

MINUTES of the Planning Committee of Melksham Without Parish Council held on Monday 9th September 2019 at 1, Swift Way, Bowerhill, Melksham 7.00 p.m.

Present: Cllrs. Alan Baines (Committee Vice-Chair), Mary Pile, David Pafford, Terry Chivers and Greg Coombes.

Officers: Teresa Strange (Clerk) and Jo Eccleston (Parish Officer).

Housekeeping & Announcements: In the absence of Cllr. R. Wood, Cllr. Baines welcomed all to the meeting and explained the evacuation procedure in the event of a fire. He announced that members had been invited to a TransWilts presentation on the evolving Wiltshire Rail strategy and the status of the Melksham Station improvement plans; this will take place on Monday 30th September at 7.00pm in the Town Hall.

144/19 **Apologies:** Cllr. Richard Wood (Council & Committee Chair) had been delayed returning from his holiday due to air traffic control issues, and Cllr. John Glover (Council Vice-Chair) was on holiday; these reasons for absence were accepted.

145/19 **Declarations of Interest:** Cllr. Pile declared an interest in agenda item 5d, 19/07875/FUL, 8, Fulmar Close as a family member was a next-door neighbour. The Clerk declared an interest in agenda item 5c, 19/07874/FUL, 49, Lancaster Road, as this is adjacent to her husband's lockup and she is a director of his company. It was also noted that agenda item 5b, 19/07756/FUL, 1, Portal Road was opposite the Parish Council owned Bowerhill Sports Field.

146/19 **Dispensation Requests for this Meeting:** None.

147/19 **Standing Dispensations:** It was noted that the Parish Council had a standing dispensation to discuss the provision of a new village hall for Berryfield, play areas being provided by the developers of developments in Semington Road, Berryfield and Pathfinder Way, Bowerhill, and for its own accommodation in the Campus.

The Council suspended Standing Orders for a period of public participation.

148/19 **Public Participation:** There were three members of the public present who wished to object to planning application 19/07875/FUL, 8, Fulmar Close, retrospective permission for garage roof works. They all live to the rear of this development. One resident gave some background information with regard to this extension over a garage as follows:

An original application was submitted for this proposal under application 16/02681/FUL, which was considered by the Western Planning Committee. The Committee decided to await a site visit before making a decision on a proposal to increase the roof height of the garage by 800mm. The applicant then withdrew these plans and resubmitted new plans with a proposed increase to the roof height of 450mm. Committee members who carried out the site visit concluded that even with a lower ridge height there would be a significant impact on neighbouring properties and would be contrary to Core Policy 57 of the Core Strategy, namely "ensuring high quality design and place shaping", and permission was not granted. The applicant

appealed against this decision and the Planning Inspector granted planning permission based on the revised plans, at an increase in the roof height of 450mm. The resident reported that the extension that has been built over the garage has not adhered to the height stipulated by the Planning Inspector and has been built approximately 300mm higher than permitted. He stated that in addition to this having a detrimental effect on the amenity of both his property and that of his neighbours, he considered that this was a blatant disregard for the planning system and that no one should benefit from disregarding conditions on planning applications. It was noted that this had been reported to Planning Enforcement and that this retrospective application was as a result of this.

The Council reconvened and brought forward agenda item 5d for discussion.

149/19 **Planning Applications:** The Council considered the following applications and made the following comments:

- a) **19/07875/FUL – 8, Fulmar Close, Bowerhill, SN12 6XU:** Retrospective permission for garage roof works. Applicant: Mr. Omar Abdulshakour.
Comments: *The Parish Council OBJECTS to this application. They concur with the result of the Planning Appeal on the approved application 16/02681/FUL, and the conditions placed on this development by the Planning Inspector; namely that the roof would be raised by 450mm, the equivalent of approximately 7 courses of brickwork, and that the development shall be carried out in accordance with plan AH2016/24 dated 22nd May, 2016. It is felt that the development that has been constructed has a detrimental effect on the amenity of the neighbours to the rear of 8, Fulmar Close (the residents of 3 properties to rear of 8, Fulmar Close attended the parish Council meeting to give their objections). Additionally, as this development has not been constructed in accordance with the plans approved at Appeal and accompanying conditions, it is felt that approval of this retrospective plan would be detrimental to the integrity of the planning process.
The Parish Council ask Wiltshire Cllr. Phil Alford to call-in this application should the Officers be minded to recommend approval.*
- b) **19/07318/LBC – 613, Berryfield Lane, Melksham, SN12 6EH:** Replacement windows. Applicant: Mr. Martin Franks.
Comments: *The Parish Council have no objections.*
- c) **19/07756/FUL – 1 Portal Road, Bowerhill, SN12 6GN:** Insertion of windows on the eastern and southern elevations. Applicant: Natalie Cable (Agent for Herman Miller).
Comments: *The Parish Council have no objections.*
- d) **19/07874/FUL – 49, Lancaster Road, Bowerhill, SN12 6SS:** Proposed change of use to car sales & display, MOT & repair workshop/garage, car valeting. Applicant: Automotive Solutions.
Comments: *The Parish Council have no objections.*
- e) **19/07911/FUL – 74, School Lane, Shaw, SN12 8EJ:** Proposed new windows. Applicant: Mr. John Abbott.
Comments: *The Parish Council have no objections.*

- f) **19/07927/ADV – Hunters Wood, Melksham:** 2 no. free-standing V signs; 2 no. flags. Applicant: Barratt David Wilson South West
Comments: *The Parish Council do not object, however, they wish to draw attention to the fact that these signs have already been erected, prior to formal consent being given.*
- g) **19/07956/FUL – 22, Kingfisher Drive, Bowerhill, Melksham, SN12 6FJ:** First floor extension above garage. Applicant: Mr. Hodson.
Comments: *The Parish Council have no objections.*

150/19 **Permitted Development**

- a) **Applications:** None.
- b) **Wiltshire Council Matrix on Planning Consultations:** The Clerk explained that Permitted Developments were a standing agenda item as the consultation period for such applications was only 14 days rather than the 21 days given for standard planning applications. However, she had just discovered that Parish and Town Councils were not statutory consultees for permitted development applications, and it was therefore felt that there was no value in having this as a standing agenda item. The members noted a matrix from Wiltshire Council which showed all the different types of planning application, who is consulted and the time frame for consultation. Of interest was the fact that parish councils are listed as consultees for S106 Agreement modifications. The Clerk advised that she would now be looking out for any amendments to S106 Agreements via this consultation process. **Recommended:** *The standing agenda item for Permitted Development Applications to be removed from future Planning agendas.*

- 151/19 **Melksham Neighbourhood Plan – Draft Minutes of Steering Group Meeting held 4th September, 2019:** It was noted that there was a joint arrangement that the administrative work for the Neighbourhood Plan was shared between officers from both councils. It was the turn of officers from the Town Council to produce the minutes from the meeting held on 4th September and these were not yet available. The Clerk gave a verbal update from the meeting and explained that in order to gather the local evidence on Landscape, Green Infrastructure, Character & Design and Facilities to support the policies in the Plan, that the Steering Group were holding an all-day workshop session with the Consultants on Saturday 21st September, 2019.

152/19 **S106 Agreements:**

- a) **Ongoing and New S106 Agreements:**
- i) **Land to the East of Spa Road (18/04644/REM) – Query over CIL (Community Infrastructure Levy Payments):** The Clerk had queried with Wiltshire Council how a future Community Governance Review could potentially affect the CIL payments of future developments if parish boundary changes were made as part of the review. Wiltshire Council had responded to say that the CIL money would be allocated to the parish that the commenced development lies within at the time the CIL monies are received.
- ii) **Land to the East of Semington Road (17/12514/REM):**
1. **Play Area:** It was noted that a second meeting was required with Proludic, the play area Contractor for the Bellway development, to agree the final design. It was considered that Cllrs. R. Wood and S. Wood as

the Ward Councillors, and Cllr. Carter should attend this meeting if available. The Clerk advised that Proludic were also the Contractor for the play area being provided at Pathfinder Place and that she would endeavour to arrange a meeting on the same day with Taylor Wimpey to also agree the final design for that development. **Recommended:** *The Clerk to have delegated powers to arrange a meeting date and time convenient for all parties.*

2. **Village Hall:** The Clerk advised that the legal agreement under the S106 states that a planning application for the village hall needs to be submitted within 3 years from the date of permission for the development. Therefore, the Parish Council needs to submit a planning application for the village hall before the 22nd May 2020. In order to get the process started the Clerk, Cllr. R. Wood, and a representative for the existing village hall committee are meeting Planning Officers at Wiltshire Council on Wednesday 11th September, followed by a site visit of Heywood Village hall as an example of a potential hall design; this was provided as part of a developer contribution.

- iii) **Land to the North of Sandridge Common (17/01096/REM) – Update on Public Art:** It was noted that this was all going well and that the children from Forest & Sandridge primary school were due to go out on walks with the artist to then produce art work which will be included as part of the design to enhance the play area. The Clerk advised that she was also trying to get a date to meet with all the relevant parties to discuss the public art for the Taylor Wimpey Pathfinder Way development.

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

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

d) **Contact with Developers:** It was noted that Taylor Wimpey were due to attend a BRAG (Bowerhill Residents Action Group) meeting on 18th September

Meeting closed at 7.50pm

Chairman, 16th September, 2019