

MINUTES of the Planning Committee of Melksham Without Parish Council held on Monday 9th April 2018 at Crown Chambers, Melksham 7.00 p.m.

Present: Cllrs. Richard Wood (Council & Committee Chair), Paul Carter (Committee Vice-Chair), Alan Baines, Mary Pile 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. The Parish Officer had carried out a fire check of the building prior to the meeting at 6.55pm.

- 520/17 **Apologies:** Cllr. John Glover (Council Vice-Chair) had given his apologies as he was on holiday; this was accepted.
- 521/17 **Not Present:** Cllrs. Terry Chivers and Kaylum House.
- 522/17 **Declarations of Interest:** None.
- 523/17 **Dispensation Requests for this Meeting:** None
- 524/17 **Public Participation:** There were no members of the public present.
- 525/17 **Planning Applications:** The Council considered the following applications and made the following comments:
- a) 18/02077/FUL - 56 Folly Lane, Shaw, Melksham, Wiltshire, SN12 8HB:** Ground floor and part first floor rear extension. Applicant: Mr. David Bennett.
Comments: The Parish Council have no objections; however, they wish to point out that the orientation of the proposed elevation plans are incorrect and opposite to the orientation of the existing elevation plans.
- b) 18/02128/FUL - Land East of Spa Road, Melksham, Wiltshire:** Full planning permission for the development of a surface water drainage detention basin, associated with permission 14/10461/OUT, including associated access, groundworks and landscaping. Applicant: Hallam Land Management & Bloor Homes.
Comments: The Parish Council have no objections.
- c) 18/02555/TPO - 65 Shaw Hill, Shaw, Melksham, Wiltshire, SN12 8EX:** Section Fell Horse Chestnut tree. Applicant: Mrs. Jennifer McNeilage.
Comments: The Parish Council have no objections, but wish to see this tree replaced by the planting of a new native species tree.
- d) 18/02123/FUL – Turnpike Garage, Devizes Road, Bowerhill, Melksham, Wiltshire, SN12 6RE:** Re-development of service station replacing workshop and shop with new building providing new forecourt layout, canopy and associated works. Applicant: Turnpike Garage Ltd.
Comments: The Parish Council welcomes the development of the shop, however, they have concerns over the redevelopment of the petrol pumps and forecourt as follows:

1. *Health & Safety and Environmental issues with regard to the delivery and storage of fuel. The Design and Access Statement states that the application seeks to increase fuel storage from 40,000 litres to 108,000 (point 4.5), almost treble, and that cut off drainage will be connected to a full retention separator interceptor which will then outfall to the adjacent drainage ditch. There is no supporting documentation which shows how this fuel will be stored and how potential contamination from fuel leaks will be prevented. Following a recent site visit to the new Air Ambulance HQ in the parish (15/10766/OUT & 16/09699/FUL), their fuel storage is double bunded and they have measures in place to prevent contamination in the event of any fuel leakage. The Parish Council seek assurance that this application has similar preventative measures in place and wish to see the documentation which supports this.*
2. *Point 4.15 of the Transport Statement states that 9 parking spaces will be provided for non-fuel customers. Given that cars can be left at the garage whilst awaiting to be worked on either on site or in Bowerhill, and that anecdotally it is believed that the shop will be serving more hot food, the Parish Council have concerns that customers will be parking for longer periods of time and that the parking provision will not be appropriate. Additionally, as per the application form, the number of parking spaces in total has not been increased and remains as existing at 14 spaces.*
3. *Point 2.3 of the Design & Access Statement states that “Carnation Way” was originally the site of railway cottages and approached from the south, with the closure of the railway in 1960 establishing an access from the north. This statement is incorrect. The railway cottages referred to are further north in the village of Seend Cleeve and the attached map from 1926 show that vehicular access was always from the north, with access from the south being only by a pedestrian right of way. Additionally, the road is actually called Carnation Lane (referred to correctly in the Transport Statement).*
4. *Point 5.3 of the Design & Access Statement states that “residents of Carnation Lane (called Carnation Way in the document) have established rights of way for vehicles over part of the forecourt area”, with point 4.8 of the Transport Statement stating that “the rights of access to residents of the properties served by Carnation Lane would be unaffected as they could continue to use the eastern access when travelling in both directions”. This statement completely contradicts the proposal of this application that a one-way system would be imposed with access in only from the eastern entrance and egress out from the western entrance, with no entry signs on the western entrance. The Parish Council have serious concerns that this will cause confusion and a potential highways hazard if residents of Carnation Lane are egressing the site from the eastern entrance.*
5. *It is not clear whether residents of Carnation Lane have been consulted as there is no list of residents consulted on the Wiltshire Council website. The Parish Council request that they are provided with a list of neighbours who have been consulted.*

In addition to the comments made by the Parish Council, the officers have noted that Point 3.4 of the Design and Access Statement states that there is asbestos material in the existing buildings and workshop, with point 4.1 stating that these buildings will

be demolished. There is no dust management plan indicating how this asbestos material will be safely removed, however, other recent applications in the parish have provided this information where there is a requirement to remove asbestos material.

e) 18/02448/FUL – 29, The Beeches, Shaw, SN12 8EP: Two storey side extension.

Applicant: Mr. and Mr. C. Davis

Comments: *The Parish Council consider that they are currently unable to comment on this application as there is no application form online. The plans indicate that the proposed extension will be 4.3m wide, and the Parish Council have serious concerns that the applicant does not have sufficient land within the red line boundary to accommodate this size of development and it will therefore encroach onto the neighbouring land. The council are unable to see the declaration of land ownership as there is no application form. The neighbouring land is the Shaw Recreation Field; this is owned by the Parish Council who are extremely unhappy that the applicant has cut down vegetation to access the rear of their property across the Field without requesting permission from either the Parish Council or the Shaw Village Hall and Recreation Field Management Committee who lease the field from the parish council. This vegetation appears to have been left on the playing field. The Parish Council wish for a site meeting to take place as a matter of urgency between them, the Planning Officer, representatives from the Shaw Village Hall and Recreation Field Management Committee and the Applicant, to ensure that there is no encroachment onto the Shaw Recreation Field.*

The Officers attached the land registry title plan obtained for 29 The Beeches to check the boundary line, and photographs of the boundary taken on Weds 4th April to the comments for information for the Planning Officer.

f) 18/02429/FUL - 63 Berryfield Park, Melksham, Wiltshire, SN12 6EE: Erection of tiled roof porch. Applicant. Matheson

Comments: *The Parish Council have no objections*

g) AMENDED PLANS 17/12514/REM Land east of Semington Road:

Development of 150 Dwellings with Associated Access, Infrastructure, Parking, Landscaping and Local Equipped Area of Play, Following outline permission ref. 16/00497/OUT Applicant: Bellway Homes Ltd. It was noted that correspondence regarding amended plans, and comments back from the developers further to their meeting were considered under Min.513/17c) as they were considered at the Full Council meeting on 26th March in case an immediate response was required before the imminent submission of the Reserved Matters application.

Comments: *The Parish Council have no objections.*

526/17 **Planning Appeals:**

a) 16/11951/FUL Land between 215 and 78 to 81 Corsham Road, Whitley: The members noted that the appeal against refusal of permission for this planning application had been dismissed by the Planning Inspector. The Parish Council had supported the applicant in their appeal on the basis that their proposal was linked to their business. Of note was point 13 in the Planning Inspector's report which highlighted that planning permission runs with the use of the land rather than with the applicant or their circumstances.

527/17 **Neighbourhood Plan:**

a) **Melksham Neighbourhood Plan Steering Group Draft Minutes, Wednesday 28th March, 2018:** These draft minutes were noted.

528/17 **Feedback from Meeting with BASRAG (Berryfield and Semington Road Action Group), 9.30am, Tuesday 27th March, 2018, re provision of New Village Hall from Planning Application on Land east of Semington Road (16/00497/OUT &17/02514/REM):** The members noted the notes from that meeting as follows:

Present: Cllrs. John Glover (Vice-Chair), Paul Carter, Alan Baines
Cllrs. Mary Pile joined the meeting at 10.00am and Richard Wood (Chair) joined the meeting at 10.15am

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

BASRAG Representatives: Gill Arbery and Cllr. Steve Petty.

Cllr. Glover gave a brief outline of the history surrounding the provision of a Village Hall in Berryfield.

Gill reported that a request had been made via the Spring Edition of the Berryfield Buzz, which was distributed to 350 properties in Berryfield, for any ideas or suggestions from residents for the new hall so that these could be passed onto the developer, but to date no one had responded. Two new residents had helped with the recent litter pick and they had expressed an interest. She would like to get more young people involved especially for taking on the community management of a new hall, as the current committee had all been volunteering for years and felt that the construction of a new hall would be an appropriate time for them all to step down and for new, younger volunteers to take over. She stated that although BASRAG had always hoped that the canal link would provide a village hall in a more central location to the existing village, it was acknowledged that the whole canal link project was very complicated and had already been a long drawn out process with no indication of when or if it would ever come to fruition. BASRAG had now come to the conclusion that they should accept the village hall which is being offered from this planning application, and although not in the best location for residents of the Berryfield Park area, would be geographically central to a new larger Berryfield once this new development has been built. However, if the Canal Link project came forward in the future with the offer of another community building they would also accept that. She felt that it was very important that provision was made for a toddler group or preschool, as there wasn't one in the village as the current village hall was too small with no storage space for any equipment.

It was considered that an architecturally fancy design was not required, rather that the hall needed to be well built and functional. The minimum requirement will need to be:

- Disabled access to all facilities
- A main hall
- A smaller committee room (although this could be achieved by partitioning the main hall)
- A well-equipped kitchen
- At least two toilets
- Storage – large walk in storage area rather than cupboards as current lack of storage prevents use for toddler group or pre school
- Lobby/cloak room area – for pushchairs etc

- Outside space attached to the hall
- Car park
- Capability for future expansion

It would also be desirable to have patio doors leading to a patio or paved outside area on the side of the public open space.

Cllr. Petty considered that a footpath was required on the east side of Semington Road from the existing pelican crossing to the site of the proposed new hall for existing residents on the other side of Berryfield. It was noted however that the highways and access planning application had already been approved under 17/12514/REM.

The Clerk explained that the developer had suggested that they may be willing to design and build a village hall rather than give the Parish Council the commuted sum to build a hall, if they gave them a wish list and some idea of a design. The Clerk and the Parish Officer had recently attended some training at Heywood Village Hall and it was considered that this was a really good building design. It was noted that there was a good hall design in the Sports England guide, and Gill had also produced a simple design when a new hall for Berryfield was considered some years ago.

Recommended: 1. *The minimum requirement for the hall as listed above and a simple design idea based on the Sports England exemplar and the Heywood Village Hall design to be sent to the developer.*

It was noted that these notes of the meeting had already been sent to the developer.

Recommended: 2. *The notes of this meeting to be sent to BASRAG.*

529/17 **Feedback from Meeting with Meril Morgan, Wiltshire Council Public Art Officer, 10.30am, Tuesday 27th March, 2018, re Public Art Contributions for New Developments in the Parish:** The members noted the notes from that meeting as follows:

Present: Cllrs. Richard Wood (Chair), John Glover (Vice-Chair), Paul Carter, Alan Baines and Mary Pile.

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

BASRAG Representatives: Gill Arbery – *attended meeting for discussion on planning application 16/00497/OUT only.*

Wiltshire Council Public Art Officer, Meril Morgan

Application: 16/00497/OUT – 150 dwellings and village hall on land East of Semington Road:

Cllr. Wood explained that the key feature of this development was the old line of the canal, which the developers had stated that they were keen to keep in place and enhance. It was felt that this should form part of any art provision.

Gill Arbery considered that abstract art would not be welcomed and that it needed to reflect the history of Berryfield. The Wilts and Berks Canal trust should be involved as they had experience in supporting and enhancing old canal routes and would be able to advise on how the line of the old route of the canal could be identified, recognised and what would be best to put on any signage or information boards.

It was noted that there was a contribution of £45K for public art allocated via the S106 Agreement. A discussion took place over whether art work could be used to enhance the village hall. Meril suggestion a few potential options including:

- Artwork in glazing

- Artwork in foyer
- Artwork in the outside space of the hall in the form of mural, etc
- Some interpretation of the history of the locality of the area

It was felt that any outside art needed to be durable and vandal proof. There were concerns over any art in glazing, such as stained-glass windows as these could be easily prone to damage and may cost a lot to repair. Other suggestions for the art were:

- Lock gates which reference the canal, but could be played on by children, with maybe some sort of winding mechanism so that they actually worked
- A sculpture of a Navvy, to depict the hard work of the men who constructed the canal
- Some sort of reference to the Airforce as Berryfield was the married quarters and home to the WRAF – however, there were concerns that this may cause an element of confusion over identity between Berryfield and Bowerhill
- Some sort of artwork to reflect the diversity of wildlife in the area, and to also encourage more wildlife and community engagement

Meril explained that the consent of any future management company would need to be sought if the Public Open Space was to be enhanced. She also informed that the Parish Council could apply for additional grant funding from various community grant funding bodies if a project exceeded the funding available from the S106. She felt that following discussion of all these ideas that the focus for the art contribution for this development centred around the heritage of the canal, and that she could prepare a draft artist's brief on this basis. She wanted the Parish Council and representatives from the community and the Canal Trust to make up a panel to review and decide on the artist's brief. She stated that a small amount of the funding would be put by for the engagement of a project manager, as she may not have the capacity to manage the project herself, but that this would be no more than 10% of the available funding. She asked that the Parish Council feedback to the developers and ask that their Site Manager engages with the Council over any art installation and that this is carried out by their contractors whilst on site. She also asked if the Parish Council could request that the developers release the art contribution funds at the beginning of the process rather than at the end. The Parish Council would put Meril in touch with a contact at the Wilts and Berks Canal Trust.

Recommended: 1. *The notes of this meeting to be sent to BASRAG.*

Application: 16/01123/OUT – 215 dwellings and land for a primary school on land South of Western Way (Pathfinder Way):

It was noted that the public art contribution for this site was a planning condition rather than a commuted sum via a S106 Agreement, there was therefore no agreed financial amount. The Decision Notice stated that no dwelling shall be occupied until a public art scheme had been submitted. However, at a recent meeting with the developers they did indicate that they were happy with the Parish Council meeting the Art Officer and the Parish Council's initial idea that the public art reflected the history of the RAF, maybe in the form of some sort of aircraft sculpture. It was noted that the developer needed to submit an Arts Scheme to the Art Officer for her approval and that they had to show that they had engaged with the Community and taken their views into account.

Meril stated that she would contact the developer regards to the progress of the Public Art Plan in order that enough consultation time was given, if the Parish Council could supply her with the contact details.

Recommended: 2. *A meeting is arranged with Meril Morgan, the Parish Council, BRAG, the ATC and Ex-Service men to consider the art provision for this development. The Parish Council to supply Meril Morgan with the relevant contact details.*

Application: 14/06938/OUT – 450 dwellings on land East of Spa Road (East of Melksham):

It was noted that the public art contribution for this site was also a planning condition rather than a commuted sum via a S106 Agreement, there was therefore no agreed financial amount. The Decision Notice stated that no dwelling shall be occupied until a public art scheme had been submitted. Meril informed that she had contacted the developers agent a year ago but had received no reply. The Parish Council to give Meril the contact details for Hallam Land so that she can contact them and chase up the arts Contribution.

Application: 15/12454/OUT – 100 dwellings on land North of Sandridge Road:

It was noted that the public art contribution for this site was also a planning condition rather than a commuted sum via a S106 Agreement, there was therefore no agreed financial amount. The Decision Notice stated that no dwelling shall be occupied until a public art scheme had been submitted. Meril had received an Artist's Brief for this development and said that she would check if a copy of this could be passed to the Parish Council.

530/17 **Street Naming Themes:** The members considered possible themes for street naming for new housing developments in the parish.

a) Land to the south of Western Way (Pathfinder Way), Bowerhill

(16/01123/OUT): It was considered that to create cohesion between this new development and the existing development of Bowerhill, that an RAF theme was continued. It was felt that Air Marshals and Air Vice-Marshals would be a good choice. A couple of suggestions had already been put forward; Air Marshall Babington who was in charge of technical training in the RAF and therefore would be a pertinent link to the fact that RAF Bowerhill was the home to No12 School of Technical Training, and the Melksham ATC (2385 Squadron), whose HQ was in Bowerhill, had suggested Air Commodore Chamier who was the founder of the Air Training Corp. **Recommended:** *The Street naming theme for the development at Pathfinder Way to be RAF Officers, such as Air Marshals, Vice Marshals and Commodores.*

8.00pm – The Parish Officer carried out a Fire Check of the building.

b) Land to the east of Spa Road, extension to east of Melksham

(14/06938/OUT): It was noted that roads on the East of Melksham Development to the north of Clackers Brook were named after birds and to the south were named after flowers and herbs. It was considered that a continuation of herb names would be an appropriate theme. **Recommended:** *The Street naming theme for the extension to the east of Melksham development at Pathfinder Way to be herbs.*

- c) **Land to the east of Semington Road, Berryfield (16/00497/OUT):** As the old route of the Wilts and Berks canal goes through the middle of this site, it was felt appropriate that a canal theme should be considered for this development. As the Parish Council were going to ask the Wilts and Berks Canal Trust for their input with regard to ideas for the public art installation for this development it was felt that should also be asked for any suggestions for street names. **Recommended:** *The Street naming theme for the east of Semington Road development to be canal related and the Wilts & Berks Canal Trust to be asked for any suggestions.*

531/17 **Draft National Planning Policy Framework Consultation:**

- a) **NALC (National Association of Local Councils) Advice Note:** Members noted the NALC advice note on the consultation of the Government's overhaul of the NPPF (National Planning Policy Framework) currently underway, and that they would be responding to this.
- b) **Andrea Pellegram "Planning Local" Newsletter:** Members noted that this newsletter summarised the most important sections from the consultation that would affect town and parish councils. The Clerk drew attention to some pertinent points for consideration at the next Neighbourhood Plan Steering Group meeting.
- c) **Draft National Planning Policy Framework Consultation Response:** It was noted that NALC and Wiltshire Council as the Local Planning Authority would be responding to this consultation as they had the relevant planning and legal expertise. The Clerk advised that this document could be used to challenge the Local Planning Authority when they don't do what they should. She gave some examples, which were mostly more pertinent to the Neighbourhood Plan.
- d) **"Supporting housing delivery through developer contributions" Consultation Response:** The members noted this document and specifically page 21 which identified issues affecting rural housing. The Clerk drew attention to the fact that the Local Authority should publicise their CIL 123 list, so that there is transparency on what Wiltshire Council is spending their CIL money on. **Recommended:** *The Officers draw up a list of issues which they consider need querying with Wiltshire Council for consideration at a forthcoming meeting.*
- e) **Andrea Pellegram "Planning Local" Newsletter Subscription:** It was noted that Andrea Pellegram provides a web-based service called "Planning Local" for an annual subscription fee of £100. For this Council members and staff have access to a series of planning "how to" toolkits, a regular newsletter with updates on changes to legislation and practice, an online reference library and ability to submit questions for a FAQ page. It was felt that her newsletter which gave a precis of the NPPF Consultation and the important issues affecting parish councils was extremely useful and that the services she was offering would be very valuable. **Recommended:** *The Parish Council subscribe to Andrea Pellegram's web-based information service "Planning local" at an annual cost of £100.*

- 532/17 **Wiltshire Council Housing Land Supply Statement 2017 (Councillors Briefing Note no.344):** This document was noted and that the parish and Melksham Town are in the North and West Wiltshire Housing Market Area which currently has a 6.25-year housing land supply. However, it was also noted that the NPPF consultation was suggesting that moving forward if the planned number of houses were not built in a timely fashion that then they would not count toward the 5-year housing requirement. With an adopted Neighbourhood Plan there was only a requirement to have a 3-year housing land supply.

- 533/17 **Wiltshire Council School Places Strategy 2017-2022: Arising from Min 509/17-Wiltshire Cllr. While** reported at the last Full Council meeting that he sat on the Children's Select Scrutiny Committee and that they had previously discussed the future extension of Melksham Oak Community school. He stated that he would chase what was happening with regard to any extension and report back to the Parish Council. Members noted the School Places Strategy document and that it states that Wiltshire Council intends to expand Melksham Oak Community School, and that a new primary school will be required to cope with the additional demand created by new development.
- 534/17 **Wilts & Berks Canal Restoration Project and "Melksham Link"**: An update was noted, including the fact that crossing the M4 at Swindon poses a major technical challenge which could threaten the viability of the whole Wilts & Berks scheme. Additionally, the Melksham Link project has been delayed as the developers for Phase 1 of the project withdrew their offer to fund the final river studies; this will now be funded through individual donations, but progress is slow. However, the Melksham (Forest Farm) to Lacock stage of the canal looks more promising, with the Wilts& Berks Canal Trust looking to open up the tow path as a safe route between the two locations.
- 535/17 **Local Government Association Publications:**
- a) **"10 commitments for effective pre-application engagement"**: This publication was noted and that the Parish Council are doing the right thing by meeting with developers at pre-application stage.
 - b) **"Planning positively through partnership"**: This publication was noted and that it reinforced the message in the Core Strategy that "parish councils were best placed to articulate the needs of the community".
- 536/17 **S106 Agreements:**
- a) **Ongoing and New S106 Agreements:**
 - (i) **Deed of Variation Pursuant to S106 relating to land East of Semington Road (17/10416/VAR)**: Under Min.481/17b)i), the Planning Committee had approved the wording of the Draft Deed of variation and had resolved to sign the deed of Variation. **Resolved:** *The Deed of Variation Pursuant to S106 relating to land East of Semington Road (17/10416/VAR) was signed by the Clerk as the Proper Officer, Cllr. Wood as Chairman of the Council and the Planning Committee and Cllr. Carter as Vice-Chair of the Planning Committee in the presence of the Planning Committee Members.*
 - (ii) The Clerk reported that the Engineering Manager of Taylor Wimpey had made contact to request a meeting with the Parish Council regarding the inevitable road closure required for the development of the Pathfinder Way application **16/01123/OUT Land south of Western Way**. This was welcomed and arranged for 18th April at 10am.
 - b) **New S106 Queries:** None.
 - c) **S106 Decisions made under Delegated Powers:** None.

Meeting closed at 8.34pm

Chairman, 23rd April, 2018