

Melksham Town Council

Minutes of the Economic Development and Planning Committee meeting held on Tuesday 28th January 2025

PRESENT: Councillor S Rabey (Chair)
Councillor A Griffin (Vice-Chair)
Councillor P Alford
Councillor P Aves
Councillor C Stokes
Councillor J Westbrook (substituting for Councillor Ellis)

IN ATTENDANCE:

OFFICERS: Andrew Meacham Committee Clerk

PUBLIC PARTICIPATION: Two member of the public were present and one member of Melksham Without Parish Council was present virtually.

230/24 Apologies

Apologies were received from Councillor Ellis, who was substituted by Councillor J Westbrook.

231/24 Declarations of Interest

There were no declarations of interest.

232/24 Public Participation

Local Resident to comment on item 6.1

May I make the following statement of objection to the retrospective planning application, which may have been created by my contact with the Planning Enforcement at the Council who in turn visited the site.

My objection are in three categories .

1. Breach of Permitted Development Rights in accord with the Town and Country Planning Act (Permitted Development Order) 2015 Class E
2. Development as submitted is not in accord with the Wiltshire Core Strategy Policy 57
3. The constant low noise of a pump is not in accord with the Environmental Protection Act 1990 Sec 79 Statutory nuisance.

1. The structures were built prior to a visit from Wiltshire Council Planning Department and a third of the structure is in front of the 'principal elevation of the original dwellinghouse' as defined in the Planning Act - which can be seen when looking at Google maps. The submitted location plan is misleading. In addition to the structures a pond has been developed which should comply with E1j of the Permitted Development Order namely not more than 3,500 litres.

Has this been considered as part of the Planning Departments initial investigation?.

2. Notwithstanding that (*name redacted by officer*) has a right to the enjoyment of his dwellinghouse, any development within the curtilage must comply with the council own Local Development Plan which is agreed in the Core Strategy Policy, namely – That any development is to be of a high standard, which is expected to create a strong sense of place through drawing on the local context and being complementary to the locality. The structures now developed are incongruous in the street scene, to the detriment of the character and appearance of the area – in short not in accord with Core Strategy Policy 57 (iii). No other property within the south of Melksham has such development. Though the applicant is maximising on the use of the plot it does not take into account the wider character of the area as per Policy 57 (vi) 6. No consultation has been invited by (*name redacted by officer*), so no regard has been given to the compatibility of such structures with the neighbouring property, which is a residential bungalow, Therefore the developments impact on a neighbouring properties amenity is that of overshadowing, loss of privacy, vibration and noise contrary to Policy 57 (vii)7.

3. With regard to the Environmental Protection Act Sec 79 Statutory Nuisance, there are three elements – that any premises in such a state as to be prejudicial to the health or a nuisance - noise emitted from premises so as to be prejudicial to health or nuisance – noise that is prejudicial to health or nuisance and is emitted from or caused by vehicles, machinery or equipment in a street is contrary to the Act. It is beholden on the Local Authority which has a duty to cause it's area to be inspected from time to time to detect any statutory nuisances which ought to be dealt with under Sec 80 of the Act.

The noise is 24hr constant and is of a low frequency that carries into the home next door. During darkness it is louder than in daytime and can be heard from the highway. My submission to this Council is that such unauthorised developments will - if approved, set a serious precedence and have a severe impact on the residential enjoyment of all residential properties adjoining such sites. Thank You for listening.

233/24 Minutes

The minutes of 9th January 2025, having previously been circulated, were approved as a correct record and signed by the Chair, Councillor Rabey.

234/24 Planning Considerations

235/24 Planning Applications

236/24 PL/2024/11307

Members noted that Councillor Hubbard had called the application in.

Councillor Griffin advised that he had visited the property and gave a summary of his observations and views.

There was discussion about the sizes of the building, the size of the pond, the noise of the pump and possible mitigating actions.

Standing Orders were suspended to allow the resident to speak and members to ask questions.

It was proposed by Councillor Griffin, seconded by Councillor Alford and **UNANIMOUSLY RESOLVED** to

- object to the application with concerns about the location/proximity to boundary/buildline.
- Ask Wiltshire Council to check the size and depth of the pond to confirm it complies with regulations.
- Ask that conditions be imposed to mitigate the noise and vibration from the pump if Wiltshire Council is minded to approve the application.

237/24 PL/2025/00004

It was proposed by Councillor J Westbrook, seconded by Councillor Rabey and

UNANIMOUSLY RESOLVED to support the application.

238/24 PL/2025/00079

It was proposed by Councillor Alford, seconded by Councillor Stokes and

UNANIMOUSLY RESOLVED to support the application.

239/24 PL/2024/11529

It was proposed by Councillor Aves, seconded by Councillor Rabey and

UNANIMOUSLY RESOLVED to support the application.

240/24 Planning Decisions

241/24 PL/2023/00478

The decision was noted.

242/24 PL/2024/10575

The decision was noted.

243/24 PL/2024/04833

The decision was noted.

244/24 PL/2024/10636

The decision was noted.

245/24 PL/2024/11022

The decision was noted.

246/24 To Receive and Consider Correspondence from MWPC

Members noted the desire to move away from working groups where possible but felt that the CIL Working Group, which is joint with Melksham Without Parish Council, must continue. Officers were requested to arrange a meeting.

247/24 Wiltshire Speed Survey Results

The survey was noted.

248/24 Local Highways and Footpath Improvement Group (LHFIG) Issues

249/24 Roundpond Speed Limit Assessment

Members noted the report and Councillor Alford spoke to the item.

It was [proposed by Councillor Alford, seconded by Councillor Rabey and

UNANIMOUSLY RESOLVED to support the proposed speed limit and respond urging LHFIG to adopt the proposal.

250/24 Neighbourhood Plan

Committee Clerk gave a quick update.

251/24 Temporary Road Closure Notifications

The Temporary Road Closure Notifications were noted.

252/24 A3102

The item was noted.

253/24 Footpath 22 (Part), Melksham

The item was noted.

254/24 Notification of Strategic Planning Committee

The item was noted.

255/24 Parish Steward

Debris on the pavement in The Crays and St Andrew Road area. Elderly residents have mentioned it as a trip hazard.

Bus shelter opposite McDonalds covered in graffiti and dirt kicked up by passing vehicles. Shelter is maintained by Melksham Town Council so Committee Clerk will speak to Amenities Manager.

Thanks were expressed to the Parish Steward and Wiltshire Council for the good work done around the town.

256/24 Other items

Officers were requested to contact Wiltshire Council about permission to replace the goalpost in Riverside Drive.

Land at Upside. Councillor Alford has been in talks with the developers. They have agreed to put a loop into the pathway of the park.

Meeting Closed at: 7.45 pm

Signed:

Dated: