

**MINUTES of the Planning Committee of Melksham Without Parish Council held on Monday 4<sup>th</sup> March, 2019 at 1 Swift Way, Bowerhill, Melksham at 7.00p.m.**

**Present:** Cllrs. Richard Wood (Council and Committee Chair), Paul Carter (Committee Chair), John Glover (Council Vice-Chair), Alan Baines, David Pafford, Mary Pile and Terry Chivers

Cllr. Paul Taylor as an observer.

Officers: Teresa Strange (Clerk) and Marianne Rossi (Assistant Parish Officer).

**Housekeeping & Announcements:** Cllr. Wood welcomed all to the meeting and as this was a new meeting venue explained in detail the evacuation procedure in the event of a fire.

445/18 **Apologies:** None. It was noted that Cllr. Greg Coombes had an approved leave of absence.

446/18 **Declarations of Interest:** None.

447/18 **Dispensation Requests for this Meeting:** None.

448/18 **Public participation:** None.

449/18 **Planning Applications:** The Council considered the following applications and made the following comments:

a) **19/01111/FUL – 37 Barnes Wallis Close Bowerhill Melksham Wiltshire SN12 6UH:** Proposed Single Storey Side extension. Applicant: Ms. Hall.  
**Comments:** *The Parish Council have no objections.*

b) **18/11538/FUL- 406C The Spa Bowerhill SN12 6QL: REVISED PLANS**  
Proposed new dwelling and associated works. Applicant: Amy Hallett.  
**Comments:** *The Parish Council OBJECTS and wishes to reiterate the comments it made on the previous submission on 15<sup>th</sup> January 2019 as follows:*

*“this application is outside of the settlement boundary for both the Parish of Melksham Without and the Parish of Melksham Town. Additionally, it considers that this is over development of the site and that this proposal offers no outdoor amenity space for any future occupier.*

*The Parish Council acknowledges that the settlement boundaries are currently out for consultation as part of the Housing Allocation Plan review which closes on 22<sup>nd</sup> January, 2019, however, they understand that the current settlement boundaries still stand until any revisions are approved and formalised. In addition, the Parish Council would like to make reference to the Planning Inspector’s comments following refusal of planning application 17/04649/FUL, where the lack of garden and outdoor amenity space was cited for refusal, with the Inspector stating that the application would “fail to provide an acceptable standard of outdoor provision for future occupants.*

*The Parish Council therefore seek a consistent approach to applications in the parish.”*

*Additionally, the Parish Council raised concerns in 2016 when an application was submitted for a dwelling in the garden on 406C The Spa, with regard to any proposal which affected the shared footpath/cycle route to the secondary school. They therefore **OBJECT** to the creation of three access points across this cycle/pedestrian path as it is the only access route for children attending Melksham Oak Community School. The proposed layout of the parking spaces for the three dwellings would mean that vehicles are unable to enter and leave the parking provision in a forward-facing gear as no provision for turning space has been provided.*

450/18 **Permitted Development Applications:** None.

451/18 **Variation to Premises Licence:**

- a) **Lowden Garden Centre & Farm Shop, Lowden Garden Nurseries, Folly Lane, Shaw, SN12 8EZ:** Application for variation to the licence as follows:
- **Live and Recorded Music** – Indoors: Monday to Sunday 12.00 -23.00
  - **Late Night Refreshments** - Indoors: Monday to Sunday 23.00 -00.00
  - **Supply of Alcohol** – on and off premises: Monday to Saturday 09.00-00.00  
Sunday 10.00- 00.00
  - **Hours Open to the Public** - Monday to Saturday 09.00-00.30  
Sunday 10.00- 00.30

A ward member reported that a neighbour was unhappy about this application with concerns regarding potential noise of late-night refreshment and music in the marquee. **Resolved:** *The Parish Council respond to the consultation stating that they have concerns that if the proposed opening hours to the public, late night refreshments and live and recorded music are attached to the marquee that this could lead to a public nuisance with regard to noise.*

452/18 **Additional Street Names for development Land East of Spa Road (18/04644/REM):** The Clerk advised that the Parish Council had already supplied 21 “botanical/herb” potential street names to Wiltshire Council Street Naming department which had all been accepted. The Street Naming department had advised that they were happy to name a street “Chamomile”, but as this could be spelt two ways, they preferred spelling it without an “h”, i.e. “Camomile” as they considered that this would cause less confusion. However, the 21 names provided already were for the 222 plots being built by Bloor, and a further 7 street names under the same theme were required for the remainder of this development.

**Recommended:** *The following additional names to be supplied:*

- *Angelica*
- *Anise*
- *Bergamot*
- *Cumin*
- *Cassia*
- *Chicory*
- *Cicely*
- *Fenugreek*
- *Ginger*
- *Hyssop*

- *Saffron*
- *Sesame*

- 453/18 **Draft Minutes, Joint Neighbourhood Plan Steering Group Meeting Minutes, 30<sup>th</sup> January, 2019:** The draft minutes were noted.
- 454/18 **Update on Wiltshire Housing Site Allocations Plan – Wiltshire Council Briefing Note No. 19-004:** This Briefing Note advised that the supply of land for future housing across the county will be reviewed at examination hearings during the Spring. The Clerk advised that there were no housing sites in the Melksham Area allocated within this Plan, however, it was looking to change the line of Settlement Boundaries.
- 455/18 **Request from Melksham Town Council for Joint Planning Committee Meetings:** It was noted that the Town Council had sent correspondence stating that at their meeting on Monday 21<sup>st</sup> January, 2019 that they had unanimously resolved “to investigate the formation of a joint planning committee between the two councils [Melksham Without Parish Council and Melksham Town Council] made up of representatives from both councils. In doing so to make sure that all the necessary safeguards/terms of reference were in place. This approach would also have the benefit of allowing more opportunities to work more closely and harmoniously.” The Town Council considered that this would be a way of avoiding clashes of dates of respective planning committees. Members felt that they represented the constituents of Melksham Without and that the Town Councillors represented the constituents of the Town, and could not see the value of looking at planning applications in the Town, and vice versa. A member queried the background to this request and the Clerk reported that having spoken to the Town Clerk and Chair of the Town Council Planning Committee, it had arisen as Town Council members felt that as meetings of both the Parish Council and the Town Council were held on a Monday evening that this prevented them and residents from attending both meetings where a planning application was being discussed. It was noted however that the Town Council acknowledged that they were primarily concerned with applications for large developments, which were predominantly in the Parish. It was noted that this issue had already been addressed as a representative of the Town Council was always invited to any pre-application meeting the Parish Council held with developers, so that they could feed any information back to the Town Council. It was also felt that both councils represented their parishioners in different ways, with the Town Council representing the interests of existing Town Residents and the Parish Council anticipating the needs of the potential new residents of developments who would become residents of the Parish. It was additionally felt that both councils giving individual comments on planning applications gave greater weight as the Planning Authority takes account of each representation when making its decision. ***Recommended:*** *The Parish Council do not pursue the idea of joint planning committee meetings with the Town Council.*
- 456/18 **S106 Agreements and Developer Meetings:**
- a) **Ongoing and New S106 Agreements:**
- i) **Update from Dick Lovett Development:** The Clerk wished to give some positive feedback with regard to the benefit of holding pre-application meetings with developers. She had noted from the online documentation for the Dick Lovett application for a new BMW/Mini showroom, that an original

proposal was to request that the Right of Way abutting the site was redirected. However, the document stated that following discussions with the Parish Council, the applicant had been informed of the historical importance of “Kelly’s Lamp”, located on this Right of Way and the value of this footpath to local residents, so they had withdrawn this request from their proposal.

ii) **Bellway Homes – Provision of Village Hall** (arising from Min. 374/18d v)2) The Clerk advised that she had investigated the financial contribution in the S106 for the provision of a Village Hall and confirmed that this was index linked.

iii) **Pathfinder Place – Taylor Wimpey development:** The Engineering Manager for Taylor Wimpey has been giving the Parish Council regular updates on the progress of the development via visits to the council office to meet with the Clerk. She raised the Parish Council’s concerns with him over the indicative plans for play area equipment, which show wooden equipment. As the Parish Council had agreed to take on the ownership of the play area they were concerned about the longevity and future maintenance costs of wooden equipment, as they had experienced problems with such equipment in other play areas in the parish. Taylor Wimpey were happy for the Parish Council to specify which play equipment manufacturer they wish to be used, or for the play equipment to be metal, or for the Parish Council to receive the play area financial contribution and install the equipment itself.

Taylor Wimpey had also asked if the Parish Council wished to look at the future maintenance plan when they were going out to tender (schedule for grass cutting and bin emptying, etc), and whether the Parish Council wished to receive the annual income from the occupiers to carry out this work itself. The Clerk queried whether the maintenance of the Pathfinder Way roundabout could be included in this maintenance contract.

The Public Art is being chased.

With regard to the continuation of the RAF theme street names and under the rules regarding contacting the relatives of anyone who has not been deceased for more than 50 years, RAF Disclosures were unable to give information on all of the names and asked that the Parish Council publicise the request on social media and RAF press outlets. The officers had contacted the RAF News to ask for any help they could give with this process. They were really interested in this project and have asked for lots of photos and background information on RAF Melksham and are due to publish a comprehensive article in their next edition.

Residents had reported that the street lights on Pathfinder Way were not working. Taylor Wimpey were unsure whether this was a problem that they had created and could not find the source of the problem. They have therefore installed temporary solar powered street lights to resolve the issue for the time being. **Recommended 1:** *The Parish Council are happy to accept wooden play equipment if it is decent quality wood and mounted into the ground with metal shoes. 2. The Parish Council accept the offer to look at the Maintenance Management Plan.*

iv) **East of Melksham Development – Hallam Land & Bloor Homes:** Following a joint meeting with the Parish Council, Town Council and Hallam Land on 5<sup>th</sup> February, an email response had been received from the developers answering the queries raised as follows:

- Community Hall: The developers had been asked if the Community Hall being provided by this development could be bigger with a different layout. They had responded to say that they were happy to consider an amendment to the internal layout to maximise the size of the Hall, but that they would not be willing to construct the hall larger than specified in the S106 Agreement, even if the Parish Council and/or Town Council provided the additional funds required to do this. They stated that this was due to the construction risk that they would be taking on. They would, however, subject to agreement from Wiltshire Council, transfer the land and financial contribution for the provision of the Community Hall provided under the agreement to the Parish and Town Council for to build themselves.
- LEAP (Local Equipped Area of Play): The play area will be transferred to the Management Company to maintain along with the rest of the public open space. Once constructed, Hallam Land would be willing to transfer the Play Area (and land) to the parish Council, but there would be no commuted sum towards its future maintenance.
- Public Art: The developers had left messages for the Wiltshire Council Public Art Officer, but to date had been unable to speak to her. They stated that they would keep trying.

**Recommended 1:** *The Parish Council do not take on the LEAP as there is no commuted sum available for its future maintenance. 2. The Parish Council defer any decision with regard to the Community Hall pending further discussions with the Town Council. A policy decision will need to be established prior to any further discussions with regard to any CIL contribution from the Parish Council towards the Community Hall.*

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

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

**d) Contact with developers:**

- Gleasons (Site North of Snarlton Farm):** The Clerk advised that she was still trying to arrange a mutually convenient time to meet with this developer for pre-application discussions.
- Robert Hitchens:** This agent promoted the triangle of land north of Sandridge Road, which is now the Sandridge Place development. They wished to be “on the radar” for any future potential sites for the period 2026-2036.

Meeting closed at 7.43 pm

Chairman, 11<sup>th</sup> March, 2019