

- There is a concern the shop could become 24 hours in line with Asda who have recently gained planning permission for a store in Melksham.
- Why does the petrol station have to be moved, it will not enhance the look from the bridge, as there are other nearby industrial businesses affecting the outlook, the extra parking spaces could go in the proposed area for the petrol station instead.
- The extension of the car parking area next to the store into the flood plain area is causing concern for neighbours, as they feel the displacement water may back up into their properties. A lot of the properties in Victoria Terrace, Church Walk have wells and there is a concern these will flood on a regular basis if the development goes ahead.
- There is already a flooding issue in the conservation area, especially along the riverside walk, it can also affect properties in Church Walk, this will get worse if the extension goes ahead, as part of the flood plain will be developed for car parking.
- There is a small access road to the side of Sainsburys running along the proposed entrance for the petrol station, there is a concern this will be blocked by users.
- Various reports provided seem to contradict each other on the amount of extra parking that will be provided if this application goes ahead.
- There is a safety concern for nearby residents from the storage of fuel near their properties.
- Most of the properties affected by the plans are in a conservation area, which needs to be protected from further development nearby.

46. Matters arising therefrom

RESOLVED: It was agreed to discuss the above concerns when considering the planning application.

47. Sim Manley, Planning, WWDC will attend to discuss the Clackers Brook Development.

Sim Manley, a planning consultant for West Wiltshire District Council attended the meeting to discuss the Clackers Brook/Snowberry Lane development, as at present planning applications are coming in 'piecemeal' which makes it difficult to get an overall view of what is happening in the area. There is also a concern because planning applications are coming in this way that planning gain could be lost.

Sim kindly provided a coloured map, outlining all the planning applications that have been received in this area so far.

He explained that the infrastructure and distributor road have all been targeted through planning conditions, Section 106 Agreements and Development Brief and these will be carefully monitored to make sure they are delivered at the appropriate time, if they are not the Enforcement Team will get involved.

There was a misconception that the distributor road has to be built first before building can start, however it has always been the case that work on the distributor road will not start until the 150th house has been built south of Snowberry Lane and the 200th house south of Sandridge Common.

The meeting was then opened up to allow Councillors to speak. Melksham Without Parish Councillors John Glover, Rolf Brindle and Alan Baines asked the following questions:

- How much of the original information from the consultation on the development got carried forward to the Section 106 Agreement and has 100% community gain been brought forward?

Sim: Various items from the original development brief have been picked up in the Design Strategy.

- How does this development relate to the Leisure DPT?

Sim: All the open space provision was allocated at outline stage and nothing has changed. The Leisure DPT has come out since, so therefore is not relevant to this application.

- When will the play area be provided?

Sim: After the 301st house has been built.

- How will community gain be secured if different developers are involved.

Sim: The different elements of community gain runs with the land and not the developer. If one fails to deliver they will all get enforcement notices and possibly end up in court if not delivered. Members of the public have a role in informing officers of any breaches.

- What is the trigger for the community centre to be delivered, when will health centre, recycling etc be delivered?

Sim: When the 201st house is occupied the site will be commercially marketed and delivered fully serviced by the 250th house being occupied. I will send a list of the different triggers to keep everyone informed.

Simon Bridgford Whittick arrived at 7.45pm.

The meeting was then opened up to Melksham Town Councillors:

- Councillor Jon Hubbard asked what will be happening with construction traffic and is it appropriate to have 2.5/3 storey houses, as this could spoil the sight line for other residents nearby.

Sim: Construction traffic will be monitored by the new Wiltshire Council. The design brief stated 2.5/3 storey houses would be appropriate. If this is a problem it needs to be raised when the planning applications come in.

- Councillor Richard Wiltshire asked what provision has been made to allow for children to access the new George Ward School from this site, as the design brief was drawn-up before the planning application was considered for George Ward.

Sim: Some footways will be linked in, however I will make further investigations on the travel plan for the school.

Councillor Mark Griffiths raised a concern that 2.5/3 storey houses will have a huge impact on nearby residents and asked if Sim could come back with how construction traffic will be specifically controlled.

- What speed restrictions will there be to lessen the impact of traffic for residents in Sandridge Road/Snowberry Lane and what impact will the increase in traffic have on school children attending the new George Ward School and has a School Travel Plan been considered?

Sim: This is subject to a Section 278 agreement. At the moment there is no indication of what the speed limits will be, but I will make investigations with the head of Highways regarding this and the school travel plan. However contributions are being made regarding off site traffic management.

RESOLVED: Sim agreed to provide the Town Council with the Design Strategy to compare with the original Design Brief and a list of time scales for various parts of the development to be completed. He also agreed to attend the next planning meeting on 14 April to update the Town Council on his findings.

It was agreed to send Sim a copy of the minutes.

48. Correspondence

a) WWDC: Planning Decisions

These were on the table for perusal. However the Chair drew the council's attention to the following planning decisions:

09/00207: Raise the height of the fireplace opening in kitchen - 18 Spa Road:
Refuse

09/00244: Change of use to mixed use agricultural and equestrian use including erection of two stable blocks, hay shed and hardstanding - Dunch Lane:

Withdrawn

09/00131 – Aqua Leisure, 2 Market Place – Replacement door and external decorations and internal alterations: **Permission**

09/00137: Aqua Leisure, 2 Market Place – Change of use from B1 to A2 and external alterations - **Permission**

b) Sainsburys re Plans to extend the Bath Road Store in Melksham

A letter had been received from Sainsburys regarding their planning application to extend their store.

RESOLVED: It was agreed to note their comments, as this application was being considered later in the meeting.

c) Mr Peter Fell, 1 Victoria Terrace, Church Walk, Melksham Re Sainsburys Planning Application

Mr Fell had written to the Town Council objecting to the plans submitted by Sainsburys to extend their store and relocate the filling station.

RESOLVED: It was agreed to consider the contents of this letter when discussing the planning application later in the meeting.

d) Councillor Terri Welch on behalf of Riverside Committee Re Sainsburys Planning Application

Councillor Terri Welch as a member of the Riverside Committee had written to the Town Council concerning the riverside walk which runs alongside the Sainsburys store and was originally deemed to be covered by a Section 106 Agreement regarding maintenance and cleanliness. However to date Sainsbury have not adhered to such an agreement and believe the new planning application was an opportunity to readdress this issue.

It was also asked as part of the expansion plans consideration could be given to Sainsburys to complete the Gasometer Site project on behalf of the Riverside Walk Committee or make a financial contribution of £18,000 as the supermarket is a riparian owner.

The Riverside Committee requested that consideration be given to the above suggestions as part of any subsequent planning conditions relating to planning permission.

RESOLVED: It was agreed to consider the above comments under the planning application.

e) Copy of a letter sent by Mary Jarvis, Riverside Project dated 29 September Re Sainsburys Planning Application and a copy of our response.

Mary Jarvis as Project Co-ordinator for the Riverside Walk project had also written regarding the above.

RESOLVED: It was agreed to consider the above comments under the planning application.

f) Claire Travers, 4 Victoria Terrace, Church Walk, Melksham Re Sainsburys Planning Application.

Claire Travers had written to the Town Council voicing her objections to the extension plans for Sainsburys and the relocation of the petrol filling station.

RESOLVED: It was agreed to consider her comments under the planning application.

g) Emma Kayne, 34 Church Walk, Melksham Re Sainsburys Planning Application.

Emma Kayne had written to the Town Council voicing her objections to the extension plans for Sainsburys and the relocation of the petrol filling station.

RESOLVED: It was agreed to consider her comments under the planning application.

h) Wiltshire Council Re Temporary Road Closure Notice – Coronation Road, Melksham.

A notice had been received from Wiltshire Council regarding the temporary closure of Coronation Road for approximately 18 months.

RESOLVED: It was agreed to note this information and asked that adequate signage is used.

i) Mr David Grimstead, Growling House, 356b Snarlton Lane, Melksham Re Planning Application 09/00579.

A copy of a letter had been received from Mr David Grimstead regarding his concerns on the following: housing building height, road noise attenuation, public amenity areas and time of completion for the above planning application.

RESOLVED: It was agreed to note the comments raised, unfortunately this letter arrived too late to be considered along with the planning application.

j) The Planning Inspectorate, Appeal Decision : 3 Littlejohn Avenue, Melksham

A letter had been received from the Planning Inspectorate regarding his decision to dismiss the appeal by the applicant for planning approval.

RESOLVED: The Town Council welcomed this decision.

k) WWDC Re Notification of Planning Appeal : Erection of single storey dwelling. Land adjacent to 6 Bream Close, Melksham

A letter had been received from West Wiltshire District Council stating an appeal had been lodged by the applicant against West Wiltshire District Council's decision to approve planning permission for a single storey dwelling adjacent to 6 Bream Close with the Planning Inspectorate.

RESOLVED: It was agreed to note the above information.

l) Government Office for the South West Re Asda Planning Application

A letter had been received from the Government Office for the South West informing the Town Council the ASDA planning application will not be called in.

RESOLVED: It was agreed to welcome the above information.

49. Payments for approval

RESOLVED: The list of payments were approved.

50. Planning Applications:

The Town Council **objected** to the following planning application:

09/00690: Erection of a single storey 1,937sq m gross extension to the east and western elevations of the store; car park improvements and an extension to the south west of the existing car park resulting in an additional 91 car parking spaces; relocation of the petrol filling station away from the river avon to the south eastern area of the site; revised service yard arrangements; provision of an online service facility; construction of a new pedestrian link with town centre and landscape and ecological improvements to enhance the nature and amenity value of the site and the surrounding land to the south west. Sainsbury Store, Bath Road, Melksham (Full Plan)

RESOLVED: After considering the comments raised by residents and the many letters submitted the Town Council objected to the above application on the following grounds:

- Displacement of water. There is already a problem with flooding in this area, there is a concern if areas that currently flood are built upon where will the water go, especially as there are houses nearby in Church Walk/Canon Square area, which could be damaged.
- Again regarding displacement of water, this could even dry out some properties in Church Walk and the conservation area.
- Flooding. This is already a problem, the footpath adjacent to Sainsburys currently floods as does the small access road leading to the rear of properties in Victoria Terrace/Church Walk, if building work goes ahead this could make the problem worse. There is also a flooding problem to the rear of Sainsburys, however, it is not clear if this is a result of blocked drains and it was asked what plans are in place to resolve this problem now and in the future.
- The removal of the balancing pond to allow for the extra car parking may also cause more flooding problems.
- There is a concern there are existing underground water courses in this area which could be disturbed if building work goes ahead. This situation needs to be looked into in more detail.
- Repositioning of the petrol station could cause pollution problems ie fumes, light from the petrol station and cars and also noise from the cars to nearby properties in Victoria Terrace, Church Walk and Canon Square. This matter needs to be looked at carefully and whether there is a need to move the petrol station at all, as this is a safety issue for nearby residents. Indeed could the extra parking spaces be provided on the proposed new petrol station site. There needs to be clarification on how many more extra parking spaces there will be as several documents available seem to contradict each other.
- If this application goes ahead there needs to be a restriction on the delivery times, as current delivery times cause noise pollution problems for nearby residents.
- Part of this application affects houses in a conservation area and indeed – part of the application encroaches onto a conservation area. The Conservation Officer and English Heritage need to be informed of this application as consideration needs to be given to how this application impacts on the conservation area.

- Riverside Walk. Currently this footpath is not maintained to a satisfactory standard and any maintenance, cleanliness issues need to be part of any Section 106 Agreement relating to this application.
- There needs to be reassurances that the building work will have not impact on the neighbouring properties in the conservation area, as had happened in the past when pile drivers were used.
- It was noted that residents in Victoria Terrace and Canon Square were not informed of the planning application.
- There seems to be confusion on how many more parking spaces will be provided.
- Recycling bins. These need to be positioned so as not to cause a nuisance to nearby neighbours.

If minded to give permission to this application, could a condition be placed on any planning permission that Church Walk is repaired to a satisfactory condition.

Planning policies C18, C21, C31a, C32, C35, C36 and C38 apply.

The Town Council had **no objection** to the following planning applications:

09/00651: Erection of brown pvc Conservatory to rear of property. 33 Woodcombe, Melksham (Full Plan) – applicants Mr and Mrs George

09/00676: Change of use of weight loss and fitness centre (D2 Use) to offices (B1 use) 67 Roundponds, Melksham (Full Plan) – applicant Mr Nigel Mortimer

09/00680: Change of use from D1 (Chiropractic Clinic) to C3 (Residential). 20 Spa Road, Melksham (Full Plan) – applicant Dr Stuart Prior

09/00775: Demolition of existing garage and construction of new garage/utility and conservatory. 18 Churchill Avenue, Melksham (Full Plan) – applicant Mr and Mrs Robert Oliver