

**MINUTES of the Planning Committee of Melksham Without Parish Council held on Monday 15<sup>th</sup> July 2019 at 1, Swift Way, Bowerhill, Melksham 7.00 p.m.**

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

Officers: Jo Eccleston (Parish Officer) 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.

- 103/19 **Apologies:** Cllr. Terry Chivers was unwell; this reason for absence was accepted. It was noted that the Clerk was on holiday.
- 104/19 **Declarations of Interest:** None
- 105/19 **Dispensation Requests for this Meeting:** None
- 106/19 **Public Participation:** There were no members of the public present.
- 107/19 **Planning Applications:** The Council considered the following applications and made the following comments:
- a) **19/05043/FUL- Snarlton Farm, Snarlton Lane, Melksham, SN12 7QP:**  
Conversion of an agricultural building for B2 use. Applicant: Mr James Stainer  
**Comments:** *The Parish Council have no objections.*
  - b) **19/05439/FUL- Snarlton Farm, Snarlton Lane, Melksham, Wiltshire, SN12 7QP:** Steel framed covered yard for livestock. Applicant: B J Stainer & Son  
**Comments:** *The Parish Council have no objections.*
  - c) **19/03879/FUL- Roundponds Farm, Shurnhold, Melksham, SN12 8DF:** Minor material amendment to the battery storage facility including increase in battery containers on site and associated layout updates. Applicant: Marc Thomas.  
**Comments:** *The Parish Council do not object on the proviso that the additional battery units are in a colour scheme that blends in with the rural environment, as they will be visible above the acoustic fencing.*
  - d) **19/05321/FUL- Land East of Forest Lane, Lacock, Chippenham, Wiltshire, SN15 2PN:** Erection of Dutch Barn for Covered Seating and Eating Area (Retrospective). Applicant: Peter Johnson.  
**Comments:** *The Parish Council do not object, however, they are disappointed that this is a retrospective application. There is no evidence either way of the condition of the land before the building was erected and therefore whether any harm has been done to the environment or any trees in the vicinity.*
  - e) **19/04206/FUL – Shaw Village Hall, the Beeches, Shaw, Melksham, SN12 8EW:** Removal of metal shed and wooden shed and replacement with a 20ft metal shipping container with wooden cladding/screening for the purposes of storage. Applicant:

Melksham Without Parish Council (*please note that the Parish Council made this application on behalf of Shaw Hall as the landowner*). The Parish Council just noted this application as they had submitted it. The Parish Officer advised that Wiltshire Council had sought some additional information with regard to the cladding as the storage container being provided was not already cladded; this was being done after installation.

- f) **19/05433/FUL- Laggard House, First Lane, Whitley, SN12 8RL:** To convert the existing garage into one holiday let accommodation with parking and amenity area. Applicant: Mr & Mrs. A Book  
**Comments:** *The Parish Council have no objections, but wish to see condition 9 of the decision notice for planning application 18/03278/FUL (approved application for 2no. 2 bed holiday lets on this site), with regard to a 28 day limit on the continuous occupation of the holiday lets, imposed on this application if approved.*
- g) **19/05444/LBC - Laggard House, First Lane, Whitley, SN12 8RL:** To convert the existing garage into one holiday let accommodation with parking and amenity area. Applicant: Mr & Mrs. A Book  
**Comments:** *The Parish Council have no objections, but wish to see condition 9 of the decision notice for planning application 18/03278/FUL (approved application for 2no. 2 bed holiday lets on this site), with regard to a 28 day limit on the continuous occupation of the holiday lets, imposed on this application if approved.*
- h) **19/05437/FUL-34 Robinson Fish and Chip Ltd, Dowding Way, Bowerhill, Melksham, Wiltshire, SN12 6SU:** Change of use from commercial to residential (two-bedroom flat). Applicant: Mr. Paul Robinson  
**Comments:** *The Parish Council have no objections.*
- i) **19/05528/LBC- Whitley House, Corsham Road, Whitley, SN12 8QG:** Conversion of attached section of barn to include first floor living accommodation ancillary to the main house. Applicant: Dr & Mrs. P Phillips  
**Comments:** *The Parish Council have no objections.*
- j) **19/05954/LBC-74 School Lane, Shaw, SN12 8EJ:** Proposed new windows and raking out of cement mortar and replace with lime mortar to west elevation. Applicant: Mr John Abbott  
**Comments:** *The Parish Council have no objections and welcome this application due to the traditional materials being used.*
- k) **19/06045/VAR-406C The Spa, Bowerhill, SN12 6QL:** Removal of condition 12 of 17/01107/OUT - Code for Sustainable Homes is no longer a material planning consideration. Applicant: Ms. Hallett.  
**Comments:** *The Parish Council do not object, but regret that condition 12 has been requested to be removed as it is no longer a requirement of the NPPF (National Planning Policy Framework).*
- l) **19/06137/FUL- Whaddon Grove House, Berryfield Lane, Melksham, SN12 6EL:** Detached Garage & Workshop. Applicant: Mr & Mrs. P Jenkins.  
**Comments:** *The Parish Council have no objections.*

108/19 **Permitted Development Applications:** None

109/19 **Planning Enforcement: Boomerang Family Play Centre Swimming Pool:** Wiltshire Council's Planning Enforcement Officer had investigated the lack of any planning application for the installation of a swimming pool at Boomerang. She had advised that the pool will be inflatable and temporary, to be used for a six-week period over the summer holidays, and therefore did not require planning permission. She had added that if the pool wasn't inflatable and required engineering operations to carry out the development, then planning permission would be required. The six-week installation is a trial period and the company have been advised that if they wish to make this permanent feature that they need to seek advice from the planning department.

110/19 **"Melksham Link" Canal Planning Application (12/01080/FUL):** Members noted the latest update from the Wilts & Berks Canal Trust with regard to this application. Of concern was point 7, Berryfield Brook Culvert, where the EA (Environment Agency) had raised concerns over the flood risk in the event of a 100% blockage of this culvert. The Wilts & Berks Canal Trust considered that the risk of total blockage of this culvert was extremely small. They sought to clarify the situation with regard to works on the bed levels, explaining that the design proposes the regrading of the bed in order that a "sump" is not required, which could silt up. It was noted that Cllr. Holder was the Parish Council representative for this organisation, and it was queried whether he had been invited to attend this meeting, as he was not shown as attending or as having given any apologies. **Recommended:** *The Officers make enquiries as to whether Cllr. Holder was invited to this meeting.*

*The Council agreed to suspend standing orders for a period of public participation.*

The applicant of planning application 19/05437/FUL, Robinsons Fish & Chip Shop, change of use from commercial to residential, arrived at the meeting and apologised for being late, but had only just been able to close his shop. He stated that he wished to explain the reason behind his application. He reported that unfortunately his Fish & Chip Shop was in rather a tucked away position in Bowerhill and that since the opening of the Fish & Chip and Take Away food shop in Verbena Court that his trade had suffered. His proposal was to turn the shop into a two-bedroom flat for the rental market, which he said would be in keeping with the rest of the building and other properties in the near vicinity. Cllr. Wood advised the applicant that the Council had already considered his application, had understood his situation, and whilst they were sorry to see a shop in Bowerhill shut, they had no objections to his proposal.

*The Council reconvened.*

111/19 **Extinguishment of part of the Width of the Bridleway no.41 Brown's Lane (Snarlton Farm):** The members considered the proposal and noted that the bridle gate at the entrance with Eastern Way Distributor Road was on the left-hand side of the bridleway and that further up another bridle gate was on the right-hand side. This second gate was in the red hatched area on the map, the area proposed for

extinguishment. The section of bridleway between these two gates is part grassed area and part driveway, and it was queried why there was actually a need to extinguish the section from the road to the second gate; it was noted that the other section of the bridleway being considered had buildings and a pond within the hatched area. It was therefore understood why a request had been submitted to extinguish this section. One member queried the condition of the pond and whether any environmental assessments had been carried out on it. **Comments:** *The Parish Council have no objection to this extinguishment from the point marked on the attached map in an easterly direction provided that the bridleway remains 3metres wide in order that 2 horses can pass each other. They do not feel that there is a requirement to extinguish the bridleway from the point on the map in a westerly direction to Eastern Way distributor road. However, if this is done then they wish to see the current gate, located by the cross on the map moved to the point indicated by the arrow; this gate needs to be able to be opened from horseback so that riders do not have to dismount.*

112/19 **Melksham Neighbourhood Plan: Review and Health Check of Plan by New Consultants:** Cllr. Wood, as Chairman of the Neighbourhood Plan Steering Group, gave an update on the current situation with the Neighbourhood Plan and the new consultants, Place Studio. He reported that the agreed way forward was to have a new slimmed down Plan in order to meet the timeframes to get the Plan to Regulation 14 consultation this year. Place Studios had advised that many issues did not need to be in the Plan as they were strategic issues which would be covered by Wiltshire Council's Local Plan, and other issues could be considered for the review of the Plan once adopted. He felt that the Plan was progressing well. It was noted that there was Neighbourhood Plan training event the next day at County Hall, Tuesday 16<sup>th</sup> July, with an individual meeting for representatives of the Steering Group with the Wiltshire Council Link Officer. Cllrs. Wood and Glover and the Parish Officer were attending on behalf of the Parish Council. Another member felt that the new consultants had made an excellent start in a short space of time.

113/19 **Local Plan Review – Notes from Melksham Meeting of the Local Plan Review, 12<sup>th</sup> June 2019:** The notes from this meeting were reviewed and those who had attended the meeting, Cllrs. Wood, Glover and Baines, did not feel that they were an accurate representation of the issues discussed. The last section under Point 4, Schools, is too simplistic in its account of the concerns and issues expressed by the Parish Council at the meeting, and the notes are not clear about which school is being referred to. The pavement referred to in the last paragraph is the footway abutting the A365 used by all pupils to access the Melksham Oak Secondary school; this is a shared space for both pedestrians and cyclists and the Parish Council have received numerous reports about conflicts over this space for its users, and that children are walking or cycling on the highway against the flow of vehicular traffic. Aggregate lorries are referred to in the notes, but the issue is with all HGVs; as the A365 from Devizes to Melksham is the HGV advisory route avoiding using the A361 through the village of Seend. It is important that these issues are included in the notes as these are the reasons why the Parish Council wishes Wiltshire Council to push for the early construction of the rear footpath to the Secondary school, which is a requirement under the S106 Agreement for the development of the 450 dwellings to extend the East of Melksham (14/10461/OUT). Additionally, on the 13th June the Clerk sent Geoff Winslow (Spatial Planning Wiltshire Council) the Melksham Oak expansion consultation

documentation. Even with expansion to be able to accommodate 1500 pupils, the forecast pupil figures, based on the housing numbers that the Melksham Community area are required to provide up to 2036, show that the school will have exceeded its capacity by 2023. Again, this was discussed at the meeting, but is not referred to in the notes.

Under Point 6, “Next Steps and Actions”, the second paragraph states “The Parish and Town Councils wish for the future development of Melksham to include economic development, land and employment safeguarding, as well as a holistic approach to healthcare and education facilities”. It was felt that this just simply glossed over the topics discussed and does not represent a true account of what was discussed. The Parish Council had informed the meeting what they considered to be the four main priorities for Melksham. These were:

- \* Bypass – first before any further development.
- \* Education – a holistic approach to future provision rather than piecemeal funding
- \* Health – requirement for urgent care/mirror injuries, etc., locally
- \* Employment land – more needed to prevent out commuting

Additionally, the Parish Council had challenged Wiltshire Council on the proposed housing numbers for the Melksham Area as these were incorrect, and expressed concerns that Cabinet may have made decisions based on the wrong information. This discussion had not been included in the notes and neither had the issue with regard to the provision of a bypass before any further housing (as reported under Min.098/19d), and the fact that the Parish Council had been at pains to point out to Geoff Winslow that this would not be provided by development alone.

**Recommended 1:** *The Officers to respond to Wiltshire Council to say that the Parish Council do not feel that that these notes are an accurate representation of the issues discussed and concerns raised. The information discussed in this minute (113/19) and Min.098/19d to be sent to Wiltshire Council to inform what was considered to be an accurate account of that meeting. 2. A copy of this response to be sent to all those who attended the meeting on 12<sup>th</sup> June.*

## 114/19 S106 Agreements:

### a) Ongoing and New S106 Agreements:

#### i) Update following Meeting with Proludic Play Area Equipment Provider:

**1. Semington Road (Bellway Homes):** It was noted that Proludic had produced the play area plan for the Semington Road development prior to the Pathfinder Place plan, which is why the Parish Councils wish for metal equipment had not initially been taken into account. The original plan showed a grassed mound with a slide coming off it; the Parish Council felt that this would be difficult from a grass cutting and maintenance perspective. It was agreed that the slide could be moved from this location to the main play area and that the proposed path could also be moved slightly so that the mound area was on one side of the path and the equipped play area was on the other side. The plans just showed the provision of toddler swings, and the Parish Council requested that swing seats also needed to be provided for older children, and this was agreed. The Parish Council also requested a metal fence rather than a wooden fence, and safety surfacing of wet pour to cover the whole equipped play area so there were no grassed areas in between which cause shrinkage and expansion issues. It was also agreed that the bins would be located on the outside of the fence rather than inside. It was also suggested that picnic benches and a teen hang out area could be provided in the grassed

mound area. The Parish Council to ask Bellway if the development management company could take on the grasscutting and bin emptying within the play area rather than the Parish Council.

2. **Pathfinder Place (Taylor Wimpey):** Unfortunately, there was no representative from Taylor Wimpey at this meeting, but Proludic were happy with all the ideas that the Parish Council had put forward and felt that the design could go ahead and shared a drawing of the new layout. The Parish Council had requested a green powder coated metal fence, but the plans showed a metal galvanised fence. The view of Proludic was that powder coating did not have the longevity of galvanised fencing, however, this had not been the experience of the Parish Council. The powder coated fencing at Shaw play area had lasted 20 plus years and was still looking good. Proludic were going to look at the cost difference and whether they could provide the powder coated fencing.

- ii) **Update on Melksham Town Council Decisions Relating to East of Melksham Community Centre:** Members noted the minutes from a Town Council meeting where they discussed potential alternative sites for the Community Centre being provided from the S106 Agreement. Their resolution was “that the Clerk clarify with Hallam Land management the area of the land earmarked for a community centre and how it will be accessed”. The Clerk had sought clarification over this resolution and the Town Council had replied to say that they were still at the information gathering stage and that no resolutions had been made about pursuing alternative sites.

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

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

d) **Contact with Developers:** None.

Meeting closed at 8.12pm

Chairman, 29<sup>th</sup> July, 2019