

**MINUTES of the Planning Committee of Melksham Without Parish Council
held on Monday 19 December 2022 at Melksham Without Parish Council
Offices (First Floor), Melksham Community Campus, Market Place,
Melksham, SN12 6ES at 7.00pm**

Present: Councillors Richard Wood (Chair of Planning), Alan Baines (Vice Chair of Planning), John Glover (Chair of Council) David Pafford (Chair of Council) and Mark Harris

Officers: Teresa Strange, Clerk and Lorraine McRandle, Parish Officer

In attendance: 4 Members of public

305/22 Welcome, Announcements & Housekeeping

Councillor Wood reminded those present of the fire safety procedures for the building.

306/22 To receive Apologies and approval of reasons given

Councillor Chivers had tendered his apologies but had not provided a reason for his apology.

Members were reminded following the resignation of Councillor Mary Pile, there was a vacancy on the Planning Committee.

307/22 Declarations of Interest

a) To receive Declarations of Interest

There were no declarations of interest.

b) To consider for approval any Dispensation Requests received by the Clerk and not previously considered

None received.

c) To note standing Dispensations relating to planning applications.

To note the Parish Council have a dispensation lodged with Wiltshire Council dealing with Section 106 agreements relating to planning applications within the parish.

308/22 **To consider holding items in Closed Session due to confidential Nature** *Under the Public Bodies (Admission to Meetings) Act 1960, the public and representatives of the press and broadcast media be excluded from the meeting during consideration of business, where publicity would be prejudicial to the public interest because of the confidential nature of the business to be transacted.*

The Clerk explained there were no items for closed session.

309/22 **Invited Guests from David Wilson Homes Re proposals for 144 homes on land East of Semington Road (PL/2022/01938)**

Cecelia Hughes, David Wilson Homes and Callum Warren, TFA (engagement consultants), were in attendance to discuss proposals for 144 homes on land East of Semington Road.

Cecelia explained a resubmission of their planning application had been made on 28 November to Wiltshire Council, in order to address the housing mix in particular, other amendments included changes to the site entrance, however the overall housing number of 144 dwellings remained (with 30% affordable housing).

The housing mix had been changed as follows:

4 bed dwellings reduced to 22% from 44% overall
3 bed dwellings increased from 27% to 49% overall

Councillor Wood explained the council had previously raised a concern at how close one house in particular was to the entrance and welcomed this particular amendment.

With regard to Shails Lane, Cecelia explained an engineer was having a look at how to restrict access to the lane. The proposed path at the South of the site had now been removed from the scheme with planting now proposed with consideration being given to planting mature larger species and planting early in the scheme, in order to give planting a chance to mature and at the same time protect it, to make sure it is well established.

Cecelia explained there were a lot of services in this area and therefore, it would be difficult to put a structure on top of them. However, this was still being looked and understood there was a preference for an impermeable barrier, in order to stop movement between the development and Shails Lane.

With regard to the Unilateral Undertaking, Cecelia explained this was being progressed with Wiltshire Council, with a contribution payable to the Local Authority for forwarding on to the Parish Council, if required, to facilitate a bridge between the scheme and the new village hall at Bowood View and as this monies was included in the Unilateral

Undertaking, the monies were not returnable, if the Parish Council decided not to install a bridge and therefore the monies could be used for something else if the council wished.

Councillor Glover queried if investigations had been undertaken to ascertain if the amount proposed would be enough to cover the costs of a bridge and a footpath to connect the two developments.

Cecelia explained if the Parish Council wanted to put in a bridge then they could amend details to make sure there was a connection.

Councillor Glover queried if it was proposed to have a fence along the rear of the properties backing onto Shails Lane and if so, whether this could be extended the whole length of the Southern boundary.

Cecelia explained there was currently already existing planting along part of Shails Lane where no development was proposed and whilst it was not expected to erect a fence on this part of the development, this could be investigated.

Councillor Glover asked, given the Council's experience elsewhere, of people trying to get through where there is a gap in hedging, if a fence could be erected in combination with a hedge in order to discourage people trying to get through.

Cecelia explained the provision of a fence could possibly be Conditioned, however if a significant change was made at this stage, it would mean having to go out to re consultation and sought a steer on what was preferred.

The Clerk confirm the Parish Council had consistently asked for an impermeable barrier along the whole length of the Southern boundary.

Cecelia explained this had been misunderstood hence why the engineer had been looking at it.

Councillor Glover noted in the comments from the Public Open space Officer at Wiltshire Council they had stated a requirement for public open space as follows and queried where the designated sports area was being provided on the site:

Play -169.92M²
Public Open Space - 4078.08M²
Sports - 3398.40M²

Councillor Wood explained there were proposals for a wildflower area, unfortunately, it would be difficult to kick a ball in this area and therefore there needed to be provision for this.

The Clerk sought clarification if there were proposals for a MUGA (Multi

Use Games Area) and gym equipment to the North of the site, noting teen equipment and a MUGA had been requested instead of allotments at outline stage.

Cecelia explained there was a teen shelter and a LEAP (Local Equipped Area of Play) and equipment proposed to the North of the site, however, there was no provision for a MUGA and advised the Parish Council check the Section 106 Agreement for the definition of what equipment was being requested by Wiltshire Council.

Cecelia clarified at outline stage, the planning officer would have balanced all of the requests for facilities and when planning permission was granted would not have necessarily agreed to meet all the requests and explained David Wilson Homes had brought the site after outline planning permission was granted and therefore, were not party to conversations regarding requests from the Parish Council at outline stage, with the scheme designed to meet the requirements as set out in the Section 106 Agreement, with the Unilateral Undertaking an addition to this.

Councillor Baines welcomed the changes in housing mix to smaller units, particularly as the need for smaller units had been highlighted in the recent Housing Needs Assessment undertaken as part of the Neighbourhood Plan review, however, expressed concern the affordable housing seemed to be bunched together in various locations, rather than spread throughout the development which was contrary to Wiltshire Council's affordable housing policy and was not favoured by the Parish Council who would prefer to see more of a mix and dwellings indistinguishable from market housing.

Cecelia explained affordable housing tended to be grouped as the registered provider, who would eventually take over the affordable housing usually preferred this type of layout.

Councillor Baines stated within the Section 106 Agreement, it was understood there was a requirement for 2 affordable accessible bungalows and sought clarification where these would be located.

Cecelia explained none were proposed however, she would look this up to confirm and provide an explanation why these may not have been provided. However, in the Section 106 Agreement, there was usually an indicative housing mix written into it, with a clause which said 'any other mix agreed with the council'. However, the mix at the time the outline planning permission is agreed sometimes, does not represent the need when reserved matters are agreed.

Councillor Baines expressed concern at the number of cul de sacs proposed and noted bin collection points were grouped together and seemed small, with some appearing to be private driveways or accesses to two or three houses, rather than on the adopted road which refuse

collection vehicles may not collect from, preferring to stick to the adopted road instead. Therefore, bin collection points needed to be large enough for there to be at least two bins per property, as often two bins were collected on the same day.

Councillor Baines noted in proposals, there was a suggestion there was no need for cycle access, because there was no associated cycle infrastructure, however, Semington Road is a dedicated cycle route.

Cecelia explained she understood the cycle route had happened only recently and on talking to the Highways Authority they said if the roads were designed to a 20mph speed limit, then having a dedicated cycleway was not necessary.

Councillor Baines queried if the roadways within the development were designed for a 20mph speed limit, bearing in mind the straightness of the spinal road, which could encourage drivers to travel faster, stating normally, traffic calming was achieved via natural traffic calming within a development layout, in order to force people to drive within the speed limit, rather than introduce special calming features later, which residents often did not like, given the noise and traffic fumes as a result.

Cecelia explained the roads were designed to encourage a 20mph speed limit, if traffic calming was required this would need to be within the technical agreement to get the road adopted.

Councillor Baines stated having looked at the modifications to Semington Road at the access point, there was currently a layby proposed to be filled in but no provision for a bus stop, however, there was one marked on the opposite side of the road, with no indication to where the existing southbound bus stop and shelter would be located, with the Parish Council previously requesting 2 shelters either side of the road near this development.

Cecelia explained at outline planning stage, various things needed to be submitted for approval, such as bus stops, because the road is adopted highway already, it was not within the red line of the planning application. Therefore, those works were not visible as part of the reserved matters application, but would be visible when an application is submitted to discharge the condition on the outline that prescribed the detail to be submitted and the arbiter whether those are satisfactory or not would be the Highways Department.

Councillor Baines pointed out it formed part of the visibility splay for the entrance to the development.

Cecelia explained the entrance was part of a Section 278 Agreement, which was designed to tie in the application adopted highway to the existing highway and was a separate technical document which was currently being worked up and needed to be agreed by the council.

310/22 Public Participation

Standing Orders were suspended to allow members of public to speak to this item.

Several residents of Shails Lane were in attendance to speak to planning application PL/2022/02749 for 144 dwellings off Semington Road and voiced their concerns at the potential for residents of the new development to access the lane, which is a private lane. They also raised concern if fencing was provided there was potential for people to cut this down, and felt a wall or steel barrier would be more appropriate with hedging either side in order to discourage people trying to break through and access the lane. Also, if fencing was broken, in order to create a gap, who would be responsible for repairing it in the long term.

Residents reiterated their concerns at the potential for residents from the development to use the lane to access the A350, particularly, as the lane was blocked off at the request of the Coroner some time ago, following a fatality, after a pedestrian crossed the road not long after it was built.

A request was made for a substantial gate, high enough people could not climb over, which could be locked, to be installed at the end of the lane by 514d Shails Lane. The lane is currently used by dog walkers and fly tippers and if kept open, there was a concern it would encourage even more people to use the private lane for dog walking and to access the rear of the industrial units.

Despite previous concerns being raised at the lack of parking spaces provided, this had not been addressed and could be exacerbated by visitors having to find a space to park.

Concern was also expressed at the potential for drivers to be tempted to speed down the straight spinal road.

A resident expressed concern contractors were already accessing the site via Shails Lane which needed to be stopped, particularly once construction got underway.

Councillor Wood agreed contractors needed to be made aware of the correct access to use.

Councillor Glover explained once construction was underway, there should be a Liaison Officer who could be contracted if it was noted contractors were using Shails Lane.

The Clerk explained any cases reported previously had been passed on to David Wilson Homes, so they were aware.

A resident also raised a concern at the proposal for attenuation ponds to the North of the site and potential for children to access them.

It was explained the attenuation ponds had to be provided on most developments but were often dry most of the time.

A resident of Semington Road with a property adjacent to the entrance to the site explained boundary pegs had been positioned inside their property boundary, with surveyors and legal advice currently being sought to prove their boundary was being impinged. Investigations had been made and a report sent to the Land Registry, with an expectation the boundary would be proven.

The resident queried how the developers expected to get a road into the development with the required dimensions and noted Highways would not adopt a road where there was a boundary dispute.

The resident also expressed disappointed a lot of effort had gone in to amending the entrance but not a lot in resolving the boundary issue.

Cecelia explained when the site was purchased, it was on the basis the land was owned by the previous land owner and was within the application boundary and at the time, due diligence checks would have been undertaken, but was aware of the boundary dispute.

The resident queried if the land was purchased after outline planning permission was granted, if the information at the time of outline planning stage was correct, with not all the land in the ownership of the previous landowner and the impact on this application and whether the developer will be able to get access to the site, which was between 2 properties.

Cecelia sought clarification when the report regarding the boundary issue would be available. The resident explained the boundary report had already been completed, with the boundary having been mapped out by GPS by a chartered surveyor and sent to the Land Registry for determination and would be in the hands of solicitors.

Councillor Wood asked Cecelia if she could express the concerns of the resident with the relevant people at David Wilson Homes and the support of the Parish Council for the resident in trying to resolve this issue.

The Clerk queried when the anticipated start date on site would be, as at outline stage, as the application had got through on a lack of 5 year land supply, there was a condition, development had to start on site within one year after approval.

Cecelia clarified there was a requirement the reserved matters application had to be submitted within a year of planning approval which happened, also development would have to start on site within a year of reserved matters being granted.

Standing Orders were reinstated.

311/22 To consider the following Planning Applications:

PL/2022/02749: Land at Semington Road. Reserved matters (Following Outline Permission 20/01938/OUT) for development comprising the erection of 144 dwellings with informal and formal open space, associated landscaping and vehicular and pedestrian accesses off Semington Road (Amended Plans). Applicant David Wilson Homes.

Comments: Whilst welcoming the change in housing mix to more smaller units, Members wished to reiterate previous comments and made additional comments as follows.

- Affordable housing is clustered throughout various parts of the development, which conflicted with Wiltshire Council's Core Strategy Policy 43 ie 'the need for developing mixed, balanced and inclusive communities, affordable housing units to be dispersed throughout a development and designed to be high quality, so as to be indistinguishable from other developments'
- Members request the inclusion of 2 affordable accessible bungalows as stated in the Section 106 Agreement ie to construct adapted units comprising 2 x 2 bed bungalows to the Lifetime Homes Standards, so as to be wheelchair accessible and adaptable.
- Several refuse collection points appear to be located on private driveways/unadopted roads, with a concern these bins will not be collected and therefore it is requested provision is made for bin collection points adjacent to the adopted highway and large enough for at least 2 bins per dwelling.
- Concern was raised at potential for vehicles to speed along the straight spinal road proposed for the development. Therefore, it is requested some form of natural traffic management is installed, in order to slow vehicles down.
- The Parish Council have previously asked for the provision of two bus shelters tall enough and with a power supply to enable real-time information, proper seating (not a perch), side panels and kerbs etc to match that at the adjacent Bowood View development. However, there does not appear to be provision for a bus stop for the South bound bus

service; whilst outside the red line of the application its understood that the current bus layby will be filled in as part of the visibility splay/access works with no indication of a replacement bus stop on drawings.

- Members supported concerns raised by residents of Shails Lane at the lack of visitor parking proposed and the need for this to be increased.
- Members also supported concerns raised by residents of Shails Lane at contractors persistently accessing the site from Shails Lane to date. It was asked that from the start of any work on site contractors are made aware they should only access the site from the proposed access on Semington Road.
- Members wished to repeat their request for a non permeable fence, to be shielded by hedging treatment, between the development and Shails Lane, in order to discourage residents trespassing onto the private lane.
- Members reiterated their previous request, following concerns raised by residents of Shails Lane for consideration to be given to some form of barrier/gate to be installed at the entrance to Shails Lane, in order to discourage residents from the development and those who use the lane for fly tipping from accessing the lane. To be situated on the lane once past the entrance to 514d Shails Lane.
- As previously stated, there is still no provision for a cycle route within the development, despite Semington Road having been designated a National Cycleway (NCN 403) several years ago. Page 93 of the Wiltshire Local Cycling and Walking Infrastructure Plan (LCWIP), which was recently out for consultation, shows the cycle routes etc of the Melksham area, clearly showing the National Cycle Network NCN 403 and the Hilperton to Melksham Active Travel route along Semington Road with access to the proposed development.
- Request as part of the Unilateral Agreement, as well as providing funding for a footbridge to the adjacent development (Bowood View), provision is made for a footpath to join the proposed circular footpath to the North of the development.
- The provision of bird, bat and bee bricks, reptile refugia and hibernacula within the development, in order to increase biodiversity.

[PL/2022/08504](#): Land South of Western Way, Melksham. Outline application (with all matters reserved except for access) for the erection of up to 210 residential dwellings (Class

C3) and a 70 bed care home (Class C2) with associated access, landscaping and open space (Resubmission of 20/08400/OUT). Applicant Hallam Land Management

Whilst it was noted there was very little changes from the original proposals (20/08400/OUT), there had been a reduction in the number of dwellings from 240 to 210, the location of the care home had also been changed and the inclusion of a footpath along Western Way.

Comments: To object to this application and reiterate previous comments made under planning application 20/01938/OUT and to support the comments made by David Way, Spatial Planning Officer.

Reasons for objection:

- The site is outside the settlement boundary, which is against the Core Strategy and Policy 6 of Melksham's Neighbourhood Plan and therefore is not Plan led development.
- The loss of the rural buffer between Melksham and Bowerhill. Wiltshire's Core Strategy recognises the need to safeguard the rural buffer between Melksham/Bowerhill. Whilst Pathfinder Place is currently being constructed off Pathfinder Way, having already eroded the rural buffer between Melksham/Bowerhill, Members felt quite strongly this buffer should not be eroded even further. Below are the comments made in 2014 to Pathfinder Way application No: 14/04846:

"This is a grossly inappropriate site for development, since it would destroy the rural buffer between the separate communities of Bowerhill village and the town of Melksham, leading to the coalescence of the two settlements. This RURAL BUFFER has been safeguarded in successive local planning policies for 40 years and MUST BE RETAINED. There are other far more suitable sites for future housing provision at Melksham, particularly on the NE side to the north of A3102, where it could help facilitate further sections of an eastern bypass for the town and Beanacre which is a long-standing aspiration of the highway authority.

Building on these sites will mean Bowerhill and Melksham joining up, which the Bowerhill residents do not want. Bowerhill is a village with its own

community. The emerging Core Strategy paragraph 5.80 states “it is recognised that both Berryfield and Bowerhill have functional relationships to Melksham and have important individual characteristics which should be protected, where practicable”. The still current West Wiltshire District Plan 1st Alteration 2004, shows half of the proposed development site as R5 New Recreation Space (see page 41 item 3. See also page 55 H1d – Proposals for Housing Development within Towns will be permitted providing they do not result in the loss of an open space, visual gap, important for recreation and amenity reasons. Further housing development outside of the urban area as defined by Town Policy limits will not be permitted during the Plan period. The same condition applies to the Village Policy limit- See page 82 H17d – will not result in the loss of and important open space or visual gap”).

The above points were reiterated again in 2016 to application No: 16/01223 for this site, along with the following statement:

The Core Strategy paragraph 5.83 (page 130) states “Melksham and Bowerhill village have a functional relationship and are considered together for the purposes of this strategy. Therefore the housing growth identified for Melksham town will also serve to meet the needs of Bowerhill. **The identity of these separate communities will need to be preserved through the planning process.** It is recognised that both Berryfield and Bowerhill have functional relationships to Melksham and have important individual characteristics which should be protected, where practicable”.

- Lack of sustainability. The site is not suitable for housing, due to its isolation from the rest of Bowerhill and Melksham town, as it is separated by the busy A365, which people will have to cross to access the town centre, GP services and education, especially if the proposed primary school adjacent to this site does not come on stream for some time.

The 2018 Site Assessment Report undertaken by AECOM as part of the current Neighbourhood Plan stated:

“Development of the site would extend the southern boundary of the built-up area of Melksham across

Western Way. The site contributes to a green gap between Melksham and the village of Bowerhill. Whilst the approval of planning applications for up to 235 dwellings to the east of the site (16/01123/OUT), and 150 dwellings on land to the west of the site (16/00497/OUT) will remove land contributing to this green gap, and significantly changing the townscape and villagescape development at this location will further erode the separation of the settlements.

Significant residential development to the east and west of the site is likely to increase traffic along the Western Way, a key route through the Neighbourhood Plan area. This has the potential to impact on air quality. Additional development at this location is likely to increase these effects. There are also potential safety concerns as children will need to cross this road to reach the Aloeric Primary School to the north of the site.

From an ecological perspective, there is a row of semi-mature trees along the southern site boundary which might be suitable for protected species. This corridor connects to adjacent tree corridors and hedgerows, including a row of trees extending north/south through the centre of the site.”

- Whilst Wiltshire Council cannot currently prove a 5-year land supply, Members felt it important to note Melksham has met and exceeded its housing allocation for the period 2006-2026 for 2,370 houses by 17%. The Housing Site Allocations Plan adopted in February 2020 notes this fact and has not included a housing allocation for Melksham.

Melksham’s Neighbourhood Plan was made on 1 July 2021 and therefore meets the eligibility for plan led development as per Paragraph 14 of the National Planning Policy Framework (NPPF).

- Concern was expressed at the impact extra traffic will have on the busy A365 Western Way and Pathfinder Way, as well as the impact vehicles waiting to turn right into the development, against traffic, will have on traffic flow, particularly during peak hours, as Pathfinder Way is the main entrance into Bowerhill for the residential area, for Bowerhill Primary School, the industrial estate and would impact considerably on the local bus route.

- It was felt future residents for the Pathfinder Place Taylor Wimpey site would be prejudiced by extra traffic, not previously envisaged, particularly residents of Maitland Place as this road would become a major through road.
- Development on the Western side of Pathfinder Way is designed with minimal housing, therefore, it was queried whether the road proposed would be of a standard to cope with potentially 400+ vehicles a day, including delivery vehicles associated with 210 homes and a 70 bed care home (with its staff, visitors and contractors) and the impact this would have on residents.
- Whilst there is provision for an emergency access off of the A365, it was unclear if this was for vehicles or just pedestrians. Members raised concern this would cause difficulties for emergency vehicles (particularly ambulances accessing the care home) who would have to navigate the estate road system.
- It was noted construction traffic would also have to use the current access off of Pathfinder Way which is currently under construction, creating difficulties for future residents and pupils/parents walking children to the proposed new primary school at the Pathfinder Place development.
- It was noted on the previous planning application, Highways had sent an objection letter due to the site's unsustainability.
- Concern was raised at the lack of school places, both primary and secondary. Whilst noting there are proposals to build a primary school on an adjacent site, the Parish Council would expect significant S106 contributions towards funding the primary school as a priority, as well as funding towards secondary education.

It is understood even with the recent extension at Melksham Oak Secondary School, the school is projected to be full by 2023.

- The nearest primary schools are Bowerhill Primary and Aloeric School. It is understood both are full. Members raised concern at pupils/parents having to cross the busy A365, to access Aloeric School in

particular. Proposals for the new primary school at the adjacent development will most likely not be ready for occupants of this proposed development when they move in, with children often remaining at their current school and unlikely to change schools to the new one when first built.

In commenting on previous proposals for the site, the Education Department had responded to say they would object to the application, as there were no safe walking routes to school provision. Also the application would have generated 48 places secondary school places with only 36 available with regard to primary education there was no space capacity.

- The Council has serious concerns over the proposed development will have on the already overstretched GP surgeries in Melksham. This related in particular to the 70 bed care home and the impact of the increase in residents with complex needs will have.

The NHS in responding to the previous application for 240 dwellings and a 70 bed care home (20/08400/OUT) had stated they had no residual capacity within their current GP offer in Melksham.

- The Council would prefer to see this site allocated for employment use to allow for an expansion of Bowerhill Industrial Estate in order to create more jobs for local people. This is even more important given the impact of Covid 19 on employment opportunities both locally and nationally and since Cooper Tires has announced it will close its large town centre site at the end of 2023, with the loss of 350 jobs.
- If this application were to go ahead, Members felt quite strongly that properties should be set back from the road, to create a green buffer between this development the A365 and Melksham itself.
- Concern was raised at the loss of agricultural land.
- Some of the houses to the south of the proposed site will back onto Bowerhill Industrial Estate. There are concerns that in the future residents of the new housing will not be happy with the neighbouring businesses.

- Bowerhill has a satisfactory mix of housing types, but Melksham needs additional affordable family housing for local people. A Housing Needs Assessment has recently been undertaken as part of the Melksham Neighbourhood Plan Review, which highlights the need for affordable family home, and evidence for mix of type and tenure.
https://www.melkshamneighbourhoodplan.org/files/ugd/c4c117_4c8411b64439472fbfcf8e856799e2c9.pdf

The Melksham area generally DOES NOT require any more housing which is likely to encourage people who will commute out of the area.

- The council has serious concerns regarding the ability of the current sewerage system to cope with a large new housing development. Wessex Water commented on 21 May, 2014 that “There is limited available spare capacity within the local foul sewerage system to accommodate predicted foul flows from the development (as proposed in the outline planning application W14/04846/OUT for Pathfinder Place)”. Should this application be successful the Council wishes to endorse the foul water planning condition as requested by Wessex Water.
- Members felt it was important the stream to the Northern edge of the site should be retained and not filled in, along with hedging along the A365 and not ‘scrubbed out’ in order to gain access to the stream.

If Wiltshire Council are minded to approve this application, Members asked if consideration could be given to the following:

- Significant contributions are made towards the provision of the adjacent Pathfinder Way primary school over and above the usual contributions towards education funding to ensure the school is built in a timely manner and towards secondary education.
- As access is via the adjacent development, consideration needs to be given to easier drop off/pick up routes for the proposed primary school. The Parish Council are aware of another primary school in a new development, located on a dead-end, which makes it difficult for people manoeuvring their vehicles

and thereby holding up other traffic. The parish council have already asked Taylor Wimpey for some sort of provision to allow easier movement of vehicles during drop-off, pick-up times.

- Sound proofing be provided for those dwellings to the South to mitigate against any potential noise from the adjacent industrial units.
- Provision for equipment for teenagers in the recreational area away from the LEAP.
- The provision of bird, bat and bee bricks, reptile refugia and hibernacula within the development, in order to increase biodiversity.
- Provision of paved circular walks around the site with the inclusion of benches and bins.
- A new pre school at Bowerhill School
- A contribution towards improvements of QEII Diamond Jubilee Sports Field, Bowerhill
- A contribution towards enhancements of the MUGA at Hornchurch Road, Bowerhill
- The parish council to enter into negotiations for taking on the ownership and management of the equipped play areas.
- Pedestrian access to the site be provided off Western Way.
- Shared Spaces are delineated clearly i.e. different levels or different coloured paving, as this has caused conflict between pedestrians and vehicles in other new developments locally.
- The parish council welcome the footpath across the development to access the proposed Pathfinder school and insist that this must be lit to prevent the current issue at Forest & Sandridge school where this is being looked at retrospectively.

[PL/2022/08914](#): 1 Burnt Cottages, Beanacre Road, Beanacre. Access and parking area to frontage.

Comments: No Objection.

[PL/2022/08943](#): Land South of Westlands Lane, Beanacre. Removal of a 10m section of hedgerow to facilitate access to a compound associated with sewerage network installation. Applicant Wessex Water

Comments: No Objection.

[PL/2022/08476](#): Kays Cottage, 489 Semington Road, Melksham. Certificate of Lawfulness for existing separate annexe.

Comments: The Planning Committee do not oppose this application, provided the tenant has a designated parking space for the annexe. There is a lack of parking for the site as a whole resulting in vehicles having to park on the road, which is having an impact on the highway.

It is assumed Council Tax has been paid since the annexe was occupied.

Members made a general comment at the over development of the site in general, given the various applications submitted over the years.

[PL/2022/08572](#): 450 Bowerhill Lane, Bowerhill. Single Storey Rear Extension.

Comments: No Objection.

[PL/2022/08749](#): 399 The Spa, Bowerhill (Full Plans). Proposed extension over side entrance to create study.

Comments: Whilst the use of materials is sympathetic to the main dwelling, the proposed extension over hangs the entrance to the building and is incongruous to the host building and should retain the dimensions of the first floor.

[PL/2022/09086](#): 399 The Spa, Bowerhill (Listed Building (Alt/Ext)). Proposed extension over side entrance to create study and replacement side door.

Comments: Whilst the use of materials suggested are sympathetic to the main dwelling, the proposed extension overhangs the entrance to the building and is incongruous to the host building. The extension should retain the dimensions of the first floor.

PL/2022/08848: Barns South of Upper Beanacre Farmyard, Beanacre. Replacement of barn and store with 2 no. chalets bungalows.

Comments: No Objection.

PL/2022/08931: 404A The Spa, Bowerhill. Proposed construction of a single storey porch extension to the front of the property, construction of a single storey utility & shower room extension to the rear of the property, conversion of a flat roof to a pitch roof on an existing two storey extension at the front of the original building and conversion of a flat roof to a pitch roof on an existing two storey extension to the side of the original building.

Comments: No Objection.

PL/2022/09008: Six Guinea Cottage, 212 Lower Woodrow, Forest. Replacement dwelling with associated outbuildings.

Comments: No Objection.

PL/2022/09196: Mavern House, Corsham Road, Shaw. Proposed 2 Storey 4 Bedroom House.

Comments: To object to this application on the grounds of:

- Overdevelopment of the site,
- The detrimental impact it will have on School Lane with regard to additional traffic on a private lane with a substandard entrance onto Corsham Road.
- The affect it will have on the amenity value of all residents of School Lane with an increase in vehicles accessing the lane.
- The extra refuse bins which will be left on Corsham Road, as the Refuse Collection lorry will not use School Lane due to difficulties in negotiating the lane. This part of Corsham Road is regularly used by school children accessing Shaw Primary School.
- It was noted School Lane had previously suffered flooding and this dwelling could exacerbate any future flooding in the lane.

PL/2022/09222: Stroud Farm, Sandridge Farm, Brick Hill, Bromham. Change of use of existing agricultural store to a residential holiday let.

It was noted the farm was located in open countryside in the parish of Rowde on the boundary between Bromham

and Rowde, with the access from Brick Hill in Melksham Without.

Councillor John Glover declared an interest in this application as he knew the applicant.

Comments: No objection.

[PL/2022/09297](#): 407C The Spa, Bowerhill. Erection of a carport to allow for covered electric car charging.

Comments: No Objection.

312/22 Revised Plans To comment on any revised plans received within the required timeframe (14 days)

None.

313/22 Planning Decisions: To note outcome of Western Area Planning Committee to be held on Wednesday 14 December, considering application for: PL/2022/07194 Proposed two storey extension Ivy Lodge, Lower Woodrow, Forest, Melksham, SN12 7RB

Members noted despite the Planning Officer's recommendation for refusal of the above application, it was approved at the Western Area Planning Committee meeting on 14 December.

314/22 Planning Enforcement: To note any new planning enforcement queries raised and updates on previous enforcement queries.

a) New Inn, Semington Road. To consider next steps if applicant has not applied for Building Regulations following approval of planning application (PL/2022/07374)

The Clerk explained having looked up this application on the Planning Portal, it would appear the applicant had not applied for building regulations for the extension and sought a steer from Members if they wished to forward a request to Planning Enforcement for this to be investigated.

It was noted following recent social media posts the applicant was looking at providing an indoor facility for 20 dog owners and their dogs, however, no planning application would appear to have been submitted to Wiltshire Council as yet.

Recommendation: To contact Planning Enforcement to say despite a note to the applicant in the Planning Decision that it may be appropriate to obtain approval under Building Regulations, for the extension, it would appear they have not done so and ask that investigations be made and to make them aware of proposals for an

indoor facility for 20 dog owners and their dogs.

315/22 Planning Policy

a) WALPA (Wiltshire Area Local Planning Alliance) & new Government policy: To note the latest publicised changes to Government planning policy

The Clerk explained in addition to the information forwarded to Members in their agenda packs, correspondence had been received earlier in the day from WALPA stating the Government were about to start consulting on the lack of 5 year land supply and other changes to planning and therefore to be alert to the consultation in order to submit comments.

Within the latest correspondence a concern had been raised at the implications of the apparent collapse of the Future Chippenham Plan for the likely allocation of housing numbers across the county as a consequence.

Members raised a concern at the implications of more housing being allocated to Melksham as a consequence.

b) Neighbourhood Planning

i) To note minutes of Steering Group meeting held on 30 November 2022.

Members noted the Steering Group minutes of 30 November 2022.

ii) Update on the Neighbourhood Plan Review and to consider any time critical requests before next Steering Group meeting

The Clerk explained public consultation on the neighbourhood plan would be taking place in the new year.

With regard to Design Codes, there were gaps for various photographs such as what constitutes a good and bad extension and wondered if while out and about Members could take photographs.

Concern was expressed at providing photos of people's houses.

The Clerk explained a photograph of an overlooked play area had been provided, however, this was of the Prince of Wales Gardens which was not a play area with a suggestion a photo of a more appropriate play area was required.

Councillor Baines suggested a photo of Pathfinder Place play area would be a good example.

The Clerk explained the planning consultants had suggested some training on the design guides and how to apply them to planning applications.

316/22 S106 Agreements and Developer meetings: (Standing Item)

a) To note update on ongoing and new S106 Agreements

i) Hunters Wood/The Acorns:

- To note update on Footpath to rear of Melksham Oak School

The Clerk explained she had made the Rights of Way Officer aware of proposals for the footpath.

With regard to a request for lighting to be installed along the footpath, the Clerk explained the minutes regarding this item were currently being typed up and would be forwarded to Wiltshire Council and the Rights of Way Officer in due course and copied to the Town Council for their information.

ii) Bowood View:

- To receive update on village hall, play area.

The Clerk explained with regard to the transfer of the play area to the council this was currently with the solicitors of both parties.

iii) Pathfinder Way:

- To receive update from Taylor Wimpey on issues eg lights, grit bins

An update from Councillor Nick Holder had been provided in Members' agenda packs on the lights with a request to Taylor Wimpey that grit bins be provided.

The Clerk stated with regard to the request for grit bins, someone needed to consistently grit the footpath during icy conditions and if they were not available for whatever reason, this could be cause a health and safety issue and therefore, community groups are relied upon to take responsibility for gritting footpaths in their communities to give a continuity of service.

Councillor Baines stated it was understood all the lights were supposed to be working on the A365 from last week, however, this was not the case.

Several Councillors felt they had noted the lights working in recent days and therefore would investigate.

- **To receive update on Play Area**

The Clerk explained the transfer of the play area to the parish council was still with the solicitors.

The Clerk explained the recently postponed Pathfinder Way Residents meeting had been rescheduled for 24 January at 7pm at Bowerhill Village Hall and information would be sent out in due course.

- iv) **Land East of Semington Road [PL/2022/02749](#): To consider suggesting alternative use of highways s106 funding as A350 pedestrian crossing already improved by Government Active Travel funding**

The Clerk explained the Section 106 for this development included a contribution of £200,000 for improvements to the A350 pedestrian crossing. However, improvements had already taken place as part of the Government Active Travel funding scheme and whilst Members had previously suggested ideas for what this funding could be spent on, no decision had been made and sought a steer from Members on ideas to put forward to Wiltshire Council.

Recommendation: As it was time sensitive, to submit the following requests to Wiltshire Council of what the £200,000 highway improvement contribution associated with this planning application could be used for, prior to the Full Council meeting in January.

1. Installation of a footpath along the A365 on Western Way on its Southern side to meet the existing footpath provided as part of the Pathfinder Way development and to provide a Toucan crossing from the current traffic island adjacent to Conway Crescent.
2. To move the bus gates on Semington Road to beyond the Air Ambulance.
3. To seek the installation of additional traffic calming measures along the Southern end of Semington Road (between Shails Lane and this development)

- v) **Land West of Semington Road (20/07334/OUT). Townsend Farm (Rear of), Semington Road Appeal site for 50 affordable homes. To consider suggesting where the play area contribution should be allocated, following submission of planning application for 53 homes on adjacent site.**

The Clerk explained previously the Council had suggested the £10,000-£12,000 play area contribution in the Section 106

Agreement for planning application 20/07334 (land to rear of Townsend Farm) should be allocated to Bowood View play area. However, following the submission of a planning application adjacent to this site for an additional 53 dwellings sought clarification of how Members wished to proceed, particularly now a play area may be provided.

Recommendation: To request the £10,000-£12,000 play area contribution associated with planning application 20/07334 (land to rear of Townsend Farm) be used in the near vicinity in order to contribute towards the provision of a play area or Bowood View, dependent on the future planning application approvals.

b) To note any S106 decisions made under delegated powers

None to note.

c) Contact with developers.

i) To receive notes on meeting held on 13 December with Terra Strategic regarding proposals for 53 dwellings on land West of Semington Road (PL/2022/08155)

The Clerk explained the notes from this meeting were still being typed up and would be produced at the next Planning meeting in January for noting.

Since the meeting with Terra Strategic on 13 December, the Clerk explained she had spoken to the Rights of Way Officer regarding proposals for the site and the fact a footpath was proposed onto Berryfield Lane. The Rights of Way Officer had noted there may be a large increase in the number of residents who may be tempted to go through the adjacent Farm, which has a right of way and suggested a diversion may be required. The Rights of Way Officer had stated they would talk to the landowner about a better route to the river via a right of way.

It was noted Terra Strategic had suggested in order to get things included in the Section 106, such as improvements to rights of way, these needed to be suggested by the Parish Council and the Rights of Way Officer in order to be included.

The Clerk also asked if Members wished to seek a financial contribution in the Section 106 in order to purchase additional land for allotments in Berryfield as the development would provide pedestrian access to Berryfield Lane where the parish council's two allotment sites are situated.

Recommendation: To seek a contribution towards improvements to public rights of way in the vicinity of this development in the Section 106 Agreement.

To also seek a contribution towards purchasing additional land to provide allotments in the Berryfield area, in the Section 106 Agreement.

ii) To receive notes on pre application meeting held on 24 November with landowners regarding proposals for 22 dwellings on land at Middle Farm, Whitley

In line with the Council's Pre App Policy, the notes of the meeting held with the landowners of Middle Farm were presented to Members and approved for inclusion in the minutes:

Those present included, Councillor Wood, Councillor Pafford, Councillor Baines, Councillor Harris, Teresa Strange, Clerk, Lorraine McRandle, Parish Officer, Linda Roberts, Town Clerk, Melksham Town Council, Clinton Dicks, landowner Middle Farm and Abi Leeder, Daughter in Law of Clinton Dicks

The Parish Clerk reminded everyone the site was allocated in the Neighbourhood Plan.

Abi explained proposals to include 22 dwellings on the site, 6 of which would be affordable, as well as providing a play area, green spaces and enhancements to existing hedgerow. Access would be provided onto Corsham Road. The provision of a pedestrian crossing facility across Corsham Road were also part of the proposal.

As there are several constraints to the site, such as underground drainage in both the North West/East corners of the site, a listed building North of Top Lane and the need for flood attenuation to the Southern part of the site, this has dictated the layout of the development.

Members noted the proposed layout and the little impact it would have on neighbouring properties.

Councillor Pafford raised a concern at the possibility of bin lorries having to reverse in/out of the proposed close on the Eastern side of the development, which showed 4 dwellings in a close. It was noted 2 of the dwellings were adjacent to the main road for the site and therefore it would not pose a problem for bin lorries to collect their bins. Abi informed the meeting owners could possibly bring their bins to the entrance of the close, also, there was a space for car parking opposite the Close which could have flexible use for bin storage if necessary.

Councillor Baines noted the property to the North West corner may have an impact on the setting of the listed building, however, this would be something for Wiltshire Council Planning to consider.

Members welcomed the positioning of the affordable housing within the site, rather than it being clustered in the same area of the site.

Clarification was sought on the housing mix. Abi explained she would forward this to the parish clerk following a conversation with the architect and planning advisors. After the meeting, the following was confirmed:

Open Market	Affordable
3 bed x 8	2 bed x 4
4 bed x 8	3 bed x 2
TOTAL 16	TOTAL 6
OVERALL TOTAL 22	

It was noted the Neighbourhood Plan Steering Group had commissioned a Housing Needs Assessment which had recently been published and had identified the housing needs for Shaw & Whitley and the lack of smaller properties in Whitley. The report also identified people in Melksham & Melksham Without cannot afford to purchase their first home, however, they can afford to rent and the report provided evidence on the appropriate mix of affordable housing for each area in the Neighbourhood Plan, including Shaw & Whitley.

The Parish Clerk agreed to forward a copy to the Dicks family.

The Parish Clerk explained, whilst there are national policies to mitigate against the impact of a development with regard surface water/run off, within the Neighbourhood Plan there was a policy to help mitigate against the impact of a development by improving the wider area where there is known flooding. The Parish Clerk explained the local drainage team may also have some ideas on what this could be, given previous flooding in the area and agreed to forward the policy to the Dicks family.

Councillor Pafford noted the attenuation pond proposed appeared quite large and therefore possibly capable of taking some of the excess water. Abi explained within their draft planning statement it stated 'the drainage strategy ensures that surface water 'run off' will be restricted to one litre per second to reduce flood risk elsewhere', whilst a flood risk assessment had been undertaken, they could possibly have another look at proposals for the attenuation pond/flood alleviation.

Councillor Baines stated the outflow from the pond would run into the ditch to the rear of properties on Corsham Road, as the road is on a higher level. Work had been undertaken in recent years to improve

the ditch, however, there could be a possibility of further improvements if it was being used as an outflow when the attenuation pond was full and released into the water course. Abi explained this had not been set yet and there could be other options.

Councillor Pafford sought clarification on what Wiltshire Council's requirement was for affordable housing on a development.

The Parish Clerk explained the current policy, was for 30% of a development to be affordable housing.

Councillor Pafford noted if 6 out of 18 dwellings were proposed to be affordable this provided over 30%, however, if only 6 of the dwellings were affordable out of 22 proposed, this was slightly under 30%, and suggested 7 be provided to tip it slightly over 30%, which the parish council would welcome.

Councillor Baines stated the parish council usually asked for a circular walk around any attenuation pond, with bins and benches provided. Abi noted it appeared a footpath around the attention pond had been included.

Clarification was sought if a developer had been approached. Abi explained as yet one had not been sought, however, once further discussions had taken place and the outline plans submitted it would be out to tender with small scale developers, who recognised the needs of smaller communities and gave a sense of being able to execute the brief as put so far. It was also proposed to have further consultation as the plans progressed with both the parish council and residents.

Clarification was sought on whether the houses would be energy efficient and sustainable.

Abi explained it was dependent on the capabilities of the developers and whilst personally would like to have more sustainable housing, it would be up to the developers.

It was noted there were already proposals for another site in the neighbourhood plan area for 100% affordable housing, which would be sustainable (solar panels and air source heat pumps) making it affordable for people to afford the running costs. The Parish Clerk agreed to forward information on proposals once plans had been submitted.

The Parish Clerk explained there had previously been discussions of some kind of community facility on the site. Abi explained this was still a possibility and whilst personally she would like to include a Post Office counter of some description on the site, wished to consult the community further, as previously it was understood there

was a percentage who wanted it, but this was undertaken some time ago. It was explained some community representatives were keen for some sort of community facility in the area. The Parish Clerk agreeing to put the relevant people in touch with the Dicks family to discuss proposals.

Abi explained whilst such a facility would not be included at outline stage, felt it would be quite small scale and serve a lot of purposes, such as Post Office counter, somewhere to pick up prescriptions, as well as providing a small room for mobile therapists, such as chiropody, hairdressing etc, however, how practical this was unclear and a business feasibility study would need to be undertaken. Abi felt the positioning of the facility would work well adjacent to the play area.

Councillor Baines suggested if the building proposed to the North West of the site was single storey, it might not impinge on the setting of the listed building and could house the community facility.

It was noted there could be possible traffic implications with parked vehicles which needed to be borne in mind and access to the site by increased vehicle movements.

Confirmation was sought when the outline plans would be submitted.

Abi explained there needed to be further discussions with the planning advisor. Clinton explained bat surveys needed to be undertaken, with only an Autumn survey done so far, Spring and Summer ones were also required. However, it was hoped to submit the outline plans on the understanding the bat surveys could be submitted as and when they were completed.

It was agreed it would be useful to meet with both the Dicks family and the planning adviser, once further discussions had taken place on fine tuning the proposals.

The Parish Clerk queried if a community facility was to be provided this added a commercial element to the plans and whether the principle of having such a facility needed to be considered at outline stage, particularly as proposals for commercial/residential use were looked at quite differently from a planning point of view with regards to footfall, access, parking issues etc.

Meeting closed at 9.42pm

Signed
Chair, 23 January 2023