

**MINUTES of the Planning Committee of Melksham Without Parish Council held on Monday 3<sup>rd</sup> September, 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, David Pafford, Paul Carter, Terry Chivers 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.

- 210/18 **Apologies:** Cllr. Mary Pile had given her apologies as she was visiting a family member in hospital; this was accepted.
- 211/18 **Declarations of Interest:** The Clerk declared an interest on behalf of the Parish Council in agenda item 5b as this hedge removal was related to work being carried out by Wessex Water who were also carrying out work on the Parish Council's land for which they will be receiving financial compensation.
- 212/18 **Dispensation Requests for this Meeting:** None
- 213/18 **Public participation:** There was one member of the public present who did not wish to speak.
- 214/18 **Planning Applications:** The Council considered the following applications and made the following comments:
- a) **18/07564/FUL – 38a, Wellington Square, Bowerhill, Melksham, Wiltshire, SN12 6QX: Extension. Applicant: Mr. A. Drewett.**  
*Comments: The Parish Council acknowledges that the applicant has attempted to address some of the concerns previously raised, however it OBJECTS as this proposal is still in advance of the existing building line of numbers 40 & 42 and would overlook them, and is still over development of the site as the footprint remains the same*
  - b) **18/07681/HRN – Berryfield Lane, Melksham, SN12 6EF: Removal of 2 sections of 5m hedgerow. Applicant: Mr. Jared Maxfield.**  
*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) **18/06955/FUL – 2, Berryfield Park, Melksham, Wiltshire, SN12 6ED: Demolition of conservatory, erection of 2 storey and single storey extensions. Applicant: Mr. & Mrs Price.** It was noted that this application had already been considered at the previous planning meeting on Monday 13<sup>th</sup> August.
  - e) **18/07286/FUL – Adjacent to 489a, Semington Road, Melksham, SN12 6DR: Erection of 4 no. dwellings (Resubmission of 17/04649/FUL). Applicant Mr. & Mrs. P. Williams**  
*Comments: The Parish Council acknowledges that the applicant has amended the proposal to address some of the comments raised by the Planning Officer and the Planning Inspector when the previous application was refused. However, it still OBJECTS to this proposal as it is still over*

development of the site and wishes to reiterate some of the previous comments made on 4<sup>th</sup> July as follows:

*“The Council sees no reason to depart from the existing permission under application 16/11901/OUT for 2 dwellings on this site. It considers that 4 dwellings constitutes an overdevelopment of the site and that the proposal for 3 storey dwellings is completely out of keeping with the existing Streetscene. The proposal therefore fails to demonstrate that it meets the criteria of Core Policy 57”*

*Furthermore, the application form states that this proposal is for 1no 3 bed dwelling and 3no 2 bed dwellings. However, the plans show a studio room, bathroom and attic storage for each dwelling on the attic floor plan (3<sup>rd</sup> storey), both with windows. The plans for studio rooms have very large windows and the Parish Council consider that along with the provision of a bathroom on the same floor that this constitutes an additional bedroom, effectively making this proposal for 1no 4 bed dwelling and 3no 3 bed dwellings. Not only do the Parish Council therefore query the parking provision for properties with these additional bedrooms, they also feel that the statement from the Planning Inspector about the previous application “failing to achieve appropriate standards of amenity for future occupiers” would not be met via this application with the additional space on the 3<sup>rd</sup> storey being used as a bedroom.*

- f) **18/07374/ADV – Dick Lovett DLR, Commerce Way, Melksham, SN12 6AD:** 2 x internally illuminated replacement panels to existing pylon sign A1-A2. **Applicant: Dick Lovett JLR.**  
**Comments:** *The Parish Council have no objections.*
- g) **18/07375/REM – Hack Farm, Lower Woodrow, Melksham, Wiltshire, SN12 7RB:** Reserved matters application pursuant to Outline Permission 17/08111/OUT (erection of an agricultural workers dwelling) in relation to access, appearance, scale, layout and landscaping. **Applicant: Mr. Doel.**  
**Comments:** *The Parish Council have no objections.*
- h) **18/07464/FUL – 14, Hornchurch Road, Bowerhill, SN12 6AQ:** Proposed boundary wall. **Applicant: Mr. Anthony Lamb.**  
**Comments:** *The Parish Council have no objections.*

215/18 **Neighbourhood Plan:** Members noted that the draft minutes of the last Melksham Neighbourhood Plan Steering Group meeting held on Wednesday 29<sup>th</sup> August, 2018 were not available to note. The Clerk explained that the Administrator of the Neighbourhood Plan, who was employed through MCAP (Melksham Community Area Partnership), had resigned from the post. Although the Neighbourhood Plan is a joint project in partnership with the Town Council, the Parish Council Officers had agreed to take the minutes of this meeting. Due to other work commitments and the fact that the meeting had only taken place the previous week, they had not had the opportunity to type up the minutes, however, they had typed up all the amendments to the Policy Document which they had sent to Lemon Gazelle.

216/18 **Planning Policy:**

- a) **Revised National Planning Policy Framework: “Government’s new planning rulebook to deliver more quality, well-designed homes”:** This document was noted.

b) **Andrea Pellegram's "Planning Local" Newsletter & Toolkit**

**Documentation:** The following documentation was noted:

- (i) **Index to the National Planning Policy Framework (2018)**
- (ii) **Viability, Conditions, Obligations, CIL and other Considerations**
- (iii) **Planning Permission Change of Use requirements.**

217/18 **S106 Agreements and Developer Meetings:**

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

(i) **Response from Developer re Queries raised over the Inclusion Additional Play Equipment at Sandridge Place Development (15/12454/OUT): Arising from Min.209/18b)i):**

The members considered further information which had been provided by Miracle Design and Play, the developer's contractor, about the proposed grass matting safety surfacing to be installed. Members had severe reservations about the future maintenance regime and cost of grass matting which would require regular mowing. Additionally, the Parish Council had previously agreed under its planning principles that it would only take on LEAPs (Local Equipped Areas of Play) and NEAPs (Neighbourhood Equipped Areas of Play) from developers, and that without wet pour safety surfacing this play area would not meet the standard of other play areas that the Parish Council has taken on from developers. It was noted that the correspondence had been received from the contractor who had asked whether the Parish Council were in agreement with the inclusion of play equipment; the Developer had not been in contact to ask whether the Parish Council wished to take on this play area. However, they did wish to see as part of the management contract a bench provided and a bin to be emptied in perpetuity. It was noted that the initial S106 Agreement provided an unequipped LAP (Local Area of Play) and both the Developer and Wiltshire Council had agreed that the Public Art Contribution for this development could be spent on enhancing this with practical art installations. Now that this play area was to be equipped the members queried what the Public Art Contribution would now be spent on. It was noted that the Public Art Officer had said at a previous meeting that a design for this play area had been submitted to her and the Parish Council had asked to see a copy of this. The officers had asked twice for a copy of this document, but to date the Art Officer had not responded. **Recommended 1:** *The Parish Council respond to say that due to the maintenance regime of the grass matting safety surfacing they do not wish to consider taking on this play area from the developer, should they ask. However, they do ask the developer to provide a bench and a bin for the play area and that the bin is emptied under their maintenance contract in perpetuity. 2. The Council query with Wiltshire Council's Public Art Officer what the Public Art Contribution will now be spent on, if it is now not being used to enhance the LAP.*

(ii) **Response from Wiltshire Council CIL Officer re Twice Annual CIL Payments:**

The Clerk had queried with the CIL Officer why CIL payments were only made twice a year. She had cited the example that the Parish Council should have received a CIL payment in April 2018, but Wiltshire Council had not paid this as they had not received it themselves but had stated that even if they received it shortly they

would not pay to the parish council until October. This had made it difficult to budget for the year, especially if this money had been allocated to large projects with high expenditure, such as the refurbishment of play areas. The members noted the response from Wiltshire Council, which was that paying 253 parish councils CIL funding individually was too demanding on their staff resources. However, the Clerk and the Parish Officer had attending recent training where Wiltshire Council had reported that from the CIL payments received from developers that 10% went to Wiltshire Council for administrative costs, before the remainder of the funding was distributed between Wiltshire Council and the Parish Council (and this percentage was dependent upon whether the parish had an adopted Neighbourhood Plan). The Officers had calculated from the information published by Wiltshire Council on CIL receipts from developers, that this equated to approximately £250k in administrative fees. Members therefore queried why Wiltshire Council were stating that they did not have the resources to pay CIL payments as they were received from developers to individual parish councils.

***Recommended:*** *The Parish Council query again with Wiltshire Council their policy of paying CIL funding twice a year to parish councils, citing Wiltshire Council's receipt of the administration fee from developers as a counter argument against this and for individual payment of CIL funding to parish councils once received from developers.*

- b) **New S106 Queries:** None
- c) **S106 Decisions made under Delegated Powers:** None.
- d) **Contact with developers:** None

Meeting closed at 7.55pm

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