

**MINUTES of the Planning Committee of Melksham Without Parish Council held on Monday 28<sup>th</sup> November 2016 at Crown Chambers, Melksham at 7.00 p.m.**

**Present:** Cllrs. Richard Wood (Council Chair), John Glover (Council Vice-Chair), Alan Baines, Rolf Brindle, Mike Sankey, Paul Carter and Gregory Coombes.  
Officers: Teresa Strange (Clerk) and Jo Eccleston (Parish Officer)

**Apologies:** None

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

243/16 **Declarations of Interest:** None.

244/16 **Public Participation:** There were no members of the public present.

245/16 **Planning Applications:** The Council considered the following applications and made the following comments:

a) **16/09011/FUL – 159, Top Lane, Whitley, Wiltshire. SN12 8RB:** Two storey rear extension. Applicant: Mr. Kenny Harris  
**Comments:** *No objections*

b) **16/09956/FUL – 442, Carnation Lane, Bowerhill, Wiltshire. SN12 6RD:** Removal of existing property and building replacement energy efficient timber frame 1.5 storey house with detached timber frame garage. Applicant: Mr. Jon Finch.  
**Comments:** *No objections*

c) **16/10811/FUL & 16/10986/LBC – Minster House, 59, Folly Lane, Shaw. SN12 8HB:** Erection of timber garden building. Applicant: Mrs. Corinne Slingo.  
**Comments:** *No objections*

246/16 **Planning Enforcement:**  
**16/00937/ENF – Eddies Diner, Lysander Road, Bowerhill, Melksham, Wiltshire, SN12 6SP:** The Clerk gave an update following a reply from the Enforcement Officer. Although the reasons cited for refusal of this application were the lack of compliance with core policies 57 & 60 of the Core Strategy, the Officer had informed that the planning application had provided very little information. The applicant had now appointed an agent who may submit a further more detailed application. All applications are considered on their individual merits, but the Enforcement Officer would be liaising with the Planning Officer. Should this latest application be refused, it would be followed up with any necessary enforcement action.  
Cllr. Sankey stated that other street vendors needed a street trading licence, and queried whether a condition of any street trading licence would be to have the relevant planning permissions in place. **Recommended:** *The Council query with Wiltshire Council whether a lack of approved planning permission would invalidate any street trading licence.*

247/16 **Planning Appeals:**

**Appeal APP/Y3940/D/16/3156898 – Planning Application 16/02681/FUL – 8< Fulmar Close, Bowerhill, Wiltshire, SN12 6XU:** Proposed new roof to detached garage with ancillary accommodation. Applicant: Mr. Omar Abdulshakour. The Committee noted that the applicant had appealed against the refusal decision of this planning application. The Planning Committee has delegated powers to respond to planning appeals. **Resolved:** *The Council send their previous comments to the Planning Inspector.*

248/16 **Planning Policy Documentation:** The Clerk reported that the Council's Planning Policy was now very out of date and some polices were no longer reflective of the vision that the Council now held with regard to development. It was noted that moving forward the Joint Neighbourhood Plan, once adopted, would be the reference document used by the planning committee to support its comments. She suggested that the Council un-adopt its planning policy and instead have some planning principles which reflected some key considerations that it always took into account when commenting on applications. Cllr. Glover stated that there were certain policies within the current planning policy that he would not want to lose, and felt it was important that these were written into documentation, either in a planning principles document or as an addendum. The Clerk suggested that the policies that the Council did not wish to lose were written into the Neighbourhood Plan, which would then hold legal weight once adopted. The Parish Council could then have Planning Principles as a supplementary document. **Recommended:** *The Clerk to extract points from the current Planning Policy for submission to the Joint Neighbourhood Plan.*

249/16 **S106 Agreements:**

**a) Ongoing and New S106 Agreements:**

- i) Reply from Highway's Officer with regard to Pedestrian Refuge on A3102 15/12454/OUT (100 dwellings at Sandridge Common):** A reply had been received from the Highways Officer confirming that the planning application would provide a 2m wide refuge which is considered sufficient for an adult with a pushchair to use. Additionally, the refuge will be within an area of central hatching. It was noted that the drawings appeared to show that this refuge would be 3m in depth.
- ii) Art Installation Project in East of Melksham:** The Clerk reported that she had held lengthy telephone conversations with the Art Consultancy company and the Arts Officer at Wiltshire Council. It was understood that the Artist had presented her project several times to the Town Council, including the showing of a film. The first time she gave a presentation, no houses had been built and Melksham residents were asked to give their opinions. At this point in time residents had concerns that the fields would be lost, and therefore their opportunity to walk in the countryside. The Artist had used this information as her inspiration, and had created a walking route incorporating her works of art. The intention is that there will be a map instructing walkers where to find these pieces of art. The Clerk had informed the Artist that all the areas included in the Art Installation were in the Parish of Melksham Without and yet the Parish Council and parish residents knew nothing about it. The Artist had produced a report of her works of art and had said she would send a copy to the Council. Cllr. Carter asked if the Council could see this film. There is still an element of the project to be completed at the Melksham Oak Community School and Cllr. Wood stated that the Parish Council should be involved in any further consultations as the project moved forward.

The S106 contribution towards the Art Installation for the East of Melksham Development was £110,000. There were concerns over the imbalance within S106 agreements for the amount of money contributed to arts projects when compared against the contributions for highways and NHS provision, and the legalities over how this money was allocated; in particular, the fact that no S106 funding from the Pathfinder Way application could be sought for the NHS due to the lack of a specific project. Cllr. Wood questioned whether it was mandatory for S106 Agreements to provide an arts contribution and asked for this to be queried with Wiltshire Council. Cllr. Brindle asked if the Clerk could investigate what arts contribution was available from other new developments in the Parish and inform Wiltshire Council that the Parish Council wished to be consulted on these.

**Recommended:** *Once the Artist's report has been received, the Council request that Meril Morgan, Wiltshire Council Arts Lead Officer, attends a future Council meeting to explain this project and discuss future projects (including the George Ward development). Additionally, the Council request a copy of the film for them to watch.*

**b) New S106 Queries:**

- i) The Clerk had noticed from the Minutes of the Strategic Planning Committee held on 28<sup>th</sup> September that permission, subject to conditions and the completion of S106 Agreement, had been granted for a large application for Mixed Use Urban Extension at Rowden Park, to the South of Chippenham (14/12118/OUT) and Land at Showell Farm, Patterdown Road, Chippenham for Employment Development of 50,000sqm(N/13/00308/OUT). Due to the locality of these large development close to Melksham and its strategic position on the A350 to the north of Beanacre, she queried whether the Council wished to seek CIL (Community Infrastructure Levy) funding from this application towards the potential Eastern Bypass. It was considered inevitable that there would be an impact on the volume of traffic travelling through Melksham brought about from these developments. It was noted, however, that the applications may pre-date the introduction of CIL and that a request would need to be made from the S106 Agreement. **Recommended:** *The Clerk to explore whether funding can be sought from the S106 Agreement for this application to support the extension of a potential Eastern Bypass.*

**c) S106 Decisions made under Delegated Powers: None.**

250/16 **Planning Correspondence:**

- a) **From Broughton Gifford Parish Council re: 16/08547/FUL Standby Generator Compound at Roundponds Farm:** It was noted that it was still unclear as to the type of generator proposed to be installed, and whether they would be diesel, gas or dual fuelled, as such the level of noise and potential pollution was unclear. **Recommended:** *The Council contact the Melksham News to express their views on this application, specifically the ambiguous nature of the proposal and unknown levels of pollution.*
- b) **From Jacobs Engineering Group re:W/12/2072/FUL Remediation and Improvement works to Norrington Solar Farm:**It was noted that the legal proceedings with regard to the appeal against the permission given for this application had now come to a conclusion, with the appeal being unsuccessful. The current owners Terraform Power Limited intended to undertake remediation and improvement works before submitting a further planning application seeking approval of the "as built" plans. Under a community funding agreement for this

application, Shaw Village Hall were due to receive a defibrillator, but to date the Parish Council had received no correspondence with regard to this since before the installation of the solar farm. **Recommended:** *The Council contact Terraform Power Limited to request that the obligation for providing community funding is met.*

- c) **Response from S106 & CIL Officers following meeting with Councillors:** It was noted that no response had been received and that the Clerk would chase this up,
- d) **PSE (Public Sector Executive) Article over Government Land Disposal Plan to Build New Homes:** The Committee noted this article about the Government selling its surplus public land in order to make progress towards meeting its own target of delivering 160,000 new homes by 2020.
- e) **Premises Licence for Melksham Town Football Club, Eastern Way, +Melksham, Wiltshire, SN12 7GU:** The Premises Licence for the new Melksham Town Football Club was noted.
- f) **Update to Wiltshire Housing Site Allocations DPD Timetable:** This new timetable was disappointingly noted, and that the timescale for adoption was now not until Winter 2017/18.
- g) **New Asset Management Responsibilities for Craymarsh Farm Solar Farm:** It was noted that the asset management responsibilities of this Solar Farm had moved from Lightsource to Quintas Energy as of 1<sup>st</sup> November.
- h) **CPRE (Campaign to Protect Rural England) Article “Landowners can help solve Rural Housing Crisis”:** This Article about tax breaks for landowners releasing land in order to build affordable homes for local people was noted.

Meeting closed at 8.10pm

Chairman, 5<sup>th</sup> December, 2016