

MINUTES of the Planning Committee of Melksham Without Parish Council held on Monday 13th August, 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, Paul Carter and Greg Coombes.

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

Housekeeping & Announcements: Cllr. Wood welcomed all to the meeting and explained the evacuation procedure in the event of a fire. As there was also a meeting taking place in the main church, he asked that everyone leave the meeting via the rear doors, rather than through the church.

199/18 **Apologies:** None.

200/18 **Not Present:** Cllr. Terry Chivers.

201/18 **Declarations of Interest:** Cllr. Carter declared an interest in agenda item 5g as he is a neighbour of the applicant and agenda item 5h as the applicant is a family member and he stated that he would take no vote on this application. The Clerk declared an interest in agenda item 5b as she is the Company Secretary to the business adjacent to the applicant.

202/18 **Dispensation Requests for this Meeting:** None

203/18 **Public participation:** There were no members of the public present.

204/18 **Planning Applications:** The Council considered the following applications and made the following comments:

a) 18/04836/FUL– 162 Top Lane, Whitley, Wiltshire, SN12 8RB: Ground floor kitchen extension with a rendered finish to match the existing finish Second storey bedroom built over an existing flat roof with an overhang. Applicant: Mr. Paul Frankcom.

Comments: *The Parish Council have no objections.*

b) 18/06118/FUL- 2 Lysander Road, Bowerhill, SN12 6SP: Change of use from B2 with associated sales and office use to B2 with car sales, removal of conservatory and provision of canopy and porch, cladding to elevations and use of associated land for display of cars for sale. Applicant: Nortree Ltd.

Comments: *The Parish Council have no objections.*

c) 18/06456/ADV- Gompels Healthcare, 1 Swift Way, Bowerhill – 2 x non-illuminated fascia signs. Applicant: Mr. Sam Gompels.

Comments: *The Parish Council have no objections.*

d) 18/06586/FUL- 406A The Spa – Proposed single store rear extension and extension of dormer to rear. Applicant: Mr. Parker.

Comments: *The Parish Council have no objections.*

e) 18/06616/FUL- 146 West Hill, Whitley – Proposed loft conversion with rear and front dormers, new staircase access and allied alterations. Applicant: Mr & Mrs. Graham.

Comments: *The Parish Council have no objections.*

- f) **18/06629/FUL- Vernon Farm, Bowerhill, Wiltshire, SN12 6RE:**
Proposed new office for agricultural field trial research.
Applicant: Mr. P Billings
Comments: The Parish Council have no objections.
- g) **18/06969/FUL- 123 Semington Road, Melksham, SN12 6DP:** Proposed two storey side & rear extensions. Applicant: Mr Mark Cooper.
Comments: The Parish Council have no objections.
- h) **18/06955/FUL- 2 Berryfield Park, Melksham, Wiltshire, SN12 6ED:**
Demolition of conservatory, erection of 2 storey and single storey extensions. Applicant Mr & Mrs Price
Comments: The Parish Council have no objections.

205/18 **Planning Correspondence:**

- a) **Public Notice re landowner's deposit under section 15A(1) of the Commons Act 2006 for land East of Cooper Tire and Rubber Ltd, Melksham, SN12 8AA:** The Officers had sought clarification from the Wiltshire Council Definitive Map, Rights of Way and Countryside Team department with regard to this public notice. They had replied to say that "legislation requires that a notice is posted on site to inform the public that the landowner has submitted an application (generally referred to as a "deposit") under Section 15A(1) of the Commons Act 2006. This is to protect the land from applications to register it as a town or village green if less than 20 years of use for lawful sports and pastimes has been acquired prior to the date of the submission. It does not affect any claims for new public rights of way as the landowner has not submitted an application under Section 31(6) of the Highways Act 1980". It was felt that this was probably the landowner ensuring their legal rights were in place to prevent any future challenge of this land now that parkrun was being held on a weekly basis across this land.
- b) **Wiltshire Council Traffic Order re TROs (Traffic Regulation Orders) for various roads connected to the Pathfinder Way application (17/06285/REM):** Correspondence had been received from Wiltshire Council to inform that as no objections had been made, the following TROs would be implemented:
- THE COUNTY OF WILTSHIRE (PATHFINDER WAY, MELKSHAM WITHOUT) (30MPH SPEED LIMIT) ORDER 2018
 - THE COUNTY OF WILTSHIRE (VARIOUS ROADS, MELKSHAM AND MELKSHAM WITHOUT) (40MPH SPEED LIMIT) ORDER 2018
 - PEDESTRIAN CROSSING – A365 WESTERN WAY, MELKSHAM AND MELKSHAM WITHOUT
 - PEDESTRIAN CROSSINGS – A365 BATH ROAD AND PATHFINDER WAY, MELKSHAM WITHOUT

206/18 **Planning Enforcement:**

- a) **The Toast Office, 116 Top Lane, Whitley – change of use from residential to café (18/00594/ENF):** The Planning Enforcement Officer had carried out an investigation into the lack of a Change of Use planning application for the Toast Office to run a café from these premises. She had stated that the owner should submit a planning application for mixed use, as part of the business falls under class A1 as a shop and the main part of the business is class A3 as a café. She informed that the owner had spoken to a planning agent and was looking at his options moving forward.

Anecdotally, some ward members reported that most of the shop had now gone, with only the post office and the café element remaining.

- b) **Eddies Diner, Lysander Road, Bowerhill – permanent use of site as food service takeaway and diner (17/06864/FUL):** The Clerk reported that when the Parish Council data audit was carried out photographs and letters to Wiltshire Council Planning Enforcement were discovered dating back to 2006 of Eddies Diner being on the Highway in two other locations. It was unclear whether the current Planning Enforcement Officer was aware of this history, so the photos and evidence had been sent onto her.

207/18 **Neighbourhood Plan:** Members noted the draft minutes of the last Melksham Neighbourhood Plan Steering Group meeting held on Wednesday 25th July, 2018.

208/18 **Planning Policy:**

- a) **Wiltshire Council Briefing Note 359: Employment Land Review: Arising from Min186/18a):** The Clerk had marked up a map to show the land that the Parish Council wished to put forward to Wiltshire Council as land to be allocated for employment. She sought clarification from members that this map reflected what they had previously discussed at the Planning Committee meeting on 23rd July. This allocated all the land abutting the A350 on the eastern side as Employment Land. The members agreed that this was what they had proposed, but wished to see a rural buffer on the northern part of this parcel of land. The Clerk amended the map accordingly **Recommended 1:** *The map showing land which the Parish Council wished to be allocated for employment, all land to the rear of the golf course behind Christie Miller abutting the A350 to the east but retaining a rural buffer to the north, was agreed. 2. The map to be submitted to Wiltshire Council.*

209/18 **S106 Agreements and Developer Meetings:**

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

- (i) **Maintenance Contribution for Shurnhold Fields:** The Clerk confirmed that the agreed maintenance sum from the developer for Shurnhold Fields was £97,383.75. She had asked the Parish Council's solicitors to ensure that this money was transferred directly to the Parish Council and not to Wiltshire Council.

b) **New S106 Queries:**

- (i) **Request from Developer to Include Additional Play Equipment at Sandridge Place Development (15/12454/OUT):** The Clerk explained that under the S106 Agreement for this development (100 dwellings on land north of Sandridge Road) a LAP (Local Area of Play) was to be provided. LAPs are unequipped play areas and the Developer and Wiltshire Council had previously agreed that the Public art contribution could be used to enhance this provision. The Developer had now offered to provide an equipped play area, a SLAP (Super Local Area of Play), with a bench and a bin. The Developers' contractor had explained that a SLAP cannot be classified as a LEAP (local Equipped Area of Play) as this requires a 20m buffer zone. However, a SLAP has increased play value compared to a LAP. It was noted that the plans for the SLAP proposed to have grass matting as a safety surface rather than the usual wet pour. The Council had

previously agreed under its planning principles that it would only take on LEAPs and NEAPs (Neighbourhood Equipped Areas of Play) from developers, not LAPs. The members expressed concerned over the proposed safety surfacing as not only in very dry weather when the grass died did it expose the hard matting structure, it was also difficult to mow around the pieces of play equipment and thus future maintenance could be difficult and costly. The members welcomed the provision of additional play equipment, but wished to seek more information about the proposed grass matting. If the Parish Council were to consider taking on the future maintenance of this play area they also wished to establish what maintenance contribution was being offered by the developer. It was considered that the Council needed to review its planning principles to discuss whether they still wished this to state that they wished to take on LEAPs and NEAPs only, or if they wished to consider amending this to equipped play areas **Recommended:** *The Council respond to the developer to state that they welcome the fact that the play area will be equipped, but wish to find out more information about the safety surfacing proposed and any maintenance contribution attributed to it.*

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

d) **Contact with developers:**

(i) **Street Naming:**

(1) **Canal Theme for Development on Land East of Semington Road:**

It was noted that the Developers and Wiltshire Council Street Naming department had accepted all the canal engineers' names put forward by the Parish Council. Additionally, all the names put forward were from people who had died more than 50 years ago, so no further investigation of permission from family members was required.

(2) **RAF Theme for Development at Pathfinder Way:** It was noted that the developers and Wiltshire Council Street naming were happy in principle with the RAF names put forward by the Parish Council, but some of the people named had died less than 50 years ago. The Officers would now carry out the relevant investigations to seek permission from family members.

(ii) **Update on Pathfinder Way Development and Residents**

Requests: Correspondence had been received from the Planning officer who had met with the Developers and they had discussed the views of the residents of Birch Grove and Elm Close and the Parish Council comments. The Developers were keen to continue building positive relationships with all concerned by listening to reasonable issues. Whilst there were no obvious solutions, the developers did state that they would look again at their plans and whether they would be able to accommodate the requests of the residents that the proposed dwellings to the rear of Birch Grove and Elm Close could be 1.5 storeys high.

Meeting closed at 8.03pm

Chairman, 17th September 2018