

MINUTES of the Planning Committee of Melksham Without Parish Council held on Monday 14th March 2016 at Melksham Oak Community School, Melksham at 7.00 p.m.

Present: Cllrs. Richard Wood (Council Chair), Mike Sankey, Paul Carter, Alan Baines, Rolf Brindle and Gregory Coombes.
Officers: Teresa Strange (Clerk) and Jo Eccleston (Assistant Parish Officer).
Cllr. Mike Mills as an observer.

Apologies: Cllr. John Glover (Council Vice-Chair).

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

547/15 **Declarations of Interest:** Cllr. Carter declared an interest in Agenda item 6e as the applicant is a personal friend. Cllr. Sankey declared an interest in Agenda item 6f as the applicant is his employer.

548/15 **Visit from applicant re Pre-planning Application Consultation: Proposed Anaerobic Digester on land at Snarlton Farm, Snarlton lane, Melksham, Wiltshire, SN12 7QP.** Mr. Henry Waite, a representative from the applicants, explained that Anaerobic Digestion was the process of breaking down organic matter to produce gas. There are two types of Anaerobic Digesters; Commercial, which breaks down food waste and Agricultural, which breaks down crops, crop residues, mucks and slurries. The Snarlton Farm proposal was for an agricultural facility, and this would be a gas to grid facility. The gas produced by the Anaerobic Digester would be refined on site and put directly into the gas system grid; this has a 98% efficiency. If the gas is put through a generator to produce electricity it only has a 45% efficiency. Government focus is currently on Bio-Methane straight to grid, and they are keen to champion this type of energy production to meet their renewable targets. Anaerobic Digesters are dispatchable energy generators and can respond to demands, unlike other forms of renewable energy, which rely upon weather conditions. Mr. Waite stated that the expected annual total diet of the Digester would be 38,000 tonnes of crops, crop residues, mucks and slurries with slurries making up 20% of this volume. Not all of this agricultural waste would be delivered to the site via the road system as some would come directly from the land involved in the site. However, the expectation would be that 35,000 tonnes would be coming in via the A3102, which could equate to between 5 and 20 deliveries a day over a 5 day working week. This could also have the potential to increase at busy times such as harvest. There will be 3rd party contributors who will store waste off site and therefore there will be regular daily deliveries.
Cllr. Carter queried how much gas 38,000 tonnes of waste material would produce. Mr. Waite replied that this would provide enough gas to serve 3,200 average households per year.
Cllr. Coombes asked whether there was a working Anaerobic Digester nearby that councillors could visit to get a feel about the process and what was involved. Mr. Waite considered that if 10/20 people were interested in such a visit that he felt sure this could be arranged.

Cllr. Baines stated that 38,000 tonnes of waste equated to over 100 tonnes per day being processed by the Digester. According to the literature provided, it takes 40 days for the waste to initially ferment, and then a further 60 days for post-fermentation. This equates to a 100 day process and he queried whether there was enough storage capacity for this before it is removed to be used as fertiliser. Mr. Waite responded that the site area was 5 acres. There is a separator; when the Digester has finished its process, which takes one month, the digestate is separated from the solids. There is enough storage capacity to store the liquid digestate for 8 months. The solids are then taken away by some of the vehicles making waste deliveries, however, this needs to be carried out at the optimum time for the solids to be spread to benefit the land. Additionally he reported that there is no smell to the product made by the digester.

Cllr. Baines queried the access, stating that the current access was a bridleway and that the surface was not suitable for the volume of traffic proposed. Mr. Waite replied that the planning application would include a proposed access track next to the bridle way.

Cllr. Wood asked whether the system was one large digester or several smaller ones, what the chemical composition of the digestate was and how visible the Digester would be from the new housing development. Mr. Waite did not know what the chemical composition of the digestate was, but stated that this facility would have two Digesters working on a staggered time frame. He stated that the site was well screened by mature woodland, but that further planting was planned as part of the application.

The Clerk queried the colour and height of the storage tanks. Mr. Waite stated that the tanks came in green or white and the colour could be specified as part of the planning application. The tanks were domed and 12m to the tip of the dome. Where possible they tried to drop the storage tanks below ground level to reduce the height and visual impact, however he could not confirm whether this could be done at the Snarlton Farm site until a landscape and visualisation survey had been conducted.

Cllr. Baines expressed concern over the number of proposed vehicles to the site. There had been issues with regard to the Solar Farm construction traffic accessing and exiting the Solar Farm at the same point on the A3102 as this proposal, and he stated that a transport plan would need to be submitted identifying the type and volume of vehicles that would be used to transport the agricultural waste & digestate to & from the site. Mr. Waite replied that the application was looking at the design of the entrance splay and lessening any impact by increasing the splay by 40/60%. He stated that most of the feedstock deliveries would be coming down the hill to access the site. Wiltshire Council Highways wish to see traffic calming measures on this stretch of the A3102 and Pegasus were looking at how this application could assist with this.

Cllr. Sankey queried why access to the site could not be made from Eastern Way and via Snarlton Farm. Mr. Waite said that they had been advised that the best access was from the A3102.

The Council agreed to suspend Standing Orders for a period of public participation.

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Public Participation .1:

Residents had objections to this proposal as they considered the site to be inappropriate, and that the Digester and storage tanks should be located at Snarlton Farm itself. They stated that Praters Lane, the proposed access route, was an old

drovers route and unsuitable for delivery lorries and vehicles. A neighbouring farmer had concerns over the height and visibility of the silos, and stated that sinking them below ground height may not be an option as there was the potential that they could float due to the high water table. A resident queried whether residential garden waste could be used in the digester, as the reduced recycling centre hours and Wiltshire Council's new green bin charges had resulted in problems with the disposal of such waste. Mr. Waite explained that under this proposed planning application they were unable to accept household green waste. Residents also had concerns over the safety of the Digester and queried how wide the silos would be. Mr. Waite responded that Bio-Methane was very hard to ignite and that the silos were 36m wide.

The Council re-convened.

- 550/15 **Visit from Vanessa Clipstone, RPS Group & Developers: Planning Application 16/01123/OUT – Land South of Western Way, Bowerhill, Melksham, SN12 6JT.** The Committee noted that neither the Developers or Vanessa Clipstone of RPS Group were now able to attend the meeting.

The Council agreed to suspend Standing Orders for a period of public participation.

- 551/15 **Public Participation .2:** Residents objected to planning application 16/01123/OUT. They stated that the fields were always under water in the winter, and the hard surfaces and tarmac created by any development of the area would increase the amount of surface water despite putting in ditches and attenuation ponds. There were queries over legislation and whether residential development could be built in such close proximity to the industrial area and businesses. There were concerns over the suitability of the surrounding roads being able to cope with the extra traffic generated not only by residents of this potential development, but also by the traffic created by parents dropping children to the proposed school. The accuracy of the developer's travel plan was queried as it referred to bus services that were no longer running. Whilst residents acknowledged that the plans proposed to address the shortage in primary school places with the provision of a one form entry primary school and early years nursery, they queried the adequacy of secondary provision. It was noted that there were plans and the capacity to expand Melksham Oak Community School. A resident reported that during the summer months there was a drop in water supply and expressed concerns over how the developers proposed to prevent a drop in water pressure and supply with the addition of a further 235 dwellings. Residents considered that it was a poor show that the developers did not attend this meeting to give representation.

The Council re-convened.

- 552/15 **Planning Applications:** The Council considered the following applications and made the following comments:

a) 16/01123/OUT – Land South of Western Way, Bowerhill, Melksham, Wiltshire, SN12 6TJ: Outline application for residential development of up to 235 dwellings, primary school with early years nursery, open space provision and

vehicular access off Pathfinder Way. (Outline application to determine access – resubmission of 14/04846/OUT). Applicant: Mactaggart & Mickel and Mr. & Mrs. Doel.

Comment: *The Council OBJECTS and wishes to reiterate its comments made against application 14/04846/OUT on 27th June 2014, and add additional comments:*

a) RURAL BUFFER

*This is a grossly inappropriate site for development, since it would destroy the rural buffer between the separate communities of Bowerhill village and the town of Melksham, leading to the coalescence of the two settlements. This RURALBUFFER has been safeguarded in successive local planning policies for 40 years and MUST BE RETAINED. The previous West Wiltshire District Plan 1st Alteration 2004, shows half of the proposed development site as R5 New Recreation Space (see page 41 item 3. See also page 55 H1d –Proposals for Housing Development within Towns will be permitted providing they do not result in the loss of an open space, visual gap, important for recreation and amenity reasons. Further housing development outside of the urban area as defined by Town Policy limits will not be permitted during the Plan period. The same condition applies to the Village Policy limit- See page 82 H17d – will not result in the loss of and important open space or visual gap). Building on these sites will mean Bowerhill and Melksham joining up which the Bowerhill residents do not want. Bowerhill is a village with its own community. The Core Strategy paragraph 5.83 (page 130) states “Melksham and Bowerhill village have a functional relationship and are considered together for the purposes of this strategy. Therefore the housing growth identified for Melksham town will also serve to meet the needs of Bowerhill. **The identity of these separate communities will need to be preserved through the planning process.** It is recognised that both Berryfield and Bowerhill have functional relationships to Melksham and have important individual characteristics which should be protected, where practicable”. There are other far more suitable sites for future housing provision at Melksham, particularly on the NE side to the north of A3102, where it could help facilitate further sections of an eastern bypass for the town and Beanacre which is a long-standing aspiration of the highway authority, and other SHLAA sites which could be more appropriate for this size of development.*

b) AGRICULTURAL LAND

Both pieces of land are productive, agricultural land where the farmers grow crops.

c) INDUSTRIAL ESTATE

Some of the houses on the plan will back onto the Bowerhill Industrial Estate onto a garage, a container storage facility, a brewery and Boomerang which is a play area for children and is also used by adults in the evening. It stays open late with flashing lights and loud music. There are concerns that in the future residents of the new housing will not be happy with the neighbouring businesses. Residents of Bowerhill already have noise issues from the Industrial site, especially in Halifax Road. The area is also not suitable for housing as it will not be linked to the village of Bowerhill nor of Melksham town as it is separated by the A365, and will be isolated from both these communities.

d) PATHFINDER WAY

The creation of any new junctions on Pathfinder Way must not be allowed to create additional hazards, or impede pedestrians and cyclists. With the existing roundabouts at each end, a left-in, left-out arrangement would be the safest option. Pathfinder Way is very busy at all times as it is the principle access to the

Industrial Estate, with some vehicles traveling at night.

e) SCHOOLS

The proposed site of the new school is unsuitable due to the proximity to the A365. Additionally vehicular access to the school will cause extreme traffic difficulties. If this school is also to serve children from the 450 houses on the site to the east of Spa Road (planning application 14/10461/OUT), a good school route either via the Campion Drive Estate or via Pathfinder Way to the Spa would be required with provision of footways along the A365 to ensure that children do not take unsafe short cuts.

f) PEDESTRIAN AND CYCLE CROSSING

The plans show 4 sets of light controlled crossings. Whilst the Council welcomes the addition of crossings, it believes that the one to the north of the plan on the A365 Bath Road is too close to the roundabout. The Council previously felt that the Transport Survey conducted on 24th October 2014 was not sufficient and did not reflect the volume of traffic that regularly uses the A365. It commented previously that it wished to see a Metrocount survey to be carried out at varying times of the day and to be supplied by a full report of the entire data from these counts. No such data has been submitted with this current application. The Council are also concerned about a proposed weight limit that may be imposed on the A361 at Seend; this could have the potential to increase the flow of HGVs on the A365 via Bowerhill.

g) HOUSING TYPE:

Bowerhill has a satisfactory mix of housing types, but Melksham needs additional affordable family housing for local people. The Melksham area generally DOES NOT require any more housing which is likely to encourage people who will commute out of the area.

h) SETTING OF THE SPA

The open aspect across the rural buffer land is an essential part of the setting of the historic Melksham Spa and must be protected from development. The Core Strategy paragraph 5.83 (page 130) states that "development at Melksham should protect the historic environment and in particular should protect the historic setting of the Spa". The Council re-iterates its previous request that English Heritage are consulted on this application, as they were not consulted on application 14/04846/OUT.

i) FOUL SEWAGE DRAINAGE:

The council has serious concerns about the ability of the current sewerage system to cope with a large new housing development. Wessex Water commented on 21st May, 2014 that "There is limited available spare capacity within the local foul sewerage system to accommodate predicted foul flows from the development (as proposed in the outline planning application W14/04846/OUT)". Should this current application (16/01123/OUT) be successful the Council wishes to endorse the foul water planning condition as requested by Wessex Water. Residents have also expressed concerns about the low water pressure they have and feel that additional housing drawing from the system would exacerbate this.

j) MEDICAL FACILITIES

The Council has serious concerns, and supports residents' views, over the impact that 235 houses will have on the already overstretched GP surgeries in Melksham. NHS England have stated that one of the three surgeries has capacity issues. Since making this comment application 14/10461/OUT for another 450 houses has been approved, but the s106 funding attached to this application seems to only be allocated to increasing the car park at the Spa Medical Centre and not to increasing

the GP capacity in Melksham.

k) TRANSPORT

The Council reinforce the comments submitted by Graham Ellis, TransWilts, in that the existing public transport facilities are overstated in the Transport Plan, with some inaccuracies. Additionally the Transport Plan does not take into account any loss of future public transport provision that may arise following Wiltshire Council's Bus Consultation.

l) CONCLUSION:

Only the southern half of the area east of Pathfinder Way should be considered at all suitable for possible development, in order to retain a meaningful separation from the urban area of Melksham town. It would also allow better integration with the existing village community and only need a single access from Pathfinder Way, with a footpath link into Birch Grove. The area to the west of Pathfinder Way should be for economic/employment development and is not a suitable site for the provision of a school.

b) 16/01187/FUL – 126, Beanacre, Beanacre, Wiltshire, SN12 7PU: Alterations and extensions to the existing cottage to provide toilet, bathroom, bedroom and kitchen. Applicant: Mrs. Rachel Parkyn.

Comments: The Council have no objections.

c) 16/01470/PNCOU – Holding No. 45/176/0231, Land Off Shaw Hill, Oaks Farm, Shaw, Melksham, Wiltshire: Prior notification under Class Q for proposed change of use of agricultural building to 2 dwellings and associated works.

Applicant : Mr. D. Geddes.

Comments: The Council have no objections.

d) 16/01744/PNCOU – Lot 4, Oakley Farm, Lower Woodrow, Forest, Melksham, Wiltshire, SN12 7RB: Prior notification under class Q for proposed change of use of agricultural building to 2 dwellings and associated works.

Applicant: Mrs. Emma Mitchell.

Comments: The Council OBJECTS as this proposal is creating dwellings in the countryside with no connection to agriculture, horticulture, forestry or the local community.

e) 16/01784/FUL – 53, Bader Park, Bowerhill, Melksham, Wiltshire, SN12 6UF: Single storey rear extension and garage conversion.

Applicant: Mrs. Jennifer Holman.

Comments: The Council do not object providing that the extension and conversion remain an annexe to the principle dwelling and not separated to create two separate dwellings.

f) 16/01982/FUL – 4, Burnt Cottages, Beanacre Road, Beanacre, Wiltshire, SN12 7PT: Proposed partial demolition of conservatory at rear to accommodate two storey side extension. Applicant: Mr. & Mrs. Paul Prout. **Comments:** The Council have no objections.

g) 16/02050/FUL – 39, Locking Close, Bowerhill, Wiltshire, SN12 6XR: Proposed single storey rear extension. Applicant: Mr. Jamie Walker.

Comments: The Council have no objections.

- 553/15 **Planning Decisions:** The Committee noted the following planning decision:
- a) **15/10766/OUT – Land Opposite Outmarsh Farm, High Street, Semington, Melksham, Wiltshire, BA14 6JX:** New home for the Wiltshire Air Ambulance Charitable Trust, including administrative office space, operational offices, multifunctional training facilities and associated ancillary spaces. Operational uses to include hanger, secure medical storage, helipad, approach strip, fuelling and vehicle wash facilities. **APPROVED.** The committee noted and welcomed this decision.
- b) It was noted that the date of the public display and consultation for the Reserved Matters application for the Wiltshire Air Ambulance had yet to be confirmed.

554/15 **New Premises Licence Application: Melksham RFC, Melksham Rugby Club, Eastern Way, Melksham, SN12 7GU:** The Committee considered the Licence Application for the following:

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| • Live Music (Indoors & Outdoors) | Sunday – Friday | 18.00hrs to 23.00hrs |
| | Saturday | 14.00hrs to 00.00hrs |
| • Recorded Music (Indoors & Outdoors) | Sunday – Friday | 18.00hrs to 23.00hrs |
| | Saturday | 18.00hrs to 00.00hrs |
| • Anything of a similar description (Indoors & Outdoors) | Sunday – Friday | 18.00hrs to 23.00hrs |
| | Saturday | 18.00hrs to 00.00hrs |
| • Late Night Refreshments (Indoors & Outdoors) | Friday – Saturday | 23.00hrs to 13.00hrs |
| • Supply of Alcohol (On & Off the Premises) | Sunday – Thursday | 11.00hrs to 23.00hrs |
| | Friday | 11.00hrs to 01.00hrs |
| | Saturday | 09.00hrs to 01.00hrs |

Comment: *The Council do not object to the Licence Application for Live Music (Indoors & Outdoors) or for the Supply of Alcohol (On & Off the Premises). However, the Council do OBJECT to Recorded Music **Outdoors** and Late Night Refreshments **Outdoors** as they consider that this will affect the amenity of residents of the Spa and could cause noise pollution, with the possibility that any noise could carry on after the published times. Additionally the Council OBJECTS to the Licence Application for “anything of a similar description” as this is undefined.*

555/15 **Applications for Consideration by Wiltshire Council Planning Committee, 16th March, 2016:**

- a) **16/11315/OUT – Land at Snarlton Lane, Melksham: Erection of 10 new residential dwellings and associated access.** It was noted that this application was no longer being considered by Wiltshire Council Planning Committee on the 16th March. **Recommendation:** *Officers inform residents that Wiltshire Council Planning Committee will be considering this application when the date is known.*
- b) **15/08809/FUL – Roundponds Solar Farm Standby Generator.** The Committee noted that this application was being considered by Wiltshire Council Planning Committee on the 16th March, but did not wish to send representation to this meeting.

556/15 **S106 Legal Agreement Queries:** The Committee noted the reply from the Planning Officer on all the s106 queries raised about planning application recently approved for 450 houses at Land East of Spa Road (14/10461/OUT) (*Min. 5201/15*). The Clerk reported that Wiltshire Councillor Terry Chivers had submitted a motion at the

Wiltshire Council Full Council meeting in February that if any radical changes were made to s106 Agreements that Parish Councils should be informed. At that meeting Cllr Toby Sturgis had queried this and stated that Wiltshire Council always consulted parish councils with regard to s106 Agreements. However, in a reply from the Planning Officer on the Land to the East of Spa Road application, received the same week the Clerk had been informed that Wiltshire Council “do not include Town/Parish Councils when drawing up s106 Agreements”. The Clerk had copied both Cllr Toby Sturgis, Cabinet member for Strategic Planning, Development Management, Strategic Housing, Property & Waste and Cllr Baroness Jane Scott of Bybrook, OBE into this email and queried this disparity. As yet she had not received a reply. It was understood that Cllr T Chivers was submitting another motion on this subject, with this latest correspondence.

Meeting closed at 8.45pm

Chairman, 21st March, 2016