

**MINUTES of the Planning Committee of Melksham Without Parish Council held on Monday 5 July 2021 at 1 Swift Way, Westinghouse Way, Bowerhill, Melksham, SN12 6QX at 8.00pm (started at 8.12pm)**

**DUE TO THE ON-GOING COVID 19 PUBLIC HEALTH RESTRICTIONS, MEMBERS OF THE PUBLIC WERE WELCOME TO ATTEND THE FACE-TO-FACE MEETING, BUT WERE ENCOURAGED TO PARTICIPATE VIA ZOOM, DUE TO LIMITED SPACE AVAILABLE IN THE COUNCIL'S MEETING SPACE TO COMPLY WITH COVID RESTRICTIONS. THE MEETING WAS ALSO LIVE STREAMED VIA YOUTUBE**

**Present:** Councillors Richard Wood (Committee Chair), David Pafford (Vice Chair of Council) Alan Baines, (Committee Vice-Chair), Mark Harris & Mary Pile

**Also in attendance:** Councillors Shona Holt and Rob Hoyle

**Present via Zoom:** Wiltshire Councillors Nick Holder (Bowerhill) and one Member of public

**Officers:** Teresa Strange (Clerk) and Marianne Rossi (Finance & Amenities Officer) Lorraine McRandle (Parish Officer) (via Zoom)

**123/21 Welcome, Announcements & Housekeeping**

The Chair, Councillor Wood welcomed everyone to the meeting and apologised for the late start due to the previous meeting running later than planned.

**124/21 To receive Apologies and approval of reasons given**

Apologies were received from Councillor Glover who was on holiday. Councillor Chivers was not in attendance (*and subsequently advised he had flu and was not able to attend*).

**Recommendation:** To accept the reasons for absence.

**125/21 Declarations of Interest**

**a) To receive Declarations of Interest**

None received.

**b) To consider for approval any Dispensation Requests received by the Clerk and not previously considered.**

None.

**c) To note standing Dispensations relating to planning applications.**

To note the Council have a dispensation lodged with Wiltshire Council dealing with Section 106 agreements relating to planning applications within the parish.

**126/21 To consider holding items in Closed Session due to confidential nature**

*Under the Public Bodies (Admission to Meetings) Act 1960, the public and representatives of the press and broadcast media be excluded from the meeting during consideration of business, where publicity would be prejudicial to the public interest because of the confidential nature of the business to be transacted.*

There were no items for consideration in closed session.

**127/21 Public Participation**

Councillor Holder stated he wished to speak to item 8, regarding Land East of Spa Road which was being considered at a Western Area Planning Committee on 7 July. Having inspected the site by invitation of developers and the landscape agent Councillor Holder stated he was happy the remedial works carried out had resolved the issues regarding drainage as brought to his and the Parish Council's attention previously.

Councillor Holder explained whilst not attending the meeting himself, Councillor Mike Sankey, as the recently elected Ward Member would be attending and pass on his observations after 'calling in' the application previously.

**128/21 To consider the following Planning Applications:**

**PL/2021/02424**: Land Adjacent 207 Norrington Lane, Broughton Gifford. Regulation of installed hard standing and the installation of three storage containers. **(Comment by 20 July)**  
(Note: Just outside boundary in Broughton Gifford Parish)

**Comment:** No objection

**PL/2021/04856**: Mavern House, Corsham Road, Shaw. New Conservatory to an existing bedroom.

**Comment:** No objection.

**PL/2021/05037**: 487 Semington Road Melksham. Outline Application for a detached dwelling.

**Comment:** No objection.

**PL/2021/05223**: 92 Corsham Road, Whitley. Infill extension to ground floor kitchen. Works to roof over kitchen/utility, new bathroom to 1st floor & repairs to porch to include replacement windows & doors.

**Comment:** No objection.

**PL/2021/05244**: 11B Shaw Hill. Extension and alterations to dwelling including the erection of new detached garage (revised application). Previous application No: 21/00271).

**Comment:** No objection.

**PL/2021/05358**: Vale Cottage, 138 Top Lane, Whitley. Erection of a single storey detached workshop and garage in garden.

**Comment:** No objection.

**PL/2021/05586**: Vine Cottage, 11, Beanacre Road, Beanacre. New first floor rear dormer window & ground floor replacement glazed screen. Applicant Mr Hollowood

**Comment:** No objection.

**PL/2021/05625**: 14 Mitchell Drive, Bowerhill, Single storey bedroom & bathroom side Extension.

**Comment:** No objection.

**PL/2021/05697**: 13 Grange Close, Whitley. Proposed Porch & Single Storey Rear Extension.

**Comment:** No objection.

**PL/2021/06345**: 6 Lancaster Park Industrial Estate, Lancaster Road, Bowerhill. Notification for Prior Approval under Class T for the Change of Use of Commercial Building to Education Purposes to Provide a Small Alternative Provision School. Applicant Nikita Boydell, Project SEMH

**Comment:** No objection.

**129/21 Revised Plans** To comment on any revised plans received within the required timeframe (14 days).

**20/06840/FUL**: Land North of Melksham Substation Near Melksham. Construction of a solar farm and battery storage facility together with all associated works, equipment and necessary infrastructure. (Revised Plans)

It was noted several panels had been removed from the Southern Boundary, with proposals for agricultural use where they had been removed.

Councillor Pile expressed concern deciduous trees were proposed on the Southern boundary with Westlands Lane, therefore the panels would be seen from Westlands Lane during the Winter months.

Several Members felt the new proposals were an improvement and whilst the Parish Council had asked for more panels to be removed from the Southern part of the scheme, near Westlands Lane, the applicant had removed some and felt this was the best which was going to be achieved.

Councillor Pile felt the Council needed to be consistent and stick to their previous comments regarding the removal of panels nearest to Westlands Lane and expressed disappointment that the applicant and Wiltshire Council had not taken on board the comments raised by the Parish Council previously.

Councillor Pafford noted some of the concerns of the Drainage Team had not been addressed, particularly with regard to potential 'run-off' in an area prone to flooding and noted another consultee had also expressed concerns at the proposals.

**Comment:** Whilst Members acknowledged improvements to the layout of the original scheme, they still had concerns with regard to drainage and potential 'run-off', which the removal of the panels adjacent to Westlands Lane did not fully address. They also were concerned about the effect this would have on issues of flooding in Westlands Lane, Beanacre.

The parish council wished to draw attention to the comments raised by the Woodland Trust, which they supported.

**130/21 Western Area Planning Meeting, 7 July at 3.00pm. To note the following planning applications (no longer in the Parish) will be considered and decide if a Member will speak at the meeting:**

- 20/11601/REM: Land East of Spa Road. Reserved Matters for 25 homes forming phase 1A of outline planning permission originally granted under 14/10461/OUT:
- 21/01111/REM: Land East of Spa Road. Reserved Matters for 50

homes forming part of Phases 4A &5A of outline planning permission originally granted under 14/10461/OUT

It was noted following the outcome of the recent Governance Review, these sites were no longer in the Parish but in the Town with Councillor Sankey as the recently elected Ward Member attending the meeting.

Councillor Wood thanked Councillor Holder for all the work he had undertaken.

## **131/21 Planning Enforcement:**

### **a) To note any new planning enforcement queries raised.**

Councillor Wood explained he had been contacted by a resident concerned at the numerous movements of material by HGVs and tractors/trailers heading through Berryfield Lane towards Whaddon Lane.

Having undertaken a site visit, Councillor Wood explained he had not witnessed speeding vehicles heading down Whaddon Lane or any evidence of churned up verges as mentioned by the resident and no damage on the roads or any signs of dumping.

The Clerk explained she had reported this to Public Protection who had stated, as there was the possibility of an unofficial tip this needed to be reported to the Environment Agency as well, which she had done, unfortunately without an accurate pinpoint of where the potential activity was taking place, it was difficult for the Environment Agency to investigate.

The Clerk stated she had also spoken to Planning, as well as both Semington and Hilperton Parish Council to ascertain if they were aware of any such activity.

The Clerk explained she had received information on rumours where the materials were going and it appeared to be a property in the parish. Upon investigation, it appeared the property does not have planning permission for the business for which it is listed, not related to tipping and asked if Members wished to pursue this.

The Clerk explained she had also been in the area and had not noticed any evidence of dumping, especially given the amounts which had been suggested by the resident.

Councillor Harris explained if tractors/trailers were being used, they could be accessing parts of the site, which were not in view.

Councillor Wood explained he would go back to the residents to ascertain more information before pursuing this matter further.

132/21      **Licensing**

**a) New Premises Licence application for, Boomerang Ltd, 8 Merlin Way, Bowerhill. To consider making a representation with regard to proposals for: (Comments by 13 July)**

- On Sales for Supply of alcohol: Sun – Sat: 11:00 hrs to 23:00 hrs  
Christmas Eve and New Year's Eve: 11:00 hrs to 01:00 hrs (Next Day)

**Resolved:** No objection and to make no representation against this application.

**b) Street Party, Bowerhill event held on Saturday, 26 June. To receive update**

The Clerk explained a street party had taken place on Saturday, 26 June, at Sunderland Close with the applicant having applied for and receiving a Temporary Entertainment Licence (TENS Licence) for 2pm-9pm. Whilst several complaints had been received at the activities taking place, there were equally several people saying live and let live, with the Police taking no further action.

Information had been received from Licencing explaining the street party had been a one-off event, however, any subsequent applications would be looked at under their own merits.

It was noted the event did go over by 20 minutes, with some residents saying it went over by 45 minutes. The Licensee had the music too loud because it was not in line with the regulations at time. When the licence had been applied for it was due to be the weekend after lockdown restrictions were lifted. However, because covid restrictions were not lifted it should just have been background music.

Pubic Protection were undertaking investigations; however, it was unlikely any further action would be taken, just words to the applicant.

Councillor Harris stated he had been in touch with the Licensing Officer after receiving several complaints. The Officer stated he had been surprised the Police had attended, but was going to speak to the Police officer who to follow up. It was understood the Police were saying it was no longer their concern. However, Licensing would be giving words of advice to the applicant and that it was a one-off event. However, if the applicant were to apply for a licence for a similar event, they would be minded to make sure they applied to the terms of licence for the event.

With regards to the noise aspect, Councillor Harris explained it was very loud, with the event supposed to be celebrating coming out of lockdown, which did not take place and therefore the event should not have taken place and should have been background music instead.

**133/21 Proposed Solar Farm at Studley Farm, Atworth by Enso Energy.**

**a) To note map of Solar Farms in the Parish and surrounding areas**

The Clerk explained following concerns of a resident at the number of solar farms in the locality, all the solar farms had been highlighted on an old Rights of Way Map for Member's information and reminded Members the Neighbourhood Plan supported renewable energy.

**b) To consider a response to the consultation**

This item had been placed on the agenda, in case Members wished to make a response to the consultation.

Given the location of the site Members felt it would not impact residents within the parish or any Rights of Way, therefore, it was not necessary to contribute to the consultation. However, Members could make individual responses if they wished.

**134/21 Battery Storage Facilities. To note correspondence from Hankerton Parish Council regarding concerns at their safety**

Following an application for a battery storage facility nearby, Hankerton Parish Council had raised concern at their safety, particularly given the number of storage facilities in the area and made other councils within Wiltshire with similar numbers of battery storage facilities aware of their concerns.

Councillor Pafford explained having looked at the plans for the Beanacre Solar Farm could see no technical information regarding the battery storage facilities on this site and felt without such information it was hard to ascertain if such a facility would be at risk of a fire as described by Hankerton Parish Council and felt someone needed to know if a concentration of solar panels of such magnitude constituted a fire risk.

Councillor Baines stated the battery storage facilities were dispersed around this site, as were the invertors and felt the issue regarding potential for fires was not an issue for solar farms necessarily but battery storage facilities, such as the one at Roundpond.

It was felt this was something the Government should deal with as part of legislation.

**135/21 National Association of Local Councils (NALC). To note:**

**a) Rural Housing. Call on Local Councillors to secure a Legacy for the Future**

To note.

**b) Chief Executive's Bulletin Re: Debate on Planning in Parliament**

To note.

**136/21 Planning Policy**

**a) Lack of 5 Year Land Supply**

**i) Wiltshire Area Localism and Planning Group (WALPA): To note latest update from the group in seeking a change to legislation to protect those areas with a Neighbourhood Plan against a lack of 5-year land supply.**

The Clerk informed the meeting whilst she did not attend the latest meeting, explained WALPA were trying to obtain from Wiltshire Council who were subsequently trying to obtain from Central Government what constituted a Review and what can those areas in Wiltshire with a Neighbourhood Plan do to be ready when their plans expire in 2 years. Neighbourhood Plans have to have a Review for the clock to start ticking to ensure that the neighbourhood plan has another 2 years protection against a lack of 5-year land supply.

The Clerk explained the WALPA campaign was spearheaded by Malmesbury who were one of Wiltshire's Neighbourhood Plan front runners, after being unable to defend against an application with a lack of 5 land supply in place, as their Neighbourhood plan was over 2 years old at the time.

WALPA had also recently joined up with the Campaign for Protection of Rural England (CPRE) in this campaign.

**b) Neighbourhood Planning**

**i) To note outcome of Referendum on 1 July**

Councillor Wood noted the Neighbourhood Plan had passed at Referendum with 86% voting for Yes and felt given the misinformation which had been circulating at the time, this was a good result.



The Clerk explained the review of the plan would start in September.

**ii) To note minutes of Steering Group meeting held on 27 May 2021**

The Clerk explained these were still to be typed up and would be circulated shortly.

**137/21 S106 Agreements and Developer meetings: (Standing Item)**

**a) To note update on ongoing and new S106 Agreements**

**i) Public Art Update**

- Pathfinder Place

The Clerk explained the art panel for Pathfinder Place was being delivered shortly.

- Bowood View

The Clerk explained the artist for this project had visited Aleric School on 30<sup>th</sup> June to undertake an art session with them on the project, which had been well received as had a second session, involving staff training.

**b) To note any S106 decisions made under delegated powers**

None

**c) To note any contact with developers**

The Clerk reminded those present, a developer meeting was due to take place later in the week regarding a site East of Melksham Oak School, with representatives of the committee and a representative of Melksham Town Council.

The Clerk informed the meeting that Ward Member for the area, Councillor Nick Holder, had tendered his apologies, as had Councillor Richard Wood due to previous engagements, however, the meeting would be recorded via Zoom for those who could not attend to listen to later and would also be reported back at the next Planning Committee meeting.

Meeting Closed at 21.38pm

Signed.....  
Full Council, 26 July 2021