
 - i) The Council noted that the Planning Enforcement Officer had confirmed that all requested landscaping work in conjunction with condition 7 of the granted planning permission W/12/01256/FUL for the erection of 13 dwellings,

associated open space, landscape and infrastructure had now been fully implemented in accordance with the approved plans. The Officer had met with a representative from Persimmon Homes on the land to confirm that the requested works including the replacement of dead trees, hedgerow, missing shrubs and areas of land where grass had failed to take had now been replaced and planted accordingly.

Councillors and the Clerk had taken a look at the area, and all present viewed a photograph, and were surprised at the condition of the footpath that still looked unfinished. **Recommendation:** *The Council write to Wiltshire Council to request sight of evidence that the current footpath was in line with the planning permission granted.*

- ii) The Council noted that an application was being made on behalf of the Manston Close Residents' Group for a hedgerow from the Woodland Trust, to replace the hedge removed prior to construction works taking place. The residents were to plant the saplings themselves.

388/14 **Wiltshire Housing Site Allocations Development Plan Document – Identification of Potential Housing Sites – Stakeholder Engagement:** The Council noted that an informal consultation with Parish Councils was to take place, with a deadline for comments by 31st March. Information would be available on the Wiltshire Council website from 23rd February. A series of briefing events were to be held, with the relevant event for the North and West Housing Market Area being held on 23rd February from 6-8pm at Chippenham Town Hall; it was noted that this clashed with the next Full Council meeting. **Recommendation:** *Cllr Steve Petty to attend the Briefing Session on the evening of 23rd February.*

389/14 **Community Benefits:** The Clerk reported that it may be worth investigating if there were any community benefit funds available under Section 106 for the planning applications 14/03652/OUT 303 Sandridge Road (24 dwellings), 14/11315/OUT Land at Snarlton Lane (14 dwellings) in conjunction with any funding available from 13/00524/FUL development at Forest & Sandridge School site (12 dwellings). The Council discussed possible schemes that the funding could contribute to:

- Footpath from Ingram Road to meet corner of footpath at rear of new Forest & Sandridge School
- Footpath from new bridge at Clackers Brook to Westbury View
- Traffic calming for Snarlton Lane
- Fitness trail/Outdoor Gym equipment for community playing field west of new Forest & Sandridge school

Recommendation: *This item be deferred to the next Planning Committee meeting on 9th March.*

Cllr Coombes left the meeting at 8.25pm

390/14 **Planning Policy:** It was agreed that the draft revised Planning Policy still needed more input from Councillors on specific areas, and a clear understanding of the framework that the new Core Strategy, and future Site Allocations DPD and Neighbourhood Plan fitted into, and their relationship to existing Plans such as the Settlement Boundaries (Village Limits). Councillors agreed to let the Clerk have any suggestions for wording,

which would be incorporated into the draft Policy for review at the next Planning Committee meeting.

391/14

Planning Code of Good Practice for members of Wiltshire Council: The Council noted this useful document. Although for use of Wiltshire Council members it still set out a good code of practice for Planning Committee members of the Parish Council.

Meeting closed at 8.45pm

Chairman, 23rd February 2015