

**MINUTES of the Planning Committee of Melksham Without Parish Council held on Monday 22nd February 2016 at Crown Chambers, Melksham at 7.00 p.m.**

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

**Apologies:** Cllr. Mike Sankey.

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

517/15 **Declarations of Interest:** There were no declarations of interest.

518/15 **Public Participation:** There were no members of the public.

519/15 **Planning Applications:** The Council considered the following application and made the following comment:

**16/00468/LBC Beanacre Manor, Old Road, Beanacre, SN12 7PT**  
Replace softwood floor boards, floor joists and bearers in East Wing Drawing Room with seasoned English Oak. Replace floor boards and joists (as necessary) in small room above Main Entrance Porch on South Façade.  
Applicant: Christopher Langridge.

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

520/15 **Planning Decisions:** The Committee noted the following planning decision:

**14/06938/OUT & 14/10461/OUT Land East of Spa Road**

Outline application for up to 450 dwellings with associated access and engineering operations, land for extension of medical facilities or community facility, and extension to Eastern Relief Road from Thyme Road to The Spa – Snowberry Lane. **APPROVED**

It was noted that although the proposal was not in accordance with the development plan, in that it lies outside of the limits of development of Melksham and Bowerhill, and has not been brought forward through the plan led process outlined in the Core Strategy policy CP2 this could not be relied upon by itself as a defensible housing policy due to the current lack of a 5 year housing land supply in the North and West Housing Market Area, which includes Melksham. Therefore as there were no adverse impacts that would significantly and demonstrably outweigh the significant benefits that this particular development can offer in this location, it was therefore recommended for approval.

In the absence of a decision notice the Council discussed the Officer's Report at length. The Officer had stated in relation to this application that "*the S106 is now underway but no decision notice will be issued until the S106 Legal Agreement has been signed by both parties.*" The Parish Council were yet again dismayed

that s106 negotiations were being undertaken with no consultation or discussion with the Parish Council.

**Resolved:** 1. *The Parish Council send the following comments to the Planning Officer in response to her report:*

1. **Front page:** The Officer Report states that the Town/Parish Council is Melksham Town Council. It covers the Town and Melksham Without Parish Council and by our estimation the majority (about 400 houses) are in Melksham Without. Can this be addressed please as there have been mistakes made in the past with the East of Melksham development with the houses being put on the wrong electoral register which affected all sorts of areas including Precept funding. Likewise, the Wiltshire Councillor for the majority of the houses is Cllr Roy While (Melksham Without South) and not Cllr Jon Hubbard; with a few houses in the ward of Cllr Terry Chivers (Melksham Without North).
2. **9.6 Highway Impact:** Thyme Road is a small residential road, the Eastern Distributor road which this relates to has been named as “Eastern Way” with the Street Naming department. Whilst this sounds pedantic, the Distributor Road keeps being referred to as Thyme Road, this is an error that Wiltshire Council departments keep perpetuating; and the Parish Council are trying to correct as it is confusing for residents.
3. **9.8 Section 106/38 Legal Agreements – Education:** The Council queries the statement that both schools are full. This contradicts the information that the Neighbourhood Plan Education Task Group have understood from Clare Medland and their own knowledge. The Parish Council’s understanding is the Melksham Oak will not be full for another two years; and at the official opening of the new Forest & Sandridge school a couple of weeks ago, the governors informed us that the numbers on roll had increased to 310 from 275 when we last visited. With a capacity of 420, this does not seem full?
4. **9.8 Section 106/38 Legal Agreements – Ecology:** This states that an alternative site for a wildlife meadow is being built south of the proposed development. However, what is happening to the corridor for newts to gain access to the original meadow from the ponds as part of the Football & Rugby Club application as this corridor will not lead them to the right place? Is this being communicated to those constructing the Football & Rugby Club?
5. **9.8 Section 106/38 Legal Agreements – Open Space and Play Provision:** The Council understand anecdotally that Wiltshire Council will not be adopting the open space and play areas on this development and that it will remain with the developers, could this please be confirmed.
6. **9.8 Section 106/38 Legal Agreements – Highways:** The Parish Council assumes that the extension and upgrading of MELW19 is to the northern end, and seek confirmation of this please. Could a drawing be provided of all the proposed footpath improvements please.
7. **9.8 Section 106/38 – Other:** The Parish Council can see the details of contributions that are considered to fall under the CIL Regulations 2010 and wish to find out details of what the CIL contribution to the Parish Council will be. Melksham Without Parish Council are currently working on a joint Neighbourhood Plan (with Melksham Town Council); can you please confirm if the higher rate for CIL contributions to the Parish Council if they have a

Neighbourhood Plan is based on the date when the application is approved or when commencement starts on site?

8. **Conclusion – the Planning Balance:** As a more general question, does the approval of these 450 houses make an impression on the 5 year land supply figure? so that as the other current large applications in the parish are considered they do not fall under the “presumption of favour due to current lack of a 5 year supply” OR is that more a principle that the Inspector has ruled on rather than actual numbers?
9. **Village Hall:** The Parish Council are very keen to find out more? Is this just land put aside or an actual building? Where will it be sited as we understand that Spa Medical Centre is wishing to use the piece of land behind them for additional car parking but from the original plans this land was to be for community use if not used by the Medical Facility. Who will ultimately own and maintain the building?
10. **Decision notice:** It is misleading for residents, Councillors and officers that Wiltshire Council have still not published online that a decision has been made on these two applications. Unless you spoke to someone who attended the Strategic Committee on 10<sup>th</sup> February you would not be aware that these applications have been approved. Not only is there no statement on the website against the applications but in addition they have also not shown up on the published weekly decision lists that are sent to Clerks. I note your point about the s106 still to be drawn up, but surely a decision to approve these applications was actually made on 10<sup>th</sup> February; and just that one line “approved with conditions” could be published against the applications? And the application that has gone to appeal could mention the other application number?

**Resolved:** 2. A copy of these comments to be sent to Cllr Baroness Scott of Bybrook O.B.E., Leader of the Council with regards to Comment 1.

521/15

**Planning Enforcement:**

- a) **16/00086/ENF 188 Woodrow Road, Forest, Melksham SN12 7RF** Breach of 14/04687/FUL – commencement of works prior to discharge of conditions. It was noted that the breach of conditions pertained to dropped kerbs, loose gravel and driveway issues. The Enforcement Officer had been given an undertaking from the developer that these issues will be resolved and he had been given 28 days to comply.
- b) **16/00104/ENF 68 Berryfield Park, Melksham, SN12 6EE** Breach of approved plans 15/00420/FUL commencement on site before conditions discharged. It was noted that conditions 8, 9 and 10 of planning consent had been satisfied and the conditions discharged.

522/15

**Policy for Pre-Planning Application Meetings with Developers.** The Committee noted this policy as per the recommendation in Min 412/15, approved by Full Council on 14<sup>th</sup> December, 2015.

523/15

**Chippenham Site Allocations Plan (CSAP):** The Committee noted that the Planning Inspector had suspended the CSAP due to serious flaws and shortcomings. Point 4.8 of the notes of the progress meeting following suspension of the examination was considered important as it identified that Wiltshire Council was receiving significant numbers of planning applications for surrounding towns.

This could be considered attributable to the fact that with this suspension Wiltshire Council were not meeting their 5 year housing supply. The Inspector had stated that *“it was in everyone’s best interest that the CSAP should be made capable of adoption by the end of 2016”* and that he *“would do his best to ensure that (Wiltshire) Council had the best opportunity to receive a satisfactory result”*. However he *“hinted at Government intervention in cases where no local plan had been produced by early 2017”*. **Recommended:** *This report to be passed to the Housing Task Group of the joint Neighbourhood Plan.*

Meeting closed at 7.32pm

Chairman, 21<sup>st</sup> March, 2016