

MINUTES of the Planning Committee of Melksham Without Parish Council held on Monday 16th October 2017 at Crown Chambers, Melksham 7.00 p.m.

Present: Cllrs. Richard Wood (Council & Committee Chair), Paul Carter (Committee Vice-Chair), Alan Baines, Mary Pile, Terry Chivers and Kaylum House.
Officers: Teresa Strange (Clerk) and Jo Eccleston (Parish Officer).

280/17 **Apologies:** Cllr. John Glover (Council Vice-Chair) was on holiday and Cllr. Coombes was at another meeting. The Committee accepted these apologies.

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

281/17 **Declarations of Interest:** The Clerk declared an interest in agenda item 6b as she is a director of her husband's business which is directly adjacent to the site location in Lysander Way.

282/17 **Dispensation Requests for this Meeting:** None.

283/17 **Public Participation:** There were no members of the public present.

284/17 **Planning Applications:** The Council agreed to bring forward agenda item 5c. They considered the following applications and made the following comments:

a) **17/08716/FUL 22 Norrington Lane, Shaw, SN12 8LU:** Provision of balcony and dormer to South Elevation. Applicant: Mr & Mrs. Darren Lovell.

Comments: The Parish Council have no objections.

b) **17/06784/VAR Land opposite Outmarsh Farm, Semington Road, Melksham, Wiltshire, BA14 6JX:** Variation of condition 2- approval plans, condition 4- landscaping and condition 15- waste strategy of approval planning application 16/09699/FUL – new home for Wiltshire Air Ambulance. Applicant: Mr. Kevin Reed.

Comments: The Parish Council have no objections.

7.20pm – All members and officers left the building for a planned fire drill.

7.25pm – The Committee re-commenced the meeting.

c) **17/05965/FUL Land at Shaw Grange, Bath Road, Shaw, Wiltshire, SN12 8EE:** 20MW Flexible electricity generation facility (FEGF) on site of 0.3575 hectares. Applicant: Site STOR Shaw Ltd.

Comments: This application is inadequate and contains numerous contradictions and omissions; notably there is no landscaping plan, environmental impact plan or heritage impact plan. The Parish Council are unable to comment on this application at this time as the application itself is too contradictory and therefore it

wishes to seek clarification. Furthermore, it supports all the comments raised by the CPRE in its response, dated 4th October 2017, under the following headings:

1. *Inadequate and conflicting data*
2. *Confusion of relevant and irrelevant data*
3. *Apparently irrelevant data*
4. *Apparently inaccurate statements*
5. *Lack of reference sources to enable validation of assertions*
6. *Incomplete information.*

Recommended: *The Parish Council to ask for community benefit from this proposal.*

d) 17/06460/FUL Shaw Grange, Bath Road, Shaw, Melksham, Wiltshire, SN12

8EE: Construction of stone access track from Bath Road Shurnhold to agricultural land located between Shaw and Shurnhold, to the North-West of Melksham, for the purpose of accessing proposed 20MW Flexible Electricity generation facility (FEGF) (subject to a separate planning application-17/05365/FUL).

Comments: *This application seeks permission for an access track to a Flexible Electricity Generation Facility sought under a separate planning application (17/05365/FUL) which the Parish Council are unable to make comment on due to the inadequacy of that application and the contradictory information and assertions within in. The Parish Council are therefore currently unable to make comment on this application as it is unclear from application 17/05365/FUL which type of fuel is proposed will be used, and thus how many vehicular movements along this track from the A365 will be required to supply the proposed generators. The Parish Council supports the comments made by the CPRE with regard to 17/05365/FUL and seeks clarification on this proposal before it can fully consider this application (17/06460/FUL). However, should Wiltshire Councils be minded to approve this application the Parish Council wish to see the following conditions imposed and points addressed:*

1. *They agree with the issues raised by the Environmental Health Officer and wish to see the hours of operation as per his proposal imposed. Additionally, they wish to see the same hours of operation applied to any construction work.*
2. *They are unhappy with the proposed access point at the traffic lights by "George Ward Gardens" on the A365 and question whether the width of the road with the existing street furniture is adequate for the ingress and egress of HGVs.*
3. *The proposed access track is a single carriage way track and the plans do not indicate that there is any facility for HGVs to turn once at the proposed generation plant. They would like to see the provision of a turning circle.*
4. *They support the issues raised by the Rights of Way Officer with regard to PROWs MELW91 and MELW93. They wish to see these PROWs protected and that safe usage for pedestrians is maintained at all times, including any construction phase.*
5. *They would like to ensure that appropriate provision is made for construction staff to access the site safely.*

6. They would like to ensure that there is an approved traffic management plan in place for accessing the site, and for wheel cleaning for vehicles leaving the site in order to minimise the dangers of detritus from the site being deposited on the A365.
7. They support the concerns raised by the Environmental Health Officer with regard to potential dust nuisance and wish to ensure that a dust management plan is approved prior to the commencement of any construction.

- e) **17/08929/ADV Land between Semington Bypass And, Commerce Way, Melksham, Wiltshire, SN12 6AD:** Installation of 4x internally illuminated fascia signs, 4x LED lights and 2x up/down lights all to the exterior of the building.
Applicant: Travelodge Hotels Ltd

Comments: *The Parish Council have no objections.*

- f) **17/08614/FUL Roundponds Farm, Shurnhold, Melksham, SN12 8DF:** Erection of battery storage facility within approved standby generation compound.
Applicant: Mr. Warren Cann.

Comments: *The Parish Council have no objections.*

Recommended: *The Parish Council to ask for community benefit from this proposal.*

- g) **17/07951/OUT 406C The Spa, Bowerhill, Melksham, SN12 6QL – (Amended – red line boundary plan):** Proposed Demolition of existing dwelling, erection of replacement dwelling and two new dwellings with associated landscaping.
Applicant: Ms. Amy Hallett.

Comments: *The Parish Council noted the new red line boundary application and the submission of certificate B acknowledging that the site boundary extends onto Wiltshire Council Highways Land. The Council wishes to reiterate the comments it made on 26th September 2017 in that they OBJECT as they consider that 3no. 2 storey dwellings located very closely to the old Spa Road highway would be incongruous with the street scene, in addition to the fact that this proposal is in the immediate vicinity of the Listed Historic Spa Lodging Houses. They have concerns that 3 separate vehicular access points will cross the shared footway and cycle route which will create great difficulties for pedestrians, especially the volumes of children using this route to and from Melksham Oak Community School. Anecdotally, there are already issues for residents trying to ingress and egress access points on Spa Road at certain times of the day. The Council did not object to the previous approved application (17/01107/OUT) for one single storey dwelling, but consider that this proposal is inappropriate over development of the site.*

- h) **17/08981/FUL 13 The Beeches, Shaw, SN12 8EP** Proposed single storey front and rear extensions and loft conversion with rear dormer window. Applicant: Mr. Brian Fudge.

Comments: *The Parish Council have no objections.*

- i) **17/09248/VAR Land East of Spa Road, Melksham, Wiltshire** Variation of condition 32 of 14/10461/OUT relating to site access. Applicant: Mr. Andy Birch.

Comments: The Parish Council have no objections.

- j) **17/09260/ADV Travelodge, Commerce Way, Melksham, Wiltshire, SN12 6AD** Installation of 1x internally illuminated totem sign. Applicant Mr Caslake.

Comments: The Parish Council have no objections.

- k) **17/08957/FUL Barns at Home Farm, Shaw Hill, Shaw Melksham, SN12 8EU** Conversion of former agricultural buildings to 3 units of holiday accommodation. Applicant Mr. & Mrs. G Moger.

Comments: The Parish Council have no objections.

285/17 **Consultations on Proposed Upgrades to base Equipment by Vodafone & Telefonica:**

- a) **Westlands Farm, Daniels Wood, Beanacre, SN12 7QG (ref. CTIL121277):**
Recommended: The Council have no objections and ask for community benefit from this proposal.
- b) **Vanguard House, Unit 2, Lysander Road, Bowerhill, SN12 6SP (ref. CTIL124324):** *Recommended: The Council have no objections and ask for community benefit from this proposal.*

286/17 **Planning Decisions:**

- a) **17/06864/FUL Eddies Diner, Lysander Road, Bowerhill:** Permanent use of site as food service takeaway and diner (resubmission of 16/11512/FUL). The committee noted that Wiltshire Council had refused to grant permission for this application.

287/17 **Planning Appeals:**

- a) **17/02578/FUL Oakley Farm House, Lower Woodrow:** Proposed erection of tourist accommodation. The committee noted that the appeal by the applicant against refusal of permission and claim for costs was dismissed.

288/17 **Neighbourhood Plan:**

- a) **Melksham Neighbourhood Plan Steering Group Minutes, Wednesday 13th September:** These minutes were noted. The Clerk informed that there will be a six-week public consultation on sites, both on-line and on social media, and this will be launched by two drop-in consultation events to be held on Friday 10th November in the evening and Saturday 11th November during the day.
- b) **New Funding for neighbourhood Plans:** It was noted that the current round of funding available to support the development of neighbourhood plans ceases on 31st March 2018. However, Central Government have just announced funding of £22.8 million to help communities develop plans; this equates to £5.5 million per year up to 2022. The Clerk reported that the Melksham Neighbourhood Plan had just been awarded a further £10,000 in funding to engage the services of Lemon Gazelle to run a public consultation event and to write the plan.

289/17 **Planning Correspondence:**

- a) **Feedback from Artist on East of Melksham Public Art Trail:** The Committee noted the response from the artist following the Parish Council raising concerns over the proposed route of the trail using Snarlton Lane, which has no pavement. Ginko Projects, who had been commissioned as the public art consultants, reported that the artist feels that it is important to have Snarlton Lane on the route as from her research this was identified as an historic walking route in the area and that the map will locate the work within the town rather than prescribe the way of linking them together. It was noted that the Wiltshire Council Public Art Officer had been copied in on the correspondence from the Parish Council to Ginko Projects, but to date no response had been received. Although the East of Melksham Development is no longer in the Parish, the Council still have concerns for the safety of all residents walking down Snarlton Lane if they are following the Art Trail. **Recommended:** *The Parish Council respond to Ginko Projects to say that having been consulted they are disappointed with the response from the artist as they have safety concerns with regard to the use of Snarlton Lane. This response to be copied to the developer, Hallam Land, Wiltshire Council's Public Art Officer and the Town Council.*
- b) **Developer Correspondence re: 17/08111/OUT – Hack Farm, Lower Woodrow:** The Committee noted a response from the developer who had amended the planning application documentation as suggested by the Parish Council. The application now showed that this accommodation was for a key worker only.
- c) **Wiltshire Council Legal Services – response re query over pre-application advice from Highways Department:** The Parish Council had queried with Wiltshire Council the fact that the same Highways Officer gave both pre-application advice to a developer and was then the case officer making highways recommendations on the application. The Committee noted the response from Wiltshire Council's Legal Department which stated that the Local Government Ombudsman determined that there was no conflict of interest in this situation.
- d) **English Heritage/Historic England & Wiltshire Council Correspondence re Woolmore Farm:** The Committee noted the responses to its queries from Wiltshire Council with regard to the marketing of Woolmore Farm, and that Historic England had attached these responses to its electronic files in order that they can be referred to in any future consultations with regard to this site.
- e) **Response from Wiltshire Council re queries over Planning Notifications and Deadline Procedures:** The Clerk reported that following Wiltshire Council's decision to stop sending paper copies of planning applications, that they were now sent electronically, but not from one identifiable email address. She was receiving them from lots of various employee email addresses, so it was difficult to track their receipt. She had queried this with Wiltshire Council and asked that these notifications were sent from the same email address, but was told that this was not possible, but that they could be searched for using the word "consultee", which would be in the email subject title. However, this was not the case as it does not say anything generic in the title, and was very frustrating. She had additionally queried why planning applications gave a 3-week consultation period, but amended plans only gave a 2-week consultation period; the Parish Council specifically hold planning meetings every three weeks to fit with the consultation period. The response from Wiltshire Council was just that this was their consultation period policy.

290/17 **S106 Agreements:**

a) Ongoing and New S106 Agreements:

i) Installation of Battery Facilities at Westlands Lane Substation: The Clerk reported that the trigger for receipt of the community benefit funding from the installation of the two battery facilities (Melksham Without North and Melksham Without South) was when the electricity was connected.

ii) Triggers for S106 for 14/10461/OUT – 450 Dwellings, East of Melksham Extension: Following a query from a resident with regard to a potential footpath to the rear of Melksham Oak School, the officers had checked the S106 Agreement and there is a sum £100,631 towards the provision of a pedestrian/cycle link from the site to allow access to Melksham Oak Secondary School. Under point 2.1 of Schedule 11, Highway Works, the S106 states “the Owners covenant not to occupy more than 50 residential units until the surfacing of MELK102 is to an adoptable standard in order to provide shared pedestrian/cycle route into Melksham for future residents”. This was subject to a cycle track order being confirmed within 12 months of the date of issue of planning permission. It was noted however that this footpath did not link to the rear of Melksham Oak School, and was now in the Town parish (MELK102) following the boundary changes under the Community Governance Review. There is a sum of £1,700 towards the cost of improvements to MELK19, including the replacement of two stiles with kissing gates, but there is no contribution towards improvements to MELK18, the footpath that could potentially link to the rear of the school.

iii) Open Space Contribution to the old George Ward School Playing Fields (Far Fields): The Clerk reported that after a lot of chasing, she had eventually managed to get a copy of the S106 Agreement for this land and that there is a contribution of £2,500 towards the public open space.

b) New S106 Queries: None.

c) S106 Decisions made under Delegated Powers: None.

Meeting closed at 8.35pm

Chairman, 13th November, 2017