

**MINUTES of the Planning Committee of Melksham Without Parish Council held on Monday 23<sup>rd</sup> July, 2018 at St Barnabas Church Hall, Beanacre, Melksham at 7.00 p.m.**

**Present:** Cllrs. Richard Wood (Council Chair & Committee Chair) John Glover (Council Vice- Chair), Alan Baines, Mary Pile, David Pafford, Terry Chivers and Greg Coombes.

Officers: Teresa Strange (Clerk) and Marianne Rossi (Assistant Parish Officer).

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

176/18 **Apologies:** Cllr. Paul Carter had given his apologies as he was on holiday; this was accepted.

177/18 **Declarations of Interest:** Cllr. Wood declared an interest in the planning applications in Berryfield as he lives there.

178/18 **Dispensation Requests for this Meeting:** None

179/18 **Public participation:** There were no members of the public present.

180/18 **Planning Applications:** The Council considered the following applications and made the following comments:

**a) 18/06003/FUL– 84 Berryfield Park Melksham Wiltshire SN12 6EE:** Two storey extension and alterations (Resubmission of 18/00883/FUL). Applicant: Mr. Ben Poole.

***Comments:** The Parish Council have no objections. They wish to note for the record that they have the lease for the play area and village hall on the adjacent land.*

**b) 18/06113/FUL- Lowden Garden Centre, Bath Road, Shaw, Melksham, Wiltshire, SN12 8EZ:** Planning permission to extend temporary planning permission 15/10788/FUL for marquee and ancillary spaces used for events. Applicant: Mr. Jonathan Sinclair

***Comments:** The parish council have no objections. They would like the operating hours to continue in the same timeframe as they currently open.*

**c) 18/06409/FUL- The New Inn, Semington Road, Melksham, SN12 6DT:** Retrospective permission for garden shelter. Applicant: Mr Ken Gibbon

***Comments:** The parish council have no objections.*

**d) 18/06403/FUL- 46 Berryfield Park, Melksham, SN12 6EE:** Proposed porch. Applicant: Mr Henry Osbourne

***Comments:** The parish council have no objections.*

**e) 18/06447/FUL- Shaw Grange, Bath Road, Shaw, Melksham, SN12 8EE:** Construction of stone access track on agricultural land between Shaw and Shurnhold for the purposes to initially allow development a 20MW flexible

electricity generation facility (FEGF) (Resubmission of 17/06460/FUL)  
Applicant: Mr Peter Verso

**Comments:** *This application seeks permission for an access track to a Flexible Electricity Generation Facility sought under a separate planning application (18/05336/FUL) which the Parish Council considered on 2<sup>nd</sup> July 2018 and still find contradictory. The legend on the site map (ref ST 89212 64700) refers to a gas storage unit, but it is unclear where this is on the site layout. If it is the very small rectangle next to the "client side substation" then this is not to scale and difficult to identify. Under point 4.1 of the planning statements it does not list a gas storage unit as being contained in the compound, however under point 5.3 it states that there will be infrequent fuel deliveries. Additionally, infrequent fuel deliveries are not quantifiable and accurate data as to the size and number of vehicle movements expected for deliveries of gas should be provided in order to be able to assess the traffic impact this will create.*

*Point 5.1.2 on page 10 of the Construction Traffic Management Plan under application 18/06447/FUL states that "Following commissioning, minimal maintenance is expected in relation to the plant. Visits will be made to the site for maintenance etc. Approximately one visit every one to two weeks is typical and these would be made by van/4x4 type vehicles." Point 3.2 details the permanent site access and again, only mentions maintenance vehicles, however application 18/05336/FUL states that there will be infrequent fuel deliveries too, using this access track on a regular basis and this has not been made reference to in this application for the access track and so it is unclear how many vehicular movements there will be post construction.*

*The parish council reiterates its comments made under the initial application for the access track under 17/06460/FUL that it feels have still not been addressed. Should Wiltshire Council be minded to approve this application the parish council wish to see the following conditions imposed and points addressed:*

- 1. 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.*
- 2. They would like to ensure that appropriate provision is made for construction staff to access the site safely, only details of where they will park is documented.*
- 3. 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. Although this has been provided for the construction period, there is nothing shown for the general operating of the site.*

*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.*

- f) **18/05567/FUL- 5 Valentina Court, Bowerhill, SN12 6FF-** Proposed summerhouse to be used for hairdressing business. Applicant: Mrs Danielle Clements  
**Comments:** *The parish council have no objections, but would request that the business operates an appointment system so that a queue of clients are not visiting the premises at the same time.*
- g) **18/06226/LBC- Sandridge Tower, Sandridge Hill, Bromham, Chippenham, SN15 2JN:** Alterations to existing building and erection of replacement outbuilding. Applicant: Mr Duncan Priddle  
**Comments:** *The parish council have no objections.*
- h) **18/06229/FUL- Sandridge Tower, Sandridge Hill, Bromham, Chippenham, SN15 2JN:** Erection of replacement dwelling. Applicant: Mr Duncan Priddle  
**Comments:** *The parish council have no objections.*
- i) **18/06413/FUL – Land North of 486 Semington Road, Melksham, SN12 6DR:** Proposed new dwelling and access. Applicant: Mr Thomas Evans  
**Comments:** *The parish council have no objections but request that the parking area must be a permeable surface (Points 6.5 & 7.5 of the Design & Access Statement state the parking area will be either tarmac or block paving).*
- j) **18/06412/FUL – Land North of 486 Semington Road, Melksham, SN12 6DR:** Proposed new dwelling and access. Applicant: Mr Joseph Evans  
**Comments:** *The parish council have no objections but request that the parking area must be a permeable surface (Points 6.5 & 7.5 of the Design & Access Statement state the parking area will be either tarmac or block paving).*

181/18 **Planning Correspondence:**

- a) **Correspondence from Resident regarding Parish Council's Comments re Application 18/04644/REM – Land East of Spa Road:**  
The Parish Council noted the resident's correspondence and comments.  
**Recommended:** *The Council advise the resident to send their comments to Wiltshire Council's Development Management Department.*
- b) **Response from Wiltshire Council Head of Operations Planning on Visibility of Consultation of Neighbouring Properties: Arising from Min.075/18:** The Clerk had written to Wiltshire Council to raise the issue that when viewing planning applications online you can no longer see which neighbouring properties had been consulted, and in the past the parish council had spotted omissions due to their local knowledge and this was also useful for dealing with resident's enquiries. The response from Wiltshire Council was that due to the new GDPR (General Data Protection Regulations) this facility had to be removed from their website to prevent any risk of the publication of personal data. However, if there is a particular

development which the Parish Council require the consultation list for, then this can be requested from the Development Management Team.

182/18 **PIP (Planning in Principle) Applications:** There were no PIP applications.

183/18 **Feedback from BRAG (Bowerhill Residents Action Group) following meeting with Taylor Wimpey regarding Pathfinder Way Development (18/04477/REM) on 10<sup>th</sup> July, 2018:** Members received a verbal update from the councillors present at this meeting and considered correspondence from a resident of Birch Grove. At the BRAG meeting residents were concerned with the height and density of the proposed dwellings to the rear of Birch Grove and Elm Close. It was considered that Wiltshire Cllr. While should be asked to call in this application for decision by Committee as the Parish Council do not believe that legitimate concerns raised by residents have been addressed by the developers. **Recommended:** *Wiltshire Cllr. While to be asked to call this application in on the following grounds:*

*“The style of properties to be re-arranged within the site so that the new properties to the rear of the bungalows at Birch Grove are exchanged with the 1.5 storey properties on the North East of the site because the existing rear gardens of those bungalows are considerably shorter than the properties on Elm Close therefore the impact of the new development is greater on those properties than it is on the properties on Elm Close.”*

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**Premises Licence Variation:**

**a) Toast Office – 116, Top Lane, Whitley:** It was noted that permission had been granted for a variation of the Premises Licence as follows:

- Live music – indoors 09.00 – 00.00 Mon – Sun
- Live music – outdoors 09.00 – 23.00 Mon – Sun
- Live music – indoors & outdoors 09.00 – 02.00 Christmas Eve
- Live music – indoors & outdoors 09.00 – 02.00 New Year’s Eve
- Provision of late night refreshments 23.00 – 00.00 Mon - Sun
- Indoors & outdoors 23.00 – 02.00 Christmas Eve
- 23.00 – 02.00 New Year’s Eve
- Sale by retail of alcohol to include on 06.00 – 00.00 Mon – Sun
- sales as well as off sales and amend 06.00 – 02.00 Christmas Eve
- hours to be 06.00 – 02.00 New Year’s Eve
- Opening hours – amend 06.00 – 00.00 Mon – Sun
- 06.00 – 02.30 Christmas Eve
- 06.00 – 02.30 New Year’s Eve

**b) Foresters Arms – Sandridge Road (NB: Melksham Town Application):**

As this was a Melksham Town application the members did not make any comment.

184/18ii **Planning Enforcement:**

**a) Eddies Diner, Lysander Road, Bowerhill – permanent use of site as food service takeaway and diner (17/06864/FUL):** It was noted that no enforcement action had been taken to date as the applicant had appealed against the refusal of permission.

- b) **The Toast Office, 116 Top Lane, Whitley – change of use from residential to café (18/00594/ENF):** It was noted that no change of use planning permission had ever been submitted for the Toast Office and this was now being looked at by the Planning Enforcement Officers. The Clerk advised that the concerns over parked vehicles outside the Toast Office which were causing passing issues for buses and larger vehicles on Top Lane, which then subsequently could compromise the drainage ditch opposite, had been reported to the Highways Engineer. This issue was being investigated by Wiltshire Council Highways department and would be an agenda item for the next Highways and Streetscene Committee meeting.
- c) **Hangars, Lancaster Road, Bowerhill – Possible breach of asbestos removal/dust management plan (15/11181/DEM):** The Parish Council had received reports that the Hangars in Lancaster Road were being refurbished rather than being demolished. Part of the demolition application (15/11181/DEM) included a dust management scheme with regard to the removal of asbestos, and a commitment that the Parish Council would be informed when demolition took place so that it could then inform sensitive receptors in the area, such as the children’s nursery opposite and Boomerang Soft Play Centre. Concerns were raised that the Parish Council had not been informed about the refurbishment taking place and large sheets of material were being removed from the rooves of the hangars. It was unclear whether this material was asbestos or whether there was a dust management plan in place for the refurbishment works. The Clerk reported that she had tried to report this to the various departments at Wiltshire Council but had been passed between the Public Protection Officer, the Health and Safety Officer and the Planning Enforcement Officer. To enable the issue to be investigated she reported this as a potential breach of planning permission. The Planning Enforcement Officer visited the site and no breach of planning had taken place, but there was a concern that no site contact details were being displayed and this was now being addressed.

185/18 **Neighbourhood Plan:** Members noted the draft minutes of the last Melksham Neighbourhood Plan Steering Group meeting held on Wednesday 27<sup>th</sup> June, 2018.

186/18 **Planning Policy:**

- a) **Wiltshire Council Briefing Note 359: Employment Land Review:** The members supported Wiltshire Council’s review of Employment Land and its allocation of the Golf Course behind Christie miller. They wished to take this further by allocating all the land abutting the A350 on the eastern side as Employment Land. **Recommended:** *The Clerk to mark up land to be allocated for employment on a map for approval prior to submission to Wiltshire Council.*
- b) **Wiltshire Council Housing Sites Allocations Development Plan Document – Proposed Submission:** The members noted this document and that no sites had been allocated for the Melksham Area as it was acknowledged that it had already exceeded its housing allocation for the period to 2026.

187/18 **S106 Agreements:**

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

**(i) Transfer of Hornchurch Road Play Area to the Parish Council:**

The Clerk confirmed that the Play Area at Hornchurch Road Public Open Space had now been transferred from the developer, Bloor, to the Parish Council and this had been registered with the Land Registry.

**(ii) Land Transfer of “Shurnhold Fields” from Persimmon to the Parish Council:**

As per Min.162/18b, the Clerk had written to Persimmon to advise them that both Wiltshire Council and Melksham Town Council were happy that the land at “Shurnhold Fields” was transferred to Melksham Without parish council. She had sent them the contact details of the Parish Council’s solicitor and asked that they expediate this transfer so that the WW1 commemorative tree planting can take place as planned this November.

**b) New S106 Queries:** None.

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

**d) Contact with developers:** The Clerk advised that Savills had been in contact with the Joint Neighbourhood Plan with regard to land at Whitley Farm. They wished to bring forward this site via the Neighbourhood Plan process and wanted to know the anticipated timings of the Plan. The Clerk had responded that it was hoped that the Melksham Neighbourhood Plan would be at the Regulation 14 consultation stage by Christmas.

Meeting closed at 8.10pm

Chairman, 17<sup>th</sup> September 2018