



MELKSHAM WITHOUT PARISH COUNCIL

Clerk: Mrs Teresa Strange

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Monday 12th December 2022

To all members of the Council Planning Committee: Councillors Richard Wood (Chair of Committee), Alan Baines (Vice Chair of Committee), John Glover (Chair of Council) David Pafford (Vice Chair of Council), Terry Chivers and Mark Harris

You are invited to attend the Planning Committee Meeting which will be held on **Monday, 19th December 2022 at 7.00pm at Melksham Without Parish Council Offices (First Floor), Melksham Community Campus, Market Place, SN12 6ES** to consider the agenda below:

TO ACCESS THE MEETING REMOTELY, PLEASE FOLLOW THE ZOOM LINK BELOW. THE LINK WILL ALSO BE POSTED ON THE PARISH COUNCIL WEBSITE WHEN IT GOES LIVE SHORTLY BEFORE 7PM.

Click link here:

<https://us02web.zoom.us/j/2791815985?pwd=Y2x5T25DRIVWVU54UW1YWWE4NkNrZz09>

Or go to www.zoom.us or Phone 0131 4601196 and enter: **Meeting ID: 279 181 5985**
Passcode: 070920. Instructions on how to access Zoom are on the parish council website www.melkshamwithout.co.uk. If you have difficulties accessing the meeting please call (do not text) the out of hours mobile: 07341 474234

Yours sincerely,

A handwritten signature in black ink, appearing to read 'T. Strange'.

Teresa Strange, Clerk

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AGENDA

1. **Welcome, Announcements & Housekeeping**
2. **To receive Apologies and approval of reasons given**
3. **Declarations of Interest**
 - a) **To receive Declarations of Interest**
 - b) **To consider for approval any Dispensation Requests received by the Clerk and not previously considered.**
 - c) **To note standing Dispensations relating to planning applications.**
4. **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.
5. **Invited Guests:** Oliver Ansell, David Wilson Homes Re Amended Plans for 144 dwellings on land East of Semington Road (PL/2022/01938)
6. **Public Participation**
7. **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 by 20 December)**
 - [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 (To note Wiltshire Councillor Nick Holder has 'called in' this application for consideration) **(Comments by 23 December)**
 - [PL/2022/08914](#):** 1 Burnt Cottages, Beanacre Road, Beanacre. Access and parking area to frontage. Applicant Mr A Lyus **(Comments by 22 December)**

- [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 by 14 December** - extension on comments granted)
- [PL/2022/08476](#): Kays Cottage, 489 Semington Road, Melksham. Certificate of Lawfulness for existing separate annexe. Applicant Paul Williams (**Comments by 26 December 2022**)
- [PL/2022/08572](#): 450 Bowerhill Lane, Bowerhill. Single Storey Rear Extension. Applicants Mr & Mrs Lynch (**Comments by 22 December**)
- [PL/2022/08749](#): 399 The Spa, Bowerhill (Full Plans). Proposed extension over side entrance to create study. Applicant Karen Grant (**Comments by 23 December**)
- [PL/2022/09086](#): 399 The Spa, Bowerhill (Listed Building (Alt/Ext)). Proposed extension over side entrance to create study and replacement side door. Applicant Karen Grant (**Comments by 23 December**)
- [PL/2022/08848](#): Barns South of Upper Beanacre Farmyard, Beanacre. Replacement of barn and store with 2 no. chalets bungalows. Applicant Harry Keen (**Comments by 22 December**)
- [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. Applicant Martin Harrall (**Comments by 23 December**)
- [PL/2022/09008](#): Six Guinea Cottage, 212 Lower Woodrow, Forest. Replacement dwelling with associated outbuildings. Applicant Mr and Mrs Chandler (**Comments 28 December**)
- [PL/2022/09196](#): Mavern House, Corsham Road, Shaw. Proposed 2 Storey 4 Bedroom House. Applicant Peter Madden (**Comments by 30 December**)
- [PL/2022/09222](#): Stroud Farm, Sandridge Farm, Brick Hill, Bromham. Change of use of existing agricultural store to a residential holiday let. Applicant Roger Keen (**Comments by 3 January**)
- [PL/2022/09297](#): 407C The Spa, Bowerhill. Erection of a carport to allow for covered electric car charging. Applicant c/o agent Russell Poulson (**Comments by 3 January**)

8. **Revised Plans** To comment on any revised plans received within the required timeframe (14 days)
9. **Planning Decisions:** To note outcome of Western Area Planning Committee to be held on Wednesday 14th December, considering application for: PL/2022/07194 Proposed two storey extension Ivy Lodge, Lower Woodrow, Forest, Melksham, SN12 7RB
10. **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).
11. **Planning Policy**
 - a) **WALPA (Wiltshire Area Local Planning Alliance) & new Government policy:**
To note the latest publicised changes to Government planning policy
 - b) **Neighbourhood Planning**
 - i) To note minutes of Steering Group meeting held on 30 November 2022.
 - ii) Update on the Neighbourhood Plan Review and to consider any time critical requests before next Steering Group meeting.
12. **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
 - ii) **Bowood View:**
 - To receive update on village hall, play area.
 - iii) **Pathfinder Way:**
 - To receive update from Taylor Wimpey on issues eg lights, grit bins
 - To receive update on Play Area
 - 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 Govt Active Travel funding (footpath from development to new Pathfinder School?)
 - 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.
 - b) **To note any S106 decisions made under delegated powers**
 - 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)
 - 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

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Revised Plans for [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.

EXTRACT FROM PLANNING MINUTES OF 9 MAY 2022:

Comments: Whilst not objecting to this application, the Parish Council make the following observations. Highway Safety/Layout A concern was raised the straight spine road North to South of the site had potential to be a 'race track' and was an inferior layout than that proposed at outline stage, which encouraged lower speeds within the development.

It was noted the proposed layout had at least four dead ends with residents being expected to pull their bins to the main spine road. Refuse lorries would be expected to reverse out which was not satisfactory. Whilst not supporting dead ends within the development, if all or some are to remain, the Parish Council ask that the bin store sites are large enough to take more than just one bin for each house, as several bins are usually collected in any one day. Members also raised a concern people could be tempted to leave their bins out permanently.

It was noted that there is a crossing on the A350 from Hampton Park industrial estate to the Bowerhill industrial estate, but from the point of view of residents of this development, there will only be a single access on the north west corner.

It was noted the affordable housing element seemed to be in distinct groups which could lead to discrimination between residents, therefore, the Council ask the affordable housing element be mixed in more amongst the development.

Shails Lane

Concern was raised that it was possible that residents of the site will attempt to reach the proposed new school at Pathfinder Place, Bowerhill by trying to access the A350, which is extremely dangerous. Members noted following a fatality of someone exiting Shails Lane to access the A350, not long after it opened, the Coroner in their report had stated a form of barrier be erected, which does not appear to have happened as yet. Members supported the comments by residents with regard to the lane not being suitable for access from this development. Therefore, the Council ask a secure solid boundary be installed, running the whole length of the Southern boundary. A hedge would not be sufficient, as future residents could grub out any hedging and put a gate in, in order to access Shails Lane.

Members asked that a permanent barrier at the end of the current line of dwellings on Shails Lane (adjacent to 514d), just past the old canal bridge be installed, as this would give a clear indication the lane is not an access to the new development and will also discourage people from using the lane as a dog walking area and fly tipping spot. Other Where children from the development will go to school.

At outline stage the Council had stated the site is a significant distance from any primary schools with the nearest school full with the proposed new primary school at Pathfinder Place not yet built.

It was noted timber play equipment was proposed with one entry gate. It is a policy of the Parish Council not to have this type of equipment and to have two lots of double entrance gates rather than single in order to stop children easily getting out and dogs getting in. The Council also like to see safety surfacing protrude outside the fencing surrounding any play area, as this allows the mowing of spaces outside the play area to be undertaken without leaving weeds growing up by around the fence.

The Parish Council would welcome meeting the developers to discuss the play area in greater detail.

Whilst at outline stage allotments were proposed with the Parish Council stating there was enough provision of allotments in Berryfield. It was noted whilst there appeared to be no proposals in the current plans for allotments, there was reference to allotments in one of the documents, however, there was no mention of who would run these, provision of a car park, security, access, or provision of water mentioned.

Members endorsed the comments by Salisbury and Wilton Swifts in asking for ecological measures to be included on the site, such as bird, bat and bee bricks, reptile refugia and hibernacula. Whilst mention had been made earlier in the meeting of Great Crested Newts, there did not appear to be information regarding the protection of bat habitats, which were understood to be located on the site.

It was noted Wessex Water had raised a holding objection as there appeared to be conflict with existing pipes.

The Parish Council ask for the following:

- Adherence to policies with the Melksham Neighbourhood Plan.
- Circular pedestrian routes around the site. Good examples of 'hoggin' circular walks can be found at Bowood View and Pathfinder Place, which are popular with residents and were put in at the request of the Parish Council. The provision of benches and bins where there are circular pedestrian routes and public open space and the regular emptying of bins to be reflected in any future maintenance contribution.
- Connectivity to existing housing developments. This is particularly important, as the Parish Council are currently building a new village hall on the adjacent site at Bowood View. The current plans would require residents of the proposed new development to go out onto Semington Road and into Telford Drive to access the hall, which was less than ideal. It was noted Wiltshire Council's policy was for connectivity with existing development insisting that Sandridge Place had connectivity with the adjacent Churchill Avenue estate.
- Contribution towards improvements to public transport in the area.

- A Speed limit of 20mph within the development which is self-enforcing.
- Affordable housing is tenant blind and constructed in similar materials to other properties on the site.
- The road layout is such that there are no cul de sacs or dead ends, so that the refuse lorries do not have to reverse out.
- A contribution towards medical and educational facilities in the area.
- The Parish Council wish to enter into discussions being the nominated party for the proposed LEAP (Local Equipped Area of Play)/Play Area.
- Whilst the provision of a teen shelter was welcome, at outline stage the Parish Council asked for a MUGA installed in a location away from the LEAP.
- Practical art contributions, and would like to be involved in public art discussions.
- Whilst the Parish Council are keen on trees, ask that these are not planted adjacent to property boundaries, or adjacent to roads in order they do not cause issues later on with overhanging people's boundaries or the highway respectively. They also asked that trees are set back from any ditches adjacent to properties, in order there is enough space for maintain of any ditches to take place.
- When abutting existing houses, the design layout is garden to garden to maintain a distance between existing properties.
- Any proposed 2.5 dwellings or above be located within the centre of the development.
- There are no shared surfaces within the design, if they are included the Parish Council ask there is clear delineation between footpath and road surfaces.

Whilst it is noted the Wiltshire Council Affordable Housing Officer appears to be happy there are no bungalows proposed for the site, the Parish Council would like to see some provision of bungalows within the development.

- Provision of two bus shelters tall enough and with a power supply to enable realtime information, proper seating (not a perch), side panels and kerbs etc to match that at Bowood View. To be located in the vicinity of the New Inn bus stops. It was noted in the Decision Notice that one should be erected, however, the Council feel there should be two to replicate what is happening at Bowood View.
- Traffic calming this end of Semington Road.
- Rights of Way Improvements to MELW7, taking the route down to the river. It was noted the Rights of Way Officer is in support of this request and is in discussion with the landowner, with a suggestion the Parish Council ask for funding to cover the diversion order and the bridge construction.

- The provision of a footpath from the new development across the brook with a footbridge, to provide pedestrian access to the village hall, without the need to go out onto Semington Road.
- Provision/contribution towards interpretation signs for the historic line of the Wilts & Berks Canal through the development.
- A contribution towards the new Berryfield village hall for fitting out with furniture, equipment, fittings and towards future running costs.
- A contribution to the land transfer and building costs associated with the provision of a patio/terrace outside the village hall currently under construction.
- A contribution to purchase a Battery to store power from the grid and/or the solar panels for the new village hall/lighting the footpath access in the immediate vicinity.

ADDITIONAL COMMENTS MADE AT THE ANNUAL PARISH MEETING ON 16

MAY 2022: The Parish Council request, Councillor Jonathan Seed ‘call in’ the application for Committee decision, to ensure the parish council are able to speak to the requests made above if they have not been taken into account in the final layout, and the Officer Report for conditions and the s106 agreement.

The parish council also raised further concerns about the proposed layout of the development in terms of its housing density. The housing is concentrated in the West of the development, and the green space and play area to the East.

The play area is not particularly overlooked by the houses and surrounded by trees which are not conducive for children playing on their own. It also means that the housing is very close together with no green space amongst the dwellings and the council feel that there could be a better distribution of green space throughout the development. It was also cited again at the meeting, the neighbouring development at Bowood View, has an airy feel as you travel through the development and it flows, whereas this proposal has over 10 cul-de-sacs. The play area at Bowood View is in the centre of the development and gives an open feel to the environment with the play area being overlooked by housing for improved safety of the children, but not so close that any noise from it could potentially disturb residents.

For context please see comments raised by local residents and Members prior to the Planning Committee commenting on the application at their meeting on 9 May: Several members of public were in attendance from Semington Road and Shails Lane, Berryfield, as well as Oliver Ansell and Cecelia Hughes, David Wilson Homes Residents raised the following:

- Where will the affordable housing be located within the plans? Councillor Wood explained in line with Wiltshire Council’s policy on affordable housing, the housing would be 30% of the overall number of dwellings (43 dwellings) and scattered within the site and in the same materials to blend in and highlighted the various locations on the plan. Cecelia explained the affordable housing was centrally located in the plans.

- Concern was raised at who would use the proposed teen shelter and potential for anti-social behaviour. Councillor Wood explained a teen shelter already existed in Berryfield Park, opposite the site and felt that unfortunately it was not that well used and was not aware of any issues with it being used inappropriately.
- Concern was expressed that the site flooded on occasion. Councillor Wood noted there were various large attenuation ponds proposed in the plans.
- Proposed access onto Shails Lane. It was stated this was a private lane with no public right of way and owned by residents who contributed towards, and were responsible for, its upkeep. There should be no access from the development (either vehicular, pedestrian or cycle) onto Shails Lane. A solid boundary needs to be provided along the whole length of the southern boundary from 514d Shails Lane in order to stop people accessing the lane, rather than hedging or fencing, which can easily be removed by prospective residents, particularly to access the A350. Dog walkers regularly drive down Shails Lane to walk their dogs and therefore the provision of a barrier near the old canal bridge would make it difficult for vehicles to turn around and hopefully deter them from using the lane. Councillor Wood noted those who were currently parking in Shails Lane to walk their dogs were probably accessing the proposed development site and therefore once developed this would discourage people from using the lane to walk their dogs.

Whilst currently there is bunding and shrubbery on the Eastern boundary and at the end of Shails Lane, people have managed to create an informal walkthrough to cross over the A350. It was noted that following a fatality of someone accessing the A350 from Shails Lane, not long after it was opened, it was understood that the Coroner's report had stated a permanent boundary should be installed at this location, in order to stop people getting through, but unfortunately to date this had not happened. Councillor Wood agreed with this statement and felt the current bund and shrubbery were inadequate and a more impermeable boundary was required for safety reasons. Cecelia explained as part of outline planning permission there was a requirement to install some form of boundary treatment, in order to stop people accessing the A350 at this location.

- Impact on wildlife, particularly great crested newts, foxes, slow worms and deer.

Councillor Wood explained an ecology report had been done at outline stage and the plans approved, despite the Parish Council objecting to the plans. Therefore, as permission for the development had already been granted, at this stage all that could be done would be to look at the detail of the plans.

Cecelia explained in response to ecology questions that the site was extensively surveyed and recent checks had been undertaken by their ecologist to make sure the status of the site had not changed. David Wilson are securing a Great Crested Newt Licence and would be paying for mitigation for the great crested newts and providing areas on the site for translocating any animals found. Cecelia stated that David Wilson Homes took their responsibility seriously and would adhere to any planning conditions imposed relating to this issue.

- Concern at the potential for people to unlawfully access the sewerage works North of the site and what boundary treatment would be put in place to discourage this. Cecelia explained an agreement with regards to boundary treatments for that area had not yet been agreed with Wiltshire Council. It is an owners/occupiers responsibility for securing their boundary, however, would keep under review but anticipate there will be no problems.

How are sewerage treatment works vehicles going to access the site, which it was understood currently use Shails Lane.

Councillor Wood confirmed works vehicles currently used Shails Lane to access the sewerage treatment works and noted it was proposed work vehicles would come off Semington Road and use the new access road proposed for the development to access their site to the North of the site.

- Highway Safety concerns; particularly with regard to the impact of extra traffic on Semington Road and what measures will be put in place to slow vehicles down prior to the junction. Poor visibility exiting the site, due to a tree adjacent to the junction with Semington Road, which would obscure drivers sight lines.

Oliver explained the access was approved at outline stage with the junction being constructed to Highway guidelines, including the provision of adequate visibility splays either side of the junction. With regard to the tree on the junction, this was currently being reviewed. Concern that sewerage lorries will be moving slower out of the site and drivers on Semington Road may not see them coming out until too late. Councillor Wood felt the sewerage work vehicles currently exited via a T junction onto Semington Road, which would be the same for this site. However, he acknowledged there was an issue with people driving faster in between traffic calming measures in place on Semington Road. Cecelia explained David Wilson Homes try wherever possible to have their estate roads adopted by the local authority and in order to do this have to meet the Highway standards in order for them to be maintained in perpetuity and therefore have to meet the Council's standards and requirements, otherwise it leaves the residents of the development having to pay for maintenance.

- Lack of consultation. A resident close to the development site raised a concern they had not be consulted on the outline plans and were only recently made aware of the current plans and the meeting this evening.

Cecelia explained residents were usually informed by the Local Authority of any planning applications near their property, by various methods, such as site notice, local press or a letter, it was not the responsibility of the developer to make people aware and explained this was something to take up with Wiltshire Council.

Councillor Holder explained that whilst the application was not in his current ward, it was, when the outline application was submitted and stated that he would be interested to understand what the planning conditions raised in terms of adopting the roads within the development were. Particularly, as there were many examples around Melksham where they have been informed by developers that roads within

an estate will conform to highway standards however, it has taken many months and sometimes years for these roads to be delivered to a standard to be adopted.

Councillor Holder explained George Ward Gardens for example took two years to be adopted whilst predominantly occupied and raised a concern that unless there was a specific requirement within the planning permission, residents who moved into the development could be faced with a similar situation as other estates locally and therefore sought assurances from the developers they would deliver and take their responsibilities seriously if there are no planning conditions to do so.

Cecelia explained if the road were to be private, it would go to a management company or conveyed to the residents. Usually, main roads are adopted. There usually is no requirement on a planning condition that the roads are adopted, however what usually happens is the planning permission requires the structure details of the highway to be submitted to Highways for approval. Developers do not want to hold on to roads, as they have to maintain them to an adoptable standard, the aim is to have them adopted as soon as possible, however, Local Authorities insist on a 12-month fault free period with not just the highway, but any infrastructure such as street lighting etc. before adopting any roads.

Councillor Holder asked both Oliver and Cecelia if they felt David Wilson Homes were a 'friendly developer'. The Parish thought they had a 'friendly' and inclusive developer in Bowerhill who said all the things said this evening at a public meeting several years ago and have since been negligent in providing efficient and effective street lighting, effectively walking away from their responsibilities.

Councillor Holder explained both himself and the Clerk have tried to get meaningful conversation with the developers in order to get the issues resolved and therefore sought assurances how David Wilson Homes would fulfil their obligations not just for the residents surrounding the development but also those of the new development.

Cecelia explained all developers buy an insurer policy (bond) in place with the local authority. The purpose being if the developer unfortunately goes bust the insurance money can be used to pay for outstanding works. At stages of construction the value of the bond is returned when certain elements of a build are complete and this is a council's way of sanctioning, if a developer is not doing the work.

Councillor Holder stated he wished to understand what commitment could be given to ensure all comments made by the developers with regard to lighting, access to Shails Lane and access to the site would be delivered and how they would ensure they will be friendly and helpful developer.

Cecelia explained David Wilson Homes were part of the Barratt Group and one of the biggest house builders in the country and a 5-star house builder. This is a difficult record to maintain and the only way to maintain this is by surveying all their residents to ascertain if they would recommend them, whether they like a build, both internally and externally and the facilities in a development. It is really important to maintain the 5-star status and to keep residents happy.

A resident of Semington Road raised a concern as noted on TV that a lot of developers once they have built their development disappear and leave home owners with concerns which take years to resolve.

Councillor Wood explained everyone would have to accept the words of both Cecelia and Oliver and whilst there had been some bad experiences with developers, this was not always the case.

A member of the public raised concern at the lack of parking, as most houses have 2/3 cars and the difficulties large vehicles, in particular refuse lorries, would have in negotiating parked vehicles. The member of public also noted there did not appear to be any pavements shown on the plans and expressed concern at a potential clash between pedestrians and vehicles.

Councillor Wood noted the adjacent development at Bowood View showed how estates could be well designed, with the provision of footpaths and wide roads, with plenty of parking and parking bays.

Cecelia explained in terms of the provision of footways that these had been designed in the plans as submitted as part of the outline application. However, if there are comments back that the provision of footways is not right or appropriate, they would bear these comments in mind.

Councillor Pile asked what form of visitor parking would be provided.

Cecelia explained parking standards were now a maximum and therefore there was a target range of parking provision which looked at the size of the property and number of bedrooms and provided a ratio for parking, including visitor parking on the highway.

The Clerk noted there was reference within documents to the provision of a wild flower seeded meadow and sought confirmation that this was not a one-off activity but in the management company's remit to manage and maintain regularly.

With regard to street naming, the Clerk explained the Council wanted to reflect the connection with the Wilts & Berks Canal and had put forward a suggestion that the canal theme, as with Bowood View, be continued and streets named after canal engineers. The parish council were disappointed that Whitworth, who designed the Wilts & Berks Canal was not chosen for Bowood View and asked that the main spinal road of the development be named after him.

Councillor Wood reminded members of public whilst they could not object to the development itself, as it had been approved at outline stage, they could make comments on the reinforcing of the boundary between Shails Lane and the development and to send their individual comments to Wiltshire Council.

EXTRACT FROM PLANNING MEETING MINUTES DATED 26 SEPTEMBER 2022:

Members noted the various items of correspondence received from residents objecting to the application, as well as residents' comments raised during public participation (11 members of public in attendance for this application) regarding access to Shails Lane and the need for some form of safety barrier adjacent to the A350.

Comments: The Parish Council wish to make the following comments on the revised plans, as well as reiterate their previous comments.

It was noted that the parish council met with David Wilson Homes on Tuesday 16th August at David Wilson's invitation, to review their revised plans. The notes from that meeting are in the public domain as part of the minutes of the Planning Committee held on 5th September 2022 <https://www.melkshamwithout-pc.gov.uk/index.php?page=minutes&year=2022>

- Despite the revised plans, there is a concern housing is concentrated in the West of the development, and the green space and play area to the East. Housing is very close together with no green space amongst the dwellings and the council feel that there could be a better distribution of green space throughout the development.
- There is a concern at the lack of 1, 2 & 3 bedroomed open market housing and the high percentage of larger homes (4 & 5 bedrooms) proposed, which was also raised by the Urban Design Officer.

The Clerk explained a Housing Needs Assessment had recently been completed by AECOM, as part of the Melksham Neighbourhood Plan Review, which included useful information on the housing type and tenure requirement for the Neighbourhood Plan area (Melksham Town and Melksham Without). It also includes the results of the recent local Housing Needs Survey. The report was due to be put before the Neighbourhood Plan Steering Group on 28th September, with a request that the report be released for publication. The Clerk asked that if the Steering Group approved the general release of this document, if the planning committee were happy for it to be submitted to Wiltshire Council as evidence to support the type of housing required in the Melksham area, which was agreed by Members.

Concern was also raised that larger dwellings with 4/5 bedrooms could have more vehicles than smaller dwellings, therefore there would be an increase in vehicles using a single access road.

- The Council had previously mentioned the lack of bungalows within the development and reiterated it at their recent meeting with David Wilson who confirmed that there would be no bungalows in the scheme. The parish council wish to draw attention to the Section 106 Agreement which details provision of two affordable bungalows within the development.
- Highway Safety. Residents and the parish council are concerned that residents

from the new development will try and find a way to access the A350 as a shortcut to Bowerhill, via Shails Lane. It is important that some sort of barrier is installed on the Eastern side of the development to stop residents accessing the A350 from the development. This well used route was closed by the Coroner following a fatality at this point from a resident crossing the road here. Whilst it is noted the installation of anti pedestrian fencing is included in the Section 106 agreement, members felt it was imperative the developers adhere to this before occupation, in order to provide pedestrian safety. Experience has shown on other nearby developments that highway conditions that should be in place for health and safety reasons before occupation have not been addressed, some 2 years after occupation, and the parish council are very keen to not see a repeat of this inaction on this requirement.

The Section 106 Agreement states as part of highway safety works: 'anti pedestrian safety fencing be installed for 100m along the A350 Western side, 70m North and 30m South of Shails Lane parallel to the A350 continually for 100m and a landscaping scheme (alongside the fence to further discourage pedestrians from vandalizing the fence and breaking through it).'

- The Parish Council also reiterated their previous support for the residents of Shails Lane in the need for some form of impermeable barrier to be installed on the Southern boundary of the development to stop residents accessing the lane, which is a private road. 11 members of the public, all from Shails Lane or the corner of Semington Road and Shails Lane attend the parish council's Planning Committee meeting on the evening of Monday 26th September, with this specific request. There is concern that if only a hedging boundary for example is provided (as suggested by David Wilson when we recently met) that this will easily be used for access as not a physical barrier; it requires a fence and hedge at least.
- There is still no provision for a cycle route within the development, which had also been highlighted by the Urban Design Officer. David Wilson continue to state that there is no cycle network to connect to, therefore they do not need to provide a cycle way. This is despite Semington Road being designated a National Cycleway and part of the new Melksham to Hilperton Active Travel route, with recent improvements being made to the road infrastructure via Government funding over the last few months. This includes the crossing across the A350 Western Way to give safer access for cyclists accessing Semington Road. Page 93 of the Wiltshire Local Cycling and Walking Infrastructure Plan (LCWIP) currently 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 the Semington Road with access to the proposed development on this road.
https://www.wiltshire.gov.uk/media/9640/Wiltshire-draft-LCWIP/pdf/Wiltshire_LCWIP_Framework_and_Interurban_Routes_Consultation_Draft.pdf?m=63794702363650000

<https://www.wiltshire.gov.uk/news/new-cycling-facility-hilperton>

https://www.wiltshire.gov.uk/media/8877/Hilperton-Melksham-active-travel-scheme-map/pdf/Hilperton_to_Melksham_Active_Travel_Map_design_PDF.pdf?m=637822

[513083330000](#)

- In order to reduce surface water 'run off' Members request the provision of permeable driveways, as raised by the Urban Design Officer.
- Whilst it was noted that the Urban Design Officer had previously raised concerns that plots 4, 6 & 7 were very close to the highway with the revised plans dropping some of the plots from this location, Members felt some of the plots, including boundary walls, were still too close to the highway, next to the entrance to the site, which would be used by large vehicles accessing the sewage works. There are plots with windows only a metre from the highway, and this at the main entrance where all traffic will flow past.
- It was noted the applicant had still not taken on board that the Parish Council had expressed a wish to enter into discussions about being the nominated party for the proposed LEAP (Local Equipped Area of Play)/Play Area and a maintenance contribution to suit. On reviewing the Section 106 Agreement there is no reference to the parish council taking on the LEAP or a maintenance contribution, despite requesting this at pre app, outline and reserved matters stages of the planning application.
- Whilst provision of a teen shelter had been made in previous plans, it was unclear from the current plans if this had been provided. The Parish Council had also previously asked for outdoor gym equipment and a MUGA (Multi Use Games Area) to be installed in a location away from the LEAP but these do not appear to be included in the plans. Members noted Nexus had written to Wiltshire Council on 5 June 2020 with regard to an updated indicative outline plan stating 'the parish council had requested community benefits such as play equipment for older children/teenagers. Therefore, the area previously identified as allotment provision has been replaced within the updated masterplan/parameter plan with a teen shelter and outdoor gym equipment.' This too was pointed out to David Wilson on 16th August.
- Whilst welcoming wildflower areas, concern was raised there was no green space provision to allow children to undertake active play, such as football which may encourage them to play in the road.

Highway Safety/Layout

Whilst the Council's and Urban Design Officer's previous concerns regarding the proposed straight spine road North to South of the site had been taken on board and the layout changed, the application still includes several dead ends with residents being expected to pull their bins to the main spine road. Refuse lorries would be expected to reverse out which was not satisfactory.

Whilst not supporting dead ends within the development, if all or some are to remain, the Parish Council ask that the bin store sites are large enough to take more than just one bin for each house, as several bins are usually collected in any one day. Members also raised a concern people could be tempted to leave their bins out permanently.

It was noted there is a crossing on the A350 from Hampton Park industrial estate to the Bowerhill industrial estate, but from the point of view of residents of this development, there will only be a single access on the north west corner.

It was noted the affordable housing element seemed to be in distinct groups which could lead to discrimination between residents, therefore, the Council ask the affordable housing element be mixed in more amongst the development.

Shails Lane

Concern was raised that it was possible residents of the site will attempt to reach the proposed new school at Pathfinder Place, Bowerhill by trying to access the A350, which is extremely dangerous.

Members supported the comments by residents with regard to the lane not being suitable for access from this development. Therefore, the Council ask a secure solid boundary be installed, running the whole length of the Southern boundary. A hedge would not be sufficient, as future residents could grub out any hedging and put a gate in, in order to access Shails Lane.

Members asked that a permanent barrier at the end of the current line of dwellings on Shails Lane (adjacent to 514d), just past the old canal bridge be installed, as this would give a clear indication the lane is not an access to the new development and will also discourage people from using the lane as a dog walking area and fly tipping spot.

Other

Where will children from the development will go to school. At outline stage the Council had stated the site is a significant distance from any primary schools with the nearest school full with the proposed new primary school at Pathfinder Place not yet built.

It was noted timber play equipment was proposed with one entry gate. It is a policy of the Parish Council not to have this type of equipment (they request metal as much easier from a maintenance point of view, and has more longevity likewise a dark green powder coated fence rather than a wooden one). In line with RoSPA best practice, there should be two gates, so providing an alternative escape route, and red in colour so easily identifiable.

The Council request safety surfacing protrude outside the fencing surrounding any play area, as this allows the mowing of spaces outside the play area to be undertaken without leaving weeds growing up by around the fence. The Parish Council would welcome meeting the developers to discuss the play area in greater detail.

Whilst at outline stage allotments were proposed with the Parish Council stating there was enough provision of allotments in Berryfield (they already have 75 plots on two sites in Berryfield). It was noted whilst there appeared to be no proposals in the current plans for allotments, there was reference to allotments in one of the

documents, however, there was no mention of who would run these, provision of a car park, security, access, or provision of water mentioned.

Members endorsed the comments by Salisbury & Wilton Swifts in asking for ecological measures to be included on the site, such as bird, bat and bee bricks, reptile refugia and hibernacula.

Whilst mention had been made earlier in the meeting of Great Crested Newts, there did not appear to be information regarding the protection of bat habitats, which were understood to be located on the site.

It was noted Wessex Water had raised a holding objection as there appeared to be conflict with existing pipes.

The Parish Council ask for the following:

- Adherence to policies with the Melksham Neighbourhood Plan.
- The provision of benches and bins where there are circular pedestrian routes and public open space and the regular emptying of bins to be reflected in any future maintenance contribution.
- Connectivity to existing housing developments and the provision of a footbridge over the brook to connect to the Bowood View development 16/00497/OUT, 17/12514/REM & 17/10416/VAR This is particularly important, as the Parish Council have recently built a new village hall on at Bowood View 20/03879/REM

The current plans would require residents of the proposed new development to go out onto Semington Road and into Telford Drive to access the hall, which was less than ideal.

It was noted both the National Planning Policy Framework (NPPF) and Wiltshire Council's Core Strategy recognises the importance of connectivity with existing development. Members and residents feel that this is a useful connection to community facilities, and provides a safer walking route alternative than Semington Road which does not have pavements, or only narrow pavements, in places.

- Contribution towards improvements to public transport in the area.
- Contribution towards educational and health provision.

On reviewing the Section 106 Agreement it is noted a contribution of £297,874.00 is being requested towards early years education provision, as well as £337,644.00 towards primary education, however, there is no request for a contribution towards secondary education, however, it was noted this could be because there are sufficient school places available.

With regard to a contribution towards health care provision, it has subsequently been noted within the Section 106 Agreement £137,000 is being requested

towards the cost of supporting primary care capacity of the Melksham & Bradford on Avon Primary Care Network.

However, Members have raised a concern where and what this funding will be going towards and will be seeking assurances this will be spent in the Melksham area.

- A Speed limit of 20mph within the development which is self-enforcing.
- Affordable housing is tenant blind and constructed in similar materials to other properties on the site.
- The road layout is such that there are no cul de sacs or dead ends, so that the refuse lorries do not have to reverse out.
- Whilst the Parish Council are keen on trees, they ask that these are not planted adjacent to property boundaries, or adjacent to roads in order they do not cause issues later on with overhanging property boundaries or the highway respectively. They also asked that trees are set back from any ditches adjacent to properties, in order there is enough space for maintenance of any ditches to take place.
- When abutting existing houses, the design layout is garden to garden to maintain a distance between existing properties.
- Any proposed 2.5 dwellings or above be located within the centre of the development.
- There are no shared surfaces within the design, if they are included the Parish Council ask there is clear delineation between footpath and road surfaces.
- 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. To be located in the vicinity of the New Inn bus stops.

It was noted in the Decision Notice that one should be erected, however, the Council feel there should be two to replicate what is happening at Bowood View; the adjacent new development.

- Traffic calming this end of Semington Road.
- Rights of Way Improvements to MELW7, taking the route down to the river. It was noted the Rights of Way Officer is in support of this request and is in discussion with the landowner, with a suggestion the Parish Council ask for funding to cover the diversion order and the bridge construction. This the parish council wish to follow up as a condition of the planning application.

- Provision/contribution towards interpretation signs for the historic line of the Wilts & Berks Canal through the development. To suite with the ones being provided by the Wilts & Berks Canal Trust in the adjacent Bowood View development.

On reviewing the Section 106 Agreement a public art contribution of £43,200 (£300 x 144) is being requested.

The Parish Council have stated they would like to be involved with any art project

- A contribution towards the new Berryfield village hall for fitting out with furniture, equipment, fittings and towards future running costs.
- A contribution to the land transfer and building costs associated with the provision of a patio/terrace outside the village hall currently under construction.
- A contribution to purchase a Battery to store power from the grid and/or the solar panels for the new village hall/lighting the footpath access in the immediate vicinity. Cost £6,200 excluding VAT.

At a Planning Committee Meeting on 6 September 2022, Members reviewed the Section 106 Agreement and noted £200,000 had been requested to upgrade the double pelican crossing on the A350 to a double toucan crossing, with associated footway and cycleway improvements and measures to reduce the attractiveness to pedestrians of the pedestrian route on the Western side of the roundabout between Old Semington Road and Melksham

Whilst it was noted improvements were still to be made to reduce the attractiveness of the pedestrian crossing on the Western side, the upgrade of the pelican crossing on the A350 dual carriageway has already taken place, as part of the Hilperton to Melksham Cycle Route improvements via Government funding and therefore it was agreed the Clerk contact Wiltshire Council to seek clarification on this.

The Clerk stated she had contacted Wiltshire Council who had confirmed the improvements to the A350 dual carriageway crossing had been funded via Government funding. (Gareth Rogers, Principal Engineer, Traffic & Network Management)

Members resolved to request the £200,000 Section 106 highway improvement funding be handed over to Wiltshire Council to spend on highway improvements in the vicinity of the development.

On reviewing the Decision Notice of September 2021, it was noted under “27 Informative”, it mentioned promoting connectivity between developments with a request that prior to submission of a reserved matters application, the possibility of providing a pedestrian/cycle link through to the adjacent housing site to the North should be explored.

This matter had been raised with the developers who stated this was only an informative, but had written earlier that day to the Clerk stating in order to address the

parish council's concerns regarding connectivity to the new Berryfield Village Hall at Bowood View, they wished to offer a unilateral undertaking to make a contribution towards the connection point. The unilateral agreement would be for £20,000 payable to Wiltshire Council for onward transmission to the Parish Council to use the monies to facilitate the creation of the connection point.

David Wilson Homes would pay their legal fees and the costs of Wilts Council in concluding this agreement, capped at £2.5k (i.e. £5k in total). The Contribution would be payable on the basis that it would be paid from Wiltshire Council to the parish council for the purposes of constructing a bridge, however if this were not feasible, the improvement of the village hall on the adjoining site at Bowood View.

The Clerk had also ascertained the landowner of the brook is Wiltshire Council, who were happy with proposals for a footbridge (Contact Jenny Rowe, Senior Estates Manager) and the management company for Bowood View also appeared amenable (Contact Max Harris, Alexander Faulkner Partnership Ltd) as the land is being transferred to the resident management company Bowood View (Melksham) Management Company Limited.

The Clerk on receiving the offer had also contacted the Rights of Way Officer to ascertain if the £20,000 offered was enough to build a footbridge, but unfortunately had not responded as yet.

Members noted the provision of a footbridge would provide a safer walking route to the proposed Pathfinder Place school from the development and therefore welcomed the offer.

Councillor Wood informed the meeting Councillor Seed had 'called in' this application, which still stood and therefore would be considered at a Wiltshire Council Planning meeting, which residents, as well as representatives from the parish council will be able to attend.

Comments made 7 November 2022:

Melksham Without Parish Council consider the revised plans at their Planning Committee meeting on 7 November 2022 attended by several residents of Shails Lane and have the following comments to make:

Whilst welcoming the modest changes made to the revised plans the parish council would like to see improvements to the other issues previously raised such as the need for an impermeable boundary to the South of the site adjacent to Shails Lane to stop residents from the new development accessing the lane, which is a private road.

The council would also like to see a better housing mix (more 3-bedroom properties; and bungalows as detailed in the s106 agreement) to suit the needs of the local community, as detailed in the Melksham Neighbourhood Plan Housing Needs Assessment. The parish council always request new developments are built garden to existing garden and note one house in particular near the entrance to the site, is proposed close to the boundary of an existing property with a walnut tree the other side of the boundary which could be to the tree's detriment.

Lorraine McRandle

From: Teresa Strange
Sent: 29 November 2022 15:17
To: Ansell, Oliver
Cc: Lorraine McRandle
Subject: RE: Semington Road, Melksham

Hi Olly

Yes, please, the parish council would like it if you were able to come along to the meeting on Monday 19th December.

Its at the MWPC offices where you colleagues visited before. Our offices are in the Melksham Community Campus – so you are looking for a big sports centre/library, plenty of free parking, we are on the first floor, no need to check in to the main reception for the leisure centre, just come upstairs via the stairs/lift to the right of the main entrance. The meeting will start at 7pm.

With kind regards, Teresa

From: Teresa Strange
Sent: 28 November 2022 14:48
To: Ansell, Oliver <Oliver.Ansell@dwh.co.uk>
Subject: RE: Semington Road, Melksham

Thanks for keeping us in the loop Oliver.

We have a Planning Committee meeting this evening, I will talk to the members then.

kind regards,

Teresa

From: Ansell, Oliver <Oliver.Ansell@dwh.co.uk>
Sent: 28 November 2022 14:34
To: Teresa Strange <clerk@melkshamwithout-pc.gov.uk>
Subject: Semington Road, Melksham

Hi Teresa,

I hope you are keeping well.

I just wanted to keep you updated with our application. We have resubmitted some plans today in order to achieve an improved mix over what was previously proposed. I think the Council will be reconsulting on these soon so should be coming your way.

We have also sought to address the issue with the access onto Shail's Lane by blocking it up with planting. There is limited works we can do here as we have easements for the services that run underneath but hopefully it addresses the neighbouring residents concerns.

It would be good to come to your next meeting in December to either discuss or answer questions if you would have us?

Kind regards

Olly

6 December 2022
par061222ltdy



Melksham Without Parish Council
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FAO Teresa Strange, Clerk to Melksham Without Parish Council,

OUTLINE PLANNING APPLICATION: LAND SOUTH OF WESTERN WAY, MELKSHAM (REF: PL/2022/08504)

I am writing to let you and the Council Members know that, Savills, on behalf of Hallam Land Management, have submitted an outline planning application for land south of Western Way, Melksham.

The outline planning application has been submitted with the following description of development:

“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)”

In writing to you, I am also taking this opportunity to outline the changes proposed within this new outline planning application compared to the outline application which was refused by Wiltshire Council on 7 December 2022 (Ref 20/08400/OUT). The previous outline planning application (ref: 20/08400/OUT) had the following description of development:

“Outline application (with all matters reserved except for access) for the erection of up to 231 residential dwellings (Class C3) and a 70 bed care home (Class C2) with associated access, landscaping and open space at: Land South of Western Way, Melksham, Wiltshire”

As you will recall, the application was refused with the following design related reason:

“The applicant has not demonstrated that the proposal could satisfactorily accommodate the quantum of development proposed. The Indicative Proving Layout (drawing reference 7611-A-01 Rev C), fails to satisfactorily illustrate that as many as 231 dwellings and the construction of a 70-bed care home could fit on the site, whilst accounting for high quality standard of urban design (including, in particular, an appropriate mix of dwelling types that would adequately respond to local need as expressed in the 2017 Strategic Housing Market Assessment, tree-lined streets and sensitively integrated parking). Thus, the proposal is not considered to create a well designed, beautiful new place as directed by the Framework and the applicant has not provided maximum clarity about design expectations. Therefore the proposal does not ensure high quality design and place shaping and would be contrary to policies CP45 and CP57 of the Adopted Wiltshire Core

Offices and associates throughout the Americas, Europe, Asia Pacific, Africa and the Middle East.

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Registered office: 33 Margaret Street, London, W1G 0JD



Strategy, Policy 6 of the Joint Melksham Neighbourhood Plan and to paragraphs 8b, 92, 126, 127, 130, 131, 132 and 134 of the National Planning Policy Framework”.

In order to respond to this reason for refusal, the masterplan for the site has been carefully reviewed and revised to take into account a number of the design and placemaking principles not fully resolved as part of the previous scheme.

Indeed, the review exercise has been undertaken by a different design team, with PAD Design appointed to undertake a fresh review of the site, re-consider the constraints and opportunities and to develop a new masterplan for the site.

The revised plans for the site now comprise a small reduction in the quantum of development, including 210 residential dwellings and a 70-bed carehome, on a site which continues to cover 10.9 hectares, with vehicular access served via the Pathfinder Place site to the east but including foot/ cycle connections to the north onto Western Way.

Whilst the proposals are similar to the 2021 refused application, with the exception of the reduction in the number of homes proposed, the application plans and Design and Access Statement have been revised to take into account the design issues raised back in 2021. The team are confident that the revised masterplan has taken on board the principles of good placemaking, and addresses previous issues raised by the Council's urban design officer covering housing mix, density and approach to parking.

Further detail is contained within the Design and Access Statement submitted with the planning application.

The supporting Planning Statement also sets out the various benefits of the proposals, including:

- The provision of up to 210 residential dwellings (including 30% affordable housing which will equate to 63 affordable homes) and a care home of up to 70 beds. This will directly assist with the significant housing need particularly in the context of the Wiltshire wide housing land supply shortfall.
- The construction of 210 dwellings along with the 70-bed care home would create 672 job years of full-time employment and would hence make a not inconsiderable contribution to job creation in the short – medium term.
- A significant overprovision of open space and play space compared to the amount required by planning policy
- Detailed access proposals which are unchanged from the proposals supported by Wiltshire Council's highway officer as part of the 2021 refused application;
- The proposals will result in a biodiversity net gain equivalent to over 10%, demonstrating the applicants commitment to deliver a net gain above and beyond the 10% target figure to be introduced through the Environment Act, anticipated to become law in 2023.
- Development on land within flood zone 1 (not at risk of flooding) and proposing a drainage strategy consistent with that already agreed with Wiltshire Council as part of the previous application.

I hope this provides a helpful update on the new planning application. We would however like to arrange a meeting with you to be able to explain the new proposals in further details and I will be in touch to arrange this.

If you have any further queries please do not hesitate to contact me.

Yours sincerely,

A handwritten signature in black ink, appearing to read 'D. Yeates', with a long horizontal flourish extending to the right.

Dan Yeates BSc (Hons) MA MRTPI
Associate Director

EXTRACT FROM PLANNING COMMITTEE MINUTES 14 JUNE 2021:

Revised Plans had been received for the following Planning Application:

20/08400/OUT: Land South of Western Way. Outline application (with all matters reserved except for access) for the erection of up to 235 residential dwellings (Class C3) and a 70 bed care home (Class C2) with associated access, landscaping and open space. Applicants Hallam Land Management

Comments: To reiterate the Council's previous objections to this application, particularly that the Southern part of the site adjacent to existing businesses should be used for commercial purposes and not residential.

To draw attention to the various concerns/comments made by statutory consultees, such as the NHS, Urban Design Team at Wiltshire Council and Education.

To reiterate concerns with regard to access via Pathfinder Place which is unsuitable for the size of the development with developers not addressing concerns raised originally when one access was proposed off of Pathfinder Place, which both the Parish Council and Wiltshire Councillor Nick Holder, as Ward Member had stated was not suitable and that two methods of access/egress should be provided for a development of this size.

To highlight to the Planning Officer that the Melksham Neighbourhood Plan was due to go to Referendum on 1 July and therefore had significant weight in planning terms in protecting to a 3 year land supply, the development was outside the settlement boundary and Melksham had already met it's housing allocation.

The Council also reiterated if this application were to be approved, a significant contribution be made towards building the adjacent Pathfinder Place Primary School, over and above the usual contributions towards education funding, to ensure the school is built in a timely manner.

The Council also reiterated their request for the following:

- A teen shelter be provided on the site.
- A contribution towards improvements of QEII Diamond Jubilee Sports Field, Bowerhill.
- A new pre school at Bowerhill School
- A contribution towards enhancements of the MUGA at Hornchurch Road, Bowerhill

Below is the discussion which took place during debating this application:

Councillor Wood invited Wiltshire Councillor Holder to speak to this item.

Councillor Holder explained he had previously 'called in' this application but would still keep the 'call in', as the revised application did not address the major issue, which was that this site was not suitable for residential use, but more suited to

commercial/industrial use. Also, previous comments made regarding the care home still applied, in terms of the amount of traffic it would generate, it's location and how residents of the care home would engage with the community.

Councillor Holder also expressed disappointment that Hallam Land Management had not consulted with either himself or the Parish Council, before submitting the revised plans and did not see anything materially different which would cause him not to reinstate objections to this application.

Councillor Pafford agreed with the points raised by Councillor Holder, in that the changes were very minor and whilst they had addressed some issues with regard to drainage, the reduction of 5 dwellings was not significant and therefore the revised plans did not make much difference, in that the development was in the wrong place of the wrong type and unsustainable.

Councillor Harris stated the vehicular access through Pathfinder Place was a narrow right-angled road, which would make it difficult for larger vehicles to negotiate, such as fire engineers.

Councillor Harris also noted in the Education response, primary school places were already oversubscribed and secondary school places would be over-subscribed by the time this development was built.

Councillor Wood stated his views had not altered and noted the response from the Urban Design Team at Wiltshire Council, stating the site was more suited for economic development, they were also unhappy at the design and layout.

Councillor Wood also noted the response from the NHS who had concerns at the impact this development would have. Spa Surgery in particular raised concern at the impact the development would have on an already overstretched GP services in the town, particularly with the demands of residents of the care home.

Councillor Wood stated the site would be better suitable for economic use and therefore should be designated as such and felt no more residential development should be contemplated in this area.

Councillor Baines noted whilst proposals for access off of the A365 (Western Way) had been removed from the plans, there were proposals for the access via Pathfinder Place, which was not suitable, given the size of the development proposed.

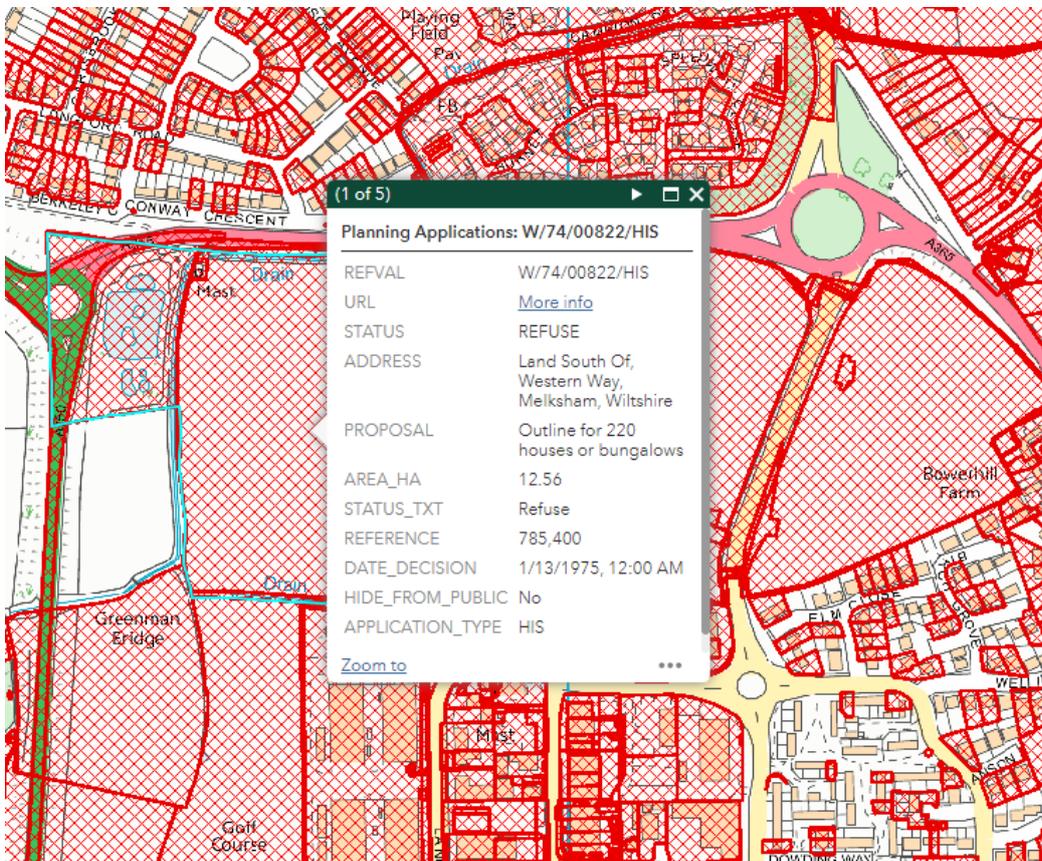
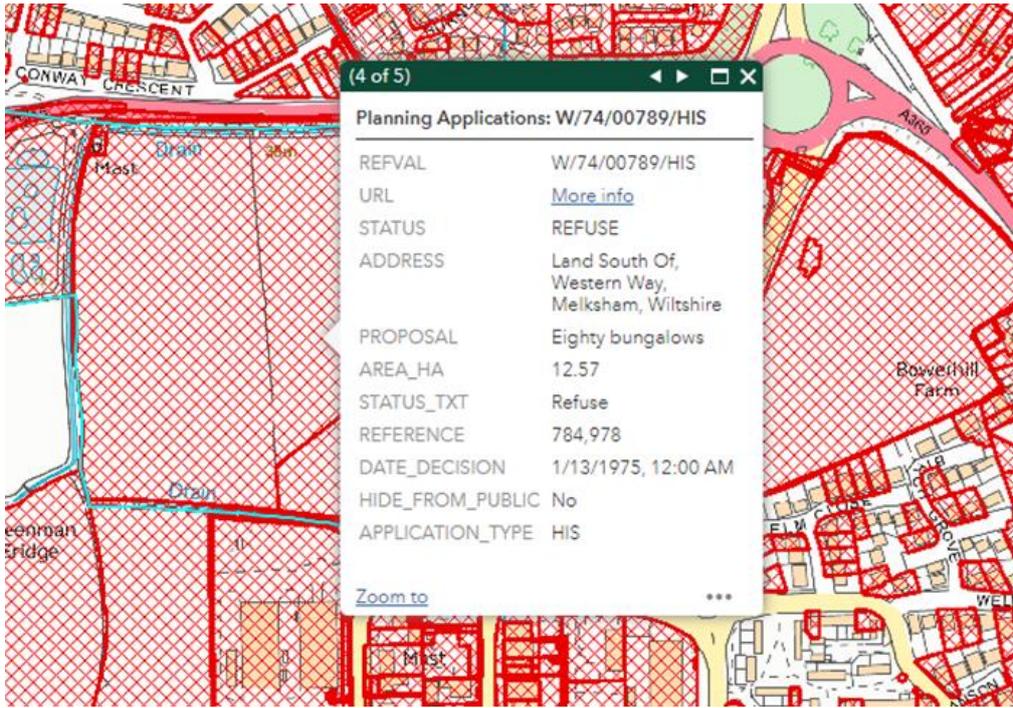
Councillor Baines also raised concerns at several properties being located adjacent to businesses on Merlin Way, which could cause potential for noise and fume problems for new residents and asked that the Council's previous comment, that the Southern part of the site should be used for commercial use and not residential should be reiterated.

Councillor Holder asked to speak to this item again and reminded Members at the original discussions with the developers regarding vehicular access, there had been no proposal to come off the main road and it was only when the Parish Council and

himself, as Ward Member had raised concern that access could not come off the second phase of Pathfinder Place and that the developers find alternative access, that proposals were put forward for an access off of Western Way, which was subject to an objection from Highways.

Councillor Holder stated that therefore the developers had reverted back to their original idea, and not addressed the issues raised with regard to one form of access off of Pathfinder Way via Pathfinder Place and that there should be two methods of access/egress from this site and would be making these comments in his response back to Wiltshire Council and hoped the Parish Council would do the same.

LAND SOUTH OF WESTERN WAY, BOWERHILL: PREVIOUS PLANNING APPLICATIONS REFUSED



EXTRACT FROM THE CORE STRATEGY:

- 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. Berryfield is considered separately and is identified as a small village. However, it is recognised that both Berryfield and Bowerhill have strong functional links to Melksham and have important individual characteristics which should be protected where practicable

Lorraine McRandle

From: Wyatt, David <David.Wyatt@wiltshire.gov.uk>
Sent: 23 November 2022 09:44
To: Lorraine McRandle
Subject: RE: PL/2022/08943 - Removal of section of hedgerow South of Westlands Lane, Beanacre

Dear Lorraine,

Thank you for the notification re an extension of time for the above application. I will make a note on the file however, the applicant is a statutory undertaker and does not need consent to carry out the hedge removal, its more of a professional courtesy notice to the council. They have submitted many HRN's in the last month right across the county so they must be doing a significant amount of repair and installation works. From past experience, WW always reinstates what they remove and most of the time, the plant stock and fencing is better than what was there previously.

Regards

From: Lorraine McRandle <office@melkshamwithout.co.uk>
Sent: 23 November 2022 09:38
To: Wyatt, David <David.Wyatt@wiltshire.gov.uk>
Cc: Teresa Strange <clerk@melkshamwithout-pc.gov.uk>
Subject: PL/2022/08943 - Removal of section of hedgerow South of Westlands Lane, Beanacre

You don't often get email from office@melkshamwithout.co.uk. [Learn why this is important](#)

David

We have just received notification of the above planning application and noted the consultation deadline is 14 December.

Yesterday, we issued our Planning agenda for Monday, 28 November and unfortunately, our next Planning meeting is not until 19 December.

Please can we have an extension on our comments until Tuesday, 20 December at all?

Thank you.

Lorraine McRandle
Parish Officer
Melksham Without Parish Council
First Floor
Melksham Community Campus
Market Place, Melksham
Wiltshire, SN12 6ES
01225 705700
clerk@melkshamwithout-pc.gov.uk
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Wiltshire Council (<https://www.wiltshire.gov.uk/>)

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Comment

Melksham Without Parish Council's comment

Planning Application

[PL/2022/02675 \(/p...](#)

Stance

Comment

[Details \(?tabset-ae70b...](#)

[Files \(?tabset-ae70b=2\)](#)

Information

Comments

Melksham Without Parish Council's comment

Comment Number

WC-22-06-238194

Text

Whilst members had deferred commenting on this application at a previous meeting, in order to obtain additional information from the Planning Officer, particularly on the agricultural enterprise associated with the application. Members felt after considering the additional information submitted by the applicant, there was still insufficient detail to make an informed comment for a new dwelling in open countryside.

Date Created

21/06/2022

REPORT FOR WESTERN AREA PLANNING COMMITTEE

Date of Meeting	14 December 2022
Application Number	PL/2022/07194
Site Address	Ivy Lodge, Lower Woodrow, Forest, Melksham, SN12 7RB
Proposal	Proposed two storey extension to Ivy Lodge
Applicant	Ms. J Ayliffe
Town/Parish Council	Melksham Without Parish Council
Electoral Division	Melksham Without North & Shurnhold ED – Cllr Phil Alford
Grid Ref	392-165
Type of application	Householder Planning Permission
Case Officer	Jonathan Maidman

Reason for the application being considered by Committee

In accordance with the Council's Scheme of Delegation Specific to Planning', this application is brought to the area planning committee at the request of Cllr Phil Alford, based on the following:

"The building is to provide additional accommodation to support the business".

1. Purpose of Report

The purpose of the report is to assess the merits of the proposal against the policies of the development plan and other material planning considerations and to recommend that the application should be refused.

2. Report Summary

The main issues discussed in the report are as follows:

- Principle of development
- Size, design, and impact on the building itself and appearance of the area
- Neighbour amenity
- Parking

3. Site Description

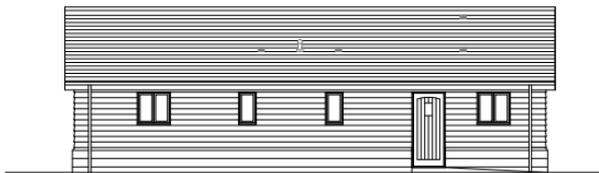
The application site is located in the open countryside and is accessed off the south side of the Lower Woodrow Road, to the north-east of Melksham. The surrounding area is characterised by hedged fields of varying heights interspersed with agricultural land and commercial and private equestrian holdings.

The applicant runs an equestrian business from the application site, which includes a range of buildings including two stable blocks with large loose boxes for foaling broodmares or horses

undergoing rehabilitation, a horse walker, a lunge pen, turn out paddocks, a solarium, wash down areas, indoor treatment areas, a hay barn, tack rooms, feed rooms and restrooms, a large riding arena, and an equestrian worker's dwelling. The plan below shows the layout of the site:



The application being reported to the elected members specifically relates to the existing 96sqm single storey dwelling, which is illustrated below, which was approved by the Council in March 2020 under application 19/11574/FUL and is subject to a restricted occupancy condition.



EAST ELEVATION

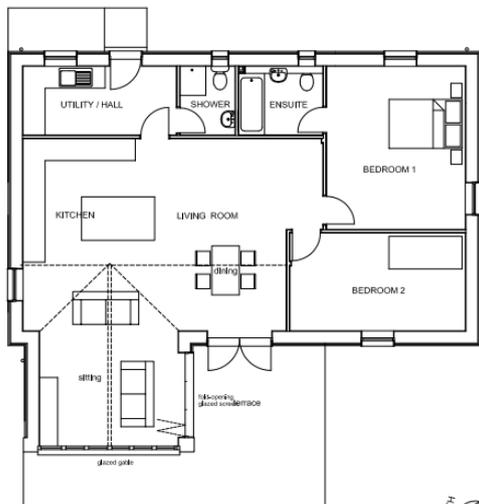


NORTH ELEVATION

PROPOSED MATERIALS-
 Roof - Natural Slates.
 Walls- Timber Horizontal Boarding over Beck Golden Buff Stone Plinth.
 Joinery- Old English White Painted Timber.



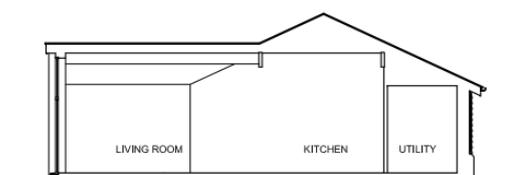
WEST ELEVATION



GROUND FLOOR PLAN
 Gross Floor Area - 96 sq.m.



SOUTH ELEVATION



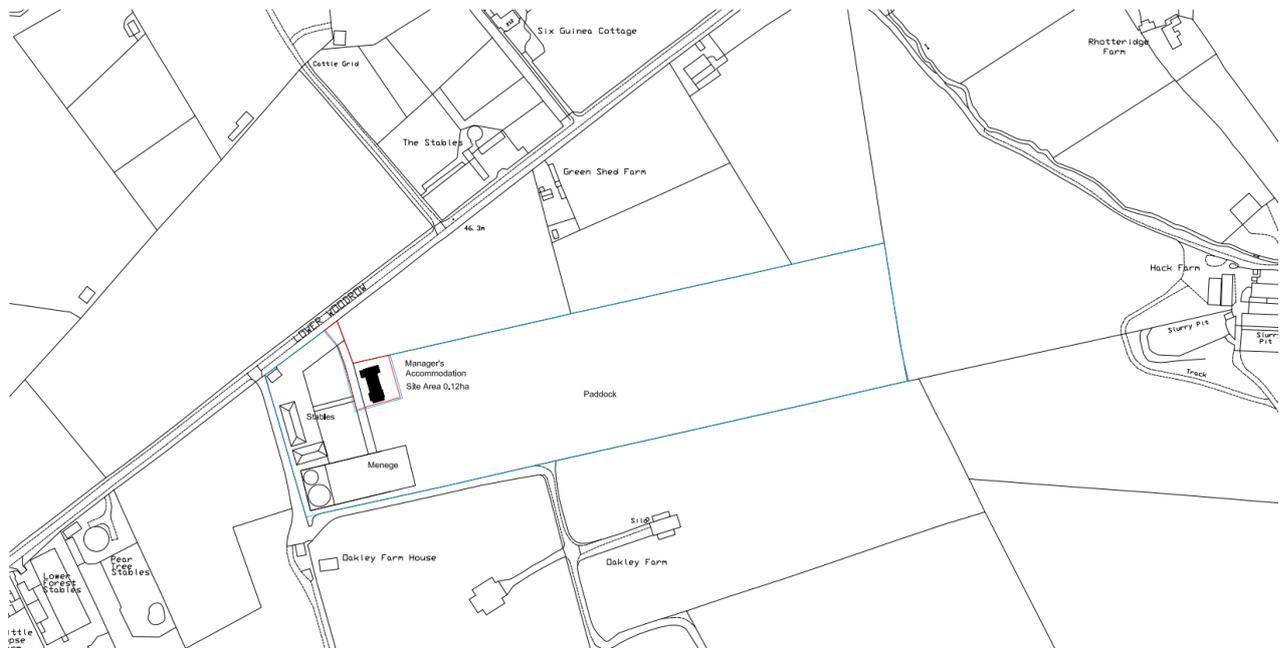
SECTION

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The bungalow shown above has a pitched roof and comprises 2 bedrooms (one with an en-suite), an open plan living room, kitchen and dining area, a shower room and a utility room.

The building is clad in timber with a slate roof.

The below insert illustrates the application site and its local context and includes land owned by the applicant (outlined in blue).



4. Planning History

- 16/08205/FUL: Erection of replacement equestrian stable block and temporary manager accommodation on existing equestrian use site - **Approved**. This permission was subject to a total of 19 conditions including condition 13 which stated, "the dwelling hereby permitted shall be removed and its use discontinued, and the land restored to its former condition on or before 18 November 2019."
- 19/11574/FUL: Permanent retention of equestrian worker's dwelling (approved under 16/08205/FUL for a temporary period) - **Approved**.

Note: This permission was subject to a total of 6 conditions including the following conditions which are relevant to the current planning application:

Condition 2

Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any Order revoking or re-enacting or amending that Order with or without modification), there shall be no additions to, or extensions or enlargements of the dwelling hereby permitted.

REASON: In the interests of the amenity of the area and to enable the Local Planning Authority to consider individually whether planning permission should be granted for additions, extensions or enlargements.

Condition 3

Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any Order revoking or re-enacting or amending that Order with or without modification), no garages, sheds, greenhouses and other ancillary domestic outbuildings shall be erected anywhere on the site on the approved plans.

REASON: To safeguard the character and appearance of the area.

- PL/2022/05827: Proposed two storey extension to Ivy Lodge - **Withdrawn** in August 2022. This application was withdrawn after the case officer raised concerns about the size and bulk of the proposed extension.

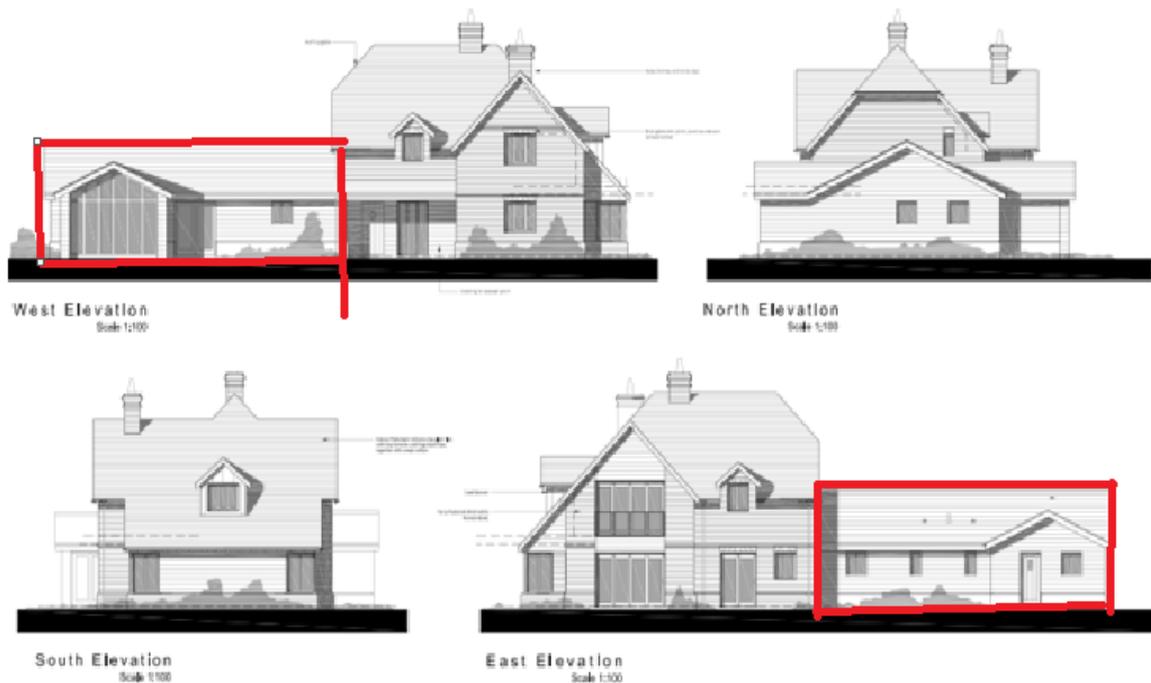
Note: The plans for the current application are identical to the plans of the withdrawn application.

5. The Proposal

This application seeks planning permission to erect a two-storey extension onto the southern elevation of the existing bungalow.

The proposed elevational plans are reproduced on the next page, which reveals the existing approved single storey structure identified in red.

As set out by the terms of the approved 2019 application, the property does not benefit from any permitted development rights for extensions.



In addition to the proposed 110 sq.m two storey extension to be constructed off the existing south gable elevation, an 11 sqm single storey extension is also proposed on the eastern elevation of the existing bungalow.

The nearest 'neighbouring' residential property is Oakley Farmhouse, which is approximately 100 metres to the south.

In support of the application, the applicant has argued the following:

The consented dwelling does not provide a family sized house with facilities for grandparents, children, and grandchildren to stay. The existing dwelling is a bungalow design giving the appearance of a chalet type holiday home and does not reflect the surrounding properties.

It provides one room for cooking, eating and living with two bedrooms whereas the proposed house is a storey and a half with the design and size of other dwellings with a tie in the locality. Examples being: Oakley Farm, Oatley Farm, Hack Farm and Owl Lodge.

The proposal provides an additional living space on the ground floor and only one addition bedroom [and would create a] three-bedroom house with a floor area similar to the above examples.

This would provide a dwelling for me an any other rural worker with a home that is necessary for a close-knit generational family”.

6. Planning Policy

National Planning Policy Framework (NPPF)

Chapter 2. Achieving sustainable development; 4. Decision-making 12. Achieving well-designed places; and 15. Conserving and enhancing the natural environment

Wiltshire Core Strategy (WCS)

Core Policy 1: Settlement Strategy; Core Policy 2: Delivery Strategy; Core Policy 15: Melksham Community Area; Core Policy 48: Supporting Rural Life; Core Policy 51: Landscape; Core Policy 57: Ensuring High Quality Design and Place Shaping; and Core Policy 64: Demand Management

Wiltshire Local Transport Plan 2011-2026 Car Parking Strategy

7. Summary of consultation responses

Melksham Without Parish Council: No objection.

WC Highways Department: The site is able to provide at least 3 car parking spaces, therefore, no highway objection is raised.

8. Publicity

The application was advertised by neighbour notification and no third-party responses were received.

9. Planning Considerations

Section 70(2) of the Town and Country Planning Act 1990 and section 38(6) of the Planning and Compulsory Purchase Act 2004 require that the determination of planning applications must be made in accordance with the Development Plan unless material considerations indicate otherwise.

9.1 Principle of Development

9.1.1 The site is located outside of a settlement boundary and is therefore in the open countryside as far as the adopted Plan is concerned. The application proposal however relates to an existing approved dwelling, and although conditions were imposed to remove permitted development rights under the 2019 application, there is no objection to the principle of extending the existing bungalow.

The following section critically assesses the merits of the proposed size and design of the extension – which are considered the most important determining factors.

9.2 The Size, Design, and Visual Impacts of the Proposed Extension

9.2.1 There is no dispute that there is an essential functional need for the applicants to occupy the single storey dwelling which was approved and constructed in recent years following the granting of application 19/11574/FUL. There is also no prescriptive national or adopted local policy for Wiltshire that sets a size or floor plan threshold for a rural worker's dwelling. Officers maintain that every application should instead be tested on its own merits and be subject and assessment of the adopted Wiltshire Core Strategy (WCS) and any other material considerations.

9.2.2 Adopted WCS Core Policy 48 explains the approach that will be taken to support rural communities, outside the limits of development of Principal Settlements, Market Towns, Local Service Centres and Large Villages and outside the existing built areas of Small Villages. The policy is based on some key objectives, the first of which is to "*protecting the countryside and maintain its local distinctiveness*".

9.2.3 Adopted WCS Core Policy 51 moreover states that all new development should protect, conserve and where possible enhance landscape character and it must not have a harmful impact upon landscape character and any negative impacts must be mitigated through sensible design and landscape measures.

9.2.4 Adopted WCS Core Policy 57 requires a high standard of design in all new development that must respond positively to the existing characteristics and landscape features in terms of, amongst others, building line, plot size and streetscape, to effectively integrate the new development with its setting.

9.2.5 In support of the application proposal, the applicant argues that some of the proposed extension is required to support the management and running of the equestrian business with an extended utility/boot room in the proposed single storey extension and an office at ground floor in the two-storey extension.

9.2.6 The following insert reveals the proposed extended floor plan of the dwelling and from the details submitted, officers do not consider the two-storey extension that would more than double the size of the footprint of the existing rural worker's dwelling, to be justified. In addition to having a dining and sitting room, a 60sqm drawing room is proposed and at the first-floor level, 75 sqm of additional floorspace would be provided to create a large landing area, additional bathroom, and 35sqm of floor space being dedicated to another bedroom with an en-suite and dressing area.



Ground Floor Plan



First Floor Plan

9.2.7 The existing dwelling has an agrarian modest design and form with a low-pitched roof. The following photographs (taken within the site) show the front and rear elevations of the existing dwelling, which are followed by photographs showing one of the stable buildings behind:

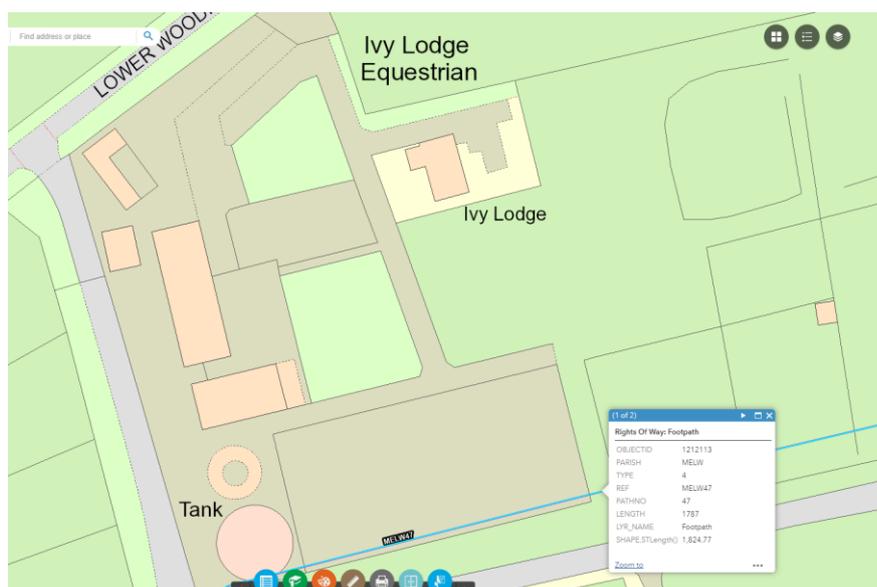


9.2.8 The existing dwelling has limited visual impact upon the wider landscape character and assimilates well with the existing single storey associated equestrian related outbuildings. As illustrated below, the site photo (which was taken in late November) illustrates the roof of single storey property being visible from the Lower Woodrow highway which is taken near the applicant's site entrance:



9.2.9 The proposed extension would represent a significant increase in terms of added bulk to the existing dwelling and would more than double the floor area. The proposed elevations would not be subservient to the existing property and would considerably change the visual relationship of the existing property with the equestrian outbuildings and rural setting.

9.2.10 The proposal would in turn make the dwelling significantly more prominent when viewed from the public domain including the road (particularly at the entrance) and from the MELW47 Public Rights of Way Footpath which runs parallel to the site's southern boundary as shown below:



9.2.11 The existing bungalow and the associated equestrian outbuildings are visible from extensive sections of the footpath as the following photographs illustrate:



9.2.12 The two-storey extension would dominate the existing dwelling and significantly change the appearance of the modest existing bungalow in public view, particularly at the entrance to the site

and from the footpath to the south. The scale and bulk of the proposed extension would completely subsume the host building, and consequently would not 'respond positively' to the existing built form, massing, scale and design of the host property, contrary to adopted WCS Core Policy 57.

9.2.13 The proposal would not be readily identifiable as a later subservient addition to the dwelling and would instead appear as an incongruous addition which would unbalance and adversely change the simple character and appearance of the host building.

9.2.14 The proposal is thus found to be contrary to CP57 in the WCS and the provisions of paragraphs 126, 130 and 134 of the National Planning Policy Framework which requires development to be of a high-quality design which is sympathetic to local character.

9.2.15 Whilst officers have had regard to the justification provided by the applicant (as quoted within section 5 of this report, the proposal is not supported and is recommended for refusal. Notwithstanding the applicant's own submission to support this application, it is necessary to reference the supporting submissions made when the applicant applied for permission in 2019. Within paragraph 6.5 of the Planning Statement (dated November 2019) to support application 19/11574/FUL, the size of the dwelling was "*commensurate with the needs of the business and suitable for the locality, having regard to its height, scale, appearance and landscaping*".

9.2.16 To support the two -storey addition, the applicant's agent has made numerous references to extensions which could be undertaken as 'permitted development', however as detailed in the planning history, condition 2 imposed upon 19/11574/FUL removed permitted development rights for additions and extensions.

9.2.17 To further support the application, the applicant and their appointed agent, have also referred to several nearby dwellings in the vicinity of the site and some further afield which are larger than Ivy Lodge and have been extended. Some of the examples relate to buildings which have an agricultural/equestrian/forestry tie, whilst some do not. Whilst the examples have been considered by officers, each application must be assessed on its own merits. None of the cited examples have exactly the same site characteristics. Furthermore, none of the shared examples relate to a single storey dwelling being extended with a two-storey addition that more than doubles the floor plan area. In the interests of keeping the applicant, agent, and local Cllr fully informed, the officer concerns were shared, and all were advised that officers would not be supporting this application, and given the call-in request, it would be reported to the elected members of the western area planning committee.

9.2.18 Notwithstanding the significant concerns raised about the two-storey extension, there is no objection to the proposed single storey extension. However, since local planning authorities cannot issue split decisions, this application is recommended for refusal on the basis that the two-storey addition is unacceptable in planning terms.

9.3 Neighbour Amenity Impacts

9.3.1 The nearest residential dwelling to Ivy lodge is Oakley Farmhouse, which is located approximately 100 metres to the south. Due to the separation distance, the proposal would not have an adverse impact on the living conditions of neighbouring residents in terms of overlooking or loss of privacy.

9.4 Parking Impacts

9.4.1 The proposed enlarged dwelling would have one additional bedroom and no objection has been raised by the Council's highway officers. It is accepted that there would be sufficient space to park at least 3 vehicles on the existing hard surfaced area within the curtilage of the dwelling.

10. Conclusion (The Planning Balance)

The proposal is not considered to comply with relevant policies of the adopted Wiltshire Core Strategy and the NPPF, and accordingly it is recommended for refusal.

11. RECOMMENDATION: Refuse for the following reason:

The proposed development by virtue of its scale and bulk would dominate and change the appearance of the existing bungalow in public views, particularly at the entrance into the site and from the footpath to the south. The proposal would not be identifiable as a subservient addition to the dwelling and would instead appear as an incongruous addition which would subsume, unbalance, and adversely alter the simple agrarian character and appearance of the host building. No substantive evidence has been submitted to justify the proposal for commercial reasons.

The application is not in accordance with section 2 - Achieving sustainable development (paragraph 8c), section 12 - Achieving well-designed places (paragraphs 126, 130 a), b), c) and d), and 134) of the National Planning Policy Framework, and is contrary to the adopted Wiltshire Core Strategy and in particular would conflict with the Council's policy approach to 'Protecting the countryside' (as set out within bullet point 1 of para.6.66 supporting Core Policy 48). The development would also conflict with Core Policies 51 and Core Policy 57 of the adopted Wiltshire Core Strategy – which requires a high standard of design for new development, and to respond positively to existing built forms, as well as massing, scale and design.

Informative

The decision to refuse this application has been based on the following plans:

P-01 (PROPOSED Floor Plans and Elevations) dated 05.2022

P-02 (LOCATION PLAN) dated 05.2022

P-03 (PROPOSED Site Plan) dated 05.2022



06 December 2022

Dear Sir/Madam,

Reference:	PL/2022/07194
Application Type:	Householder planning permission
Site Address:	Ivy Lodge, Lower Woodrow, Forest, Melksham, SN12 7RB
Proposal:	Proposed two storey extension to Ivy Lodge
Applicant(s):	Ms. J. Ayliffe

This is to inform you that under the Council's delegation scheme the above application will be determined at the Western Area Planning Committee at County Hall, Bythesea Road, Trowbridge, Wiltshire, BA14 8JN on 14 December 2022. The meeting will commence at 3.00pm.

Government regulations allowing 'virtual' committees are no longer in effect, so this will be an in-person committee meeting at the above location and time. However, Covid-19 requirements will mean that additional procedures are required to ensure that business can be conducted in a safe and appropriate manner whilst ensuring public democratic involvement.

The agenda and the committee reports for the meeting are published 5 clear working days prior to the committee meeting (e.g. Tuesday the week before a Wednesday meeting). These are available on the Website [Browse meetings - Western Area Planning Committee | Wiltshire Council](#).

If you would like to register for a public speaking slot, you should contact committee@wiltshire.gov.uk for attention of the officer listed on the front of the agenda (not the case officer for the application) The deadline for registration is 10 minutes before the start of the meeting, so if you are seeking to register on the day of the meeting it would be advisable to do so in person.

In accordance with the procedure for planning committees, no more than three statements in support or three statements in objection may be made at the meeting for each application. In most cases, the first three people to register would fill those speaking slots. Statements and comments beyond the three in support and three in objection will not be received.

Those who have registered to speak or indicated they would like to attend will be contacted the day prior to the meeting with further details for accessing the venue.

Covid-19 arrangements

The council is not currently requesting those attending a meeting follow specific public health arrangements, such as social distancing or face masks, although you may do so if you wish.

If you require any further information regarding the committee, please do not hesitate to contact Democratic Services on 01225 718656.

Yours faithfully,

Head of Development Management



The Town and Country Planning Act 1990
Approval of Full Planning Permission with Conditions

Application Reference Number: PL/2022/07374

Decision Date: 08 November 2022

Applicant: The Wiltshire Pub Company The New Inn Semington Road, Wiltshire, Melksham, SN12 6DT
Particulars of Development: Demolition of existing open covered areas and construction of new lounge area serviced from existing bar (retrospective)
At: The New Inn, Semington Road, Melksham, SN12 6DT

In pursuance of its powers under the above Act, the Council hereby **GRANT PLANNING PERMISSION** for the above development to be carried out in accordance with the application and plans submitted (listed below).

In accordance with paragraph 38 of the National Planning Policy Framework, Wiltshire Council has worked proactively to secure this development to improve the economic, social and environmental conditions of the area.

Subject to the following conditions:

Conditions: (1)

- 1 The retrospective development hereby permitted is subject to the following approved plans and supporting documents

Application form received 22/09/2022

Design and access statement received 22/09/2022

Location plan and block plan Drg no 2205/01 Rev A received 06/10/2022

Plans and elevations Drg no 2205-01 Rev A received 06/10/2022

REASON: For the avoidance of doubt and in the interests of proper planning.

Parvis Khansari - Corporate Director, Place

NOTES

- 1 **Other Necessary Consents.** This document only conveys permission for the proposed development under Part III of the Town and Country Planning Act 1990 and the applicant must also comply with all the byelaws, regulations and statutory provisions in force in the area and secure such other approvals and permissions as may be necessary under other parts of the Town and Country Planning Act 1990 or other legislation.
 - 1.1 the need in appropriate cases to obtain approval under Building Regulations. **(The Building Regulations may be applicable to this proposal. Please contact the Council's Building Control team before considering work on site);**
 - 1.2 the need to obtain an appropriate order if the proposal involves the stopping up or diversion of a public right of way or other highway (including highway verge);
 - 1.3 the need to obtain a separate "Listed Building Consent" to the demolition, alteration or extension of any listed building of architectural or historic interest;
 - 1.4 the need to make any appropriate arrangements under the Highways Act 1980, in respect of any works within the limits of a highway. The address of the Highway Authority is County Hall, Trowbridge, BA14 8JD (It is the responsibility of the applicant to ascertain whether the proposed development affects any listed building or public right of way / other highway, including highway verge).
- 2 **Appeals.** If the applicant is aggrieved by the decision of the local planning authority to grant permission subject to conditions, he may appeal to the Secretary of State for the Environment in accordance with Section 78(1) of the Town and Country Planning Act 1990 within six months of the date of this decision. (Information and forms relating to the appeals process can be found at the Planning Portal - <http://www.planningportal.gov.uk/planning/appeals>).

Lorraine McRandle

Subject: FW: WALPA – Has the government seen the planning light? Plus: More delay to the new Wiltshire Local Plan

Attachments: Attachment - Daily Telegraph 6th December - Liley Planning Changes.docx; Attachment - Letter to MPs as proposed by Philip Whitehead.docx; Attachment - Updates to WALPA from Wiltshire Council Strategic Planning.docx

From: Teresa Strange <clerk@melkshamwithout-pc.gov.uk>
Sent: 12 December 2022 12:38
To: Lorraine McRandle <office@melkshamwithout.co.uk>
Subject: FW: WALPA – Has the government seen the planning light? Plus: More delay to the new Wiltshire Local Plan

For the planning agenda please

From: Campbell Ritchie <[REDACTED]>
Sent: 08 December 2022 16:23
To: Various Town Parish Councils
Subject: WALPA – Has the government seen the planning light? Plus: More delay to the new Wiltshire Local Plan

Dear All

Planning hit the headlines this week as 100 restless Conservative MPs rebelled against national housebuilding targets. As a result we might see some changes to Planning Law and the National Planning Policy Framework over the next few months that will be good for the future of Neighbourhood Plans.

BUT – we won't really know until the National Planning Policy Framework is updated next April.

AND – the immediate point that jumps out from Wednesday's announcement that England's 300,000 a year housebuilding targets will become 'advisory' is **that the key changes look set to only be applicable to those areas with 'up to date' plans Which isn't Wiltshire.**

The Telegraph article by the 'rebels' outlining the changes the government is believed to have conceded is attached. Our continuing precarious position is laid bare in paragraph 9: **'For councils that have an up-to-date plan in place, we have secured the end of the pernicious five-year land supply obligation.'**

Plus - it is also a fact that the 'rebels' don't mention Neighbourhood Planning once!

The bottom line – to get Neighbourhood Planning in Wiltshire off life support we need to keep up the pressure on our MPs to make sure we do get the changes we need in the NPPF and that Wiltshire Council gets its new Local Plan in place without further delay.

Which leads neatly to:

Wiltshire Update

1. We have asked some basic updating questions of the Wiltshire Council Strategic Planning Team. Their replies and some supplementary comments are attached.
2. The big news is that the production of the Wiltshire Local Plan is being delayed again. The publication of the draft Plan due for October to December this year has been delayed to sometime in July to September 2023. This change is

being presented to Wiltshire Cabinet next Tuesday 13th. It is hugely troubling. Without an up to date Local Plan, planning in Wiltshire will continue to be led by developers and local involvement in planning decision making will continue to be trashed. Please do encourage your Wiltshire Councillors to express their concern at Cabinet next week and do everything they can to get this delay kept to an absolute minimum. The report can be found here: <https://cms.wiltshire.gov.uk/documents/g14362/Public%20reports%20pack%20Tuesday%2013-Dec-2022%2010.00%20Cabinet.pdf?T=10>. It is item 13.

3. Meanwhile we are still waiting for the 2022 5 Year Housing Land Supply update. Back in May it was due to be published before the end of 2022. Now it is 'early in the New Year'. It means two major things Wiltshire Council can do to alleviate the crisis in Neighbourhood Planning are running late.

4. There will be a chance to get more information and ask questions about Neighbourhood Planning at a training session being organised by Wiltshire Council in January – the date has yet to be confirmed. This replaces an event that was due to be held on 2nd December but seems not to have been well publicised (Malmesbury only heard about it 48 hours before it was set to happen). When we have the details for January we will circulate them.

5. How many Town and Parish Councils have completed a Neighbourhood Plan Review? Please do let us know if you have and how it went for you. In the meantime we are being told by the Strategic Planning Team that: 'Good progress is being made on developing written guidance [for Neighbourhood Plan Reviews] and in the meantime we are reinforcing through our liaison with neighbourhood plan groups the need for initial screening opinions and rescreening as plans progress to ensure that we can commence processes as soon as possible and avoid delay. If there are any particular current issues that your contacts are aware of can they please let me and/or Mike Kilmister know and we will look into this further.' Have you got any issues you would like to feedback to Georgina or Mike?

6. Finally – and neatly linking back to national developments – the former leader of Wiltshire Council Cllr Phillip Whitehead has recently been encouraging town and parish councils to communicate again to local MPs on the need to reduce the primacy of the 5 Year Housing Land Supply calculation. I have attached the draft communication from Philip and an adapted version from Pewsey which adds a Neighbourhood Planning focus. It may be this particular cry has now been heard – but the need to take away the 2 year review period for NP reviews under any circumstances and the means to find protection for communities in council areas like Wiltshire who have an out of date Local Plan has not.

Thanks, and with very best regards

Campbell



Attachment: Response from the Head of Spatial Planning, Wiltshire Council, to recent WALPA questions – 5th December 2022

Georgina's replies are in Blue

Campbell's comments on Georgina's replies are in Green

On 05/12/2022 17:45, Clampitt-dix, Georgina wrote:

Dear Campbell,

Thank you for your email. Further to our recent communications I have provided a response to your specific questions, which I am sure Cllr Botterill will add to as necessary.

Kind regards

**Georgina Clampitt-Dix
Head of Spatial Planning**

Wiltshire Council

Tel: 01225 [REDACTED]

Email: georgina.clampitt-dix@wiltshire.gov.uk

Web: www.wiltshire.gov.uk

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From: Campbell Ritchie <campbellmrit@gmail.com>

Sent: 19 November 2022 10:24

To: Clampitt-dix, Georgina <georgina.clampitt-dix@wiltshire.gov.uk>; Botterill, Nick <Nick.Botterill@wiltshire.gov.uk>

Subject: WALPA - Updates Following our Last Meeting

Dear Nick and Georgina

I hope you are both well.

We will be having a WALPA meeting shortly and we would be grateful if you could give us updates on the following Wiltshire Council statements/ actions following the publication of Briefing Note 22-09 on 4th April 2022 and your written response in June 2022 following the meeting with WALPA reps on the 5th May 2022.

Briefing Note 22-09

6.3 When will the HLSS calculation based on 1st April 2022 be published? Our expectation, based on the statement in 6.3 of 22-09 is that it will be produced in line with other similar authorities in

around 6 to 9 months of the base date and it is therefore imminent and certainly before the end of the calendar year.

We are currently working on updating the 5-year housing land supply position to a base date of 1 April 2022 and aiming to publish this as soon as possible early 2023.

Response to WALPA proposals

2.2.2 'It is intended that a draft Local Plan will be published later in the year'. What is the current target publication date?

An update on the Local Plan was provided to Environment Select Committee in September when it was advised that the timelines for both the Local Plan Review and Gypsies and Travellers Plan were under review. The revised Local Development Scheme is being considered by Cabinet on 13 December 2022, for which the Agenda papers are now available.

2.2.3 and 4.2.8 'We are seeking to improve our systems and guidance [to reduce the time it can take to provide screening opinions and meet habitat and environmental regulations].' What progress has been made? What is the current resource situation?

Good progress is being made on developing written guidance and in the meantime we are reinforcing through our liaison with neighbourhood plan groups the need for initial screening opinions and rescreening as plans progress to ensure that we can commence processes as soon as possible and avoid delay. If there are any particular current issues that your contacts are aware of can they please let me and/or Mike Kilmister know and we will look into this further. **Comment:** Please do respond to the request for information about issues with Neighbourhood Plan reviews.

2.2.7 Observations to the Planning Inspectorate on challenges to 5YHLS calculations: When and what did you write to the Planning Inspectorate and what response have you received?

This wasn't about land supply calculations. In our response we stated that we were planning on writing to the Inspectorate in the interest of providing constructive feedback on our experience in Wiltshire, which in turn may encourage improved efficiency in the appeal process. For example, could there be a single session on housing land supply where appeals are being considered in close succession to one another. This is an area that hasn't been progressed, but we do continue to work as efficiently and effectively as possible. **Comment:** Georgina has misinterpreted our question - we are talking about the same thing - the time taken to work through developer challenges to the Wiltshire Council 5YHLS calculation in Inspector hearings. It is very disappointing that this point of action from our meeting in May, which can only help Wiltshire Council save costs and resources, has not yet been progressed.

4.2.5 Affordable Housing Policy: What policy are you expecting to see in the Local Plan Review?

Affordable housing policy is being reviewed to ensure it reflects current national planning policy including the relatively new requirement to recognise First Homes as part of the mix of affordable homes. We are considering whether the current requirements (percentages sought) are still robust in the light of new viability evidence and other plan requirements.

4.2.10 Based on your continuing contact with local MPs and government, what is your assessment of the the current state of government policy in respect of the future role of Neighbourhood Plans and the plan led planning process?

While there has been coverage in the press recently about the planning system, it is perhaps still too early to assess what the final outcome will be from planning reform and the detail of future changes to national policy through revisions to the National Planning Policy Framework. There is nothing to suggest that the importance of a plan-led system will be diluted moving forward. **Comment:** We have asked Nick Botterill for his feedback.

Other: Your proposed a training session for Neighbourhood Plan groups by an external legal professional: What steps have been taken to arrange this?

As advised, this had been organised for 1 December with invitations (and follow ups) sent to all Parish and Town Council Clerks, but we had limited response so took the decision to postpone to the new year. **Comment:** The first we heard in Malmesbury about this session was two days before it was due to happen! No attempt was made to reach out to WALPA ahead of the session. We have offered to help publicise the rearranged session. The 'as advised' refers to a phone call from Georgina on the 29th November. In the call the session was going to be rearranged for January.

Please do let me know if you have any queries or would like any clarification on any of these questions.

I look forward to hearing from you.

Best regards

Campbell

Campbell Ritchie

Cllr, Malmesbury Town Council

For and on behalf of WALPA

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Melksham Neighbourhood Plan

Steering Group Meeting

Date: Wednesday 30 November 2022

Start: 6.30 pm

Present:

Steering Group Members Present

Councillor David Pafford Chair (MWPC)
Councillor Alan Baines (MWPC Sub)
Councillor Graham Ellis (MTC)
Councillor Pat Aves (MTC)
John Hamley (MTUG)
Councillor Mike Sankey (WC)
Shirley McCarthy (Environment)
Mark Blackham (Bowerhill Residents Action Group)

Officers

Teresa Strange (MWPC)
Lorraine McRandle (MWPC)
Linda Roberts (MTC)

Task Group Members:

Councillor Mark Harris (MPWC)
Councillor Colin Goodhind (MTC)

Planning Consultants:

Vaughan Thompson (Place Studio)

MTC	Melksham Town Council
MWPC	Melksham Without Parish Council
WC	Wiltshire Council
MTUG	Melksham Transport User Group

MINUTES

1. Welcome & Housekeeping

Councillor Pafford welcomed everyone to the meeting and went through the fire evacuation procedures for the building and introduced new steering group member, Mark Blackham, Chair of Bowerhill Residents Action Group (BRAG).

2. To note apologies

The Parish Clerk informed the meeting that apologies had been received from Chris Holden, but had not heard from Colin Harrison. The meeting was informed Councillor Glover was on a leave of absence from the parish council and therefore Councillor Baines was in attendance as substitute.

3. Declarations of Interests & Register of Interests

There were no declarations of interest.

It was noted Mark Blackham had completed a Register of Interest Form prior to the meeting with everyone else present having previously signed a Declaration of Interest form.

4. Public Participation

There were no members of public present; other than Task Group members.

5. To agree Minutes of Meeting held on 28 September 2022

Resolved: To approve and for the Chair to sign the minutes of the meeting held on 28th September 2022.

6. a) To receive Progress and Programme Update Briefing and agreed next steps

Vaughan provided a progress update since the last Steering Group meeting explaining a new content page for the plan had been produced which had 7 updated policy areas and two new policies added and will start to draw down the work people have been undertaking in recent months and install in the new plan.

Vaughan explained there was no need to reinvent the wheel, but to update policies and background information, as things both locally and nationally have changed since the current plan was drafted.

Topic Areas:

Sustainable Development and Climate Change

Policy 1: Sustainable Design and Construction. Update

Policy 2: Local Renewable and Low Carbon Energy Generation Update

Vaughan explained a topic paper had been prepared to inform updates to policies 1 & 2 which had been circulated to the Steering Group, with good progress being made on this topic, which was keeping close to programme in terms of progress.

Housing and Infrastructure

Policy 6: Housing in Defined Settlements: Updated

Policy 7: Allocation(s) Updated

Policy 6: Housing in Defined Settlements

Vaughan explained Policy 6 would be updated and where necessary insert reference to the Housing Needs Assessment. The Housing Needs Assessment completed by AECOM is a key document in providing supporting

evidence to inform the update of the policy and link the delivery of housing in principle, regardless of where it is, back to housing that will respond to the identified local need. The document can now be used as evidence to inform on any proposals coming forward from developers.

The Parish Clerk explained that the Housing Needs Assessment was already being used by Planning Officers at Wiltshire Council as evidence for querying the housing size mix on large developments and was being passed to developers that they were meeting at pre-application stage.

Vaughan explained the housing site allocations process was currently underway and must be followed. Since the last meeting, AECOM has been progressing the assessment of all the sites which have been put forward as they were on the Strategic Housing & Employment Land Availability Assessment (SHELAA) list and/or had come forward following the Steering Group call for sites. The methodology used to shift through the various sites had been agreed with AECOM and the Steering Group at the last meeting.

The Parish Clerk explained it was hoped the initial sifting of the 90 sites would be finished later that week, with AECOM verifying their findings either before Christmas or just after. They hoped to have a draft report in February with their recommendation on those sites which had come through the sift.

Unfortunately, there were a few sites where it was hard to identify the exact landowner, therefore an application had been sent to the Land Registry seeking the relevant information and hopefully this would be received shortly. However, in the meantime those sites would remain on the list and assessed by AECOM until there is an opportunity to talk to the landowner and confirmed to proceed or removed from the list if they do not want the site to be considered.

Vaughan explained there had been a little bit of slippage on this process, as originally it had been hoped this would have been done by January 2023. When the report comes back, the steering group will need to assess the sites and therefore it was important at the next meeting to validate the document to allow the shortlisting process to begin. The report will give insight into the shortlisted sites by AECOM, with the Steering Group then undertaking the site selection process. This will include landowner consultation with those short listed to see if those sites are still available and to talk to them on their intentions in terms of meeting the community's policy aspirations and policy requirements on their sites.

Vaughan explained the Steering Group were updating the Neighbourhood Plan in order to re-establish National Planning Policy, Paragraph 14 protection¹ which only lasts for 2 years. Current protection can be enjoyed until July 2023, establishing plan led control of development in the

1

https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/1005759/NPPF_July_2021.pdf

Neighbourhood Plan area, despite the fact there is no 5-year land supply in Wiltshire.

The only way to get the protection back is for the Neighbourhood Plan to allocate sites for housing in a meaningful number, which is about 10% of the total amount of housing which will come to Melksham through the Local Plan up to 2036.

Vaughan explained the only figure which has been published was 18 months ago in the Local Plan Review consultation and was the only number the steering group could work on i.e. an allocation of 2500 houses in Melksham and a separate allocation of 90 for Whitley and Shaw. Therefore, looking at an allocation of approximately 260 homes in the Neighbourhood Plan.

As the Local Plan is not allocating sites at Shaw & Whitley, only providing a housing allocation number, the Neighbourhood Plan has an opportunity to take the lead in whatever the whole number is for Shaw & Whitley and rural areas, so it's likely the Neighbourhood Plan is looking for in the region of 90 homes provided in Shaw & Whitley and other rural settlements and 10% of the figure which comes forward for Melksham.

Unfortunately, the final housing figure allocation will not be known until Summer 2023. Therefore, the Steering Group will have to work on a Melksham housing figure of 2,500 until the Regulation 14 draft plan. Unfortunately, Wiltshire Council officers are not mandated by their own Cabinet to inform the Neighbourhood Plan Steering Group what the figure is.

Councillor Pafford asked when in the formulation of the revised Neighbourhood Plan it would hold weight against subsequent housing planning applications.

Vaughan informed the meeting he would look further into whether protection disappeared completely or if it was a disintegrating amount of protection as time went on, but felt protection would not disappear completely, but would be a disintegrating amount of protection. It is all about how up to date the plan was, after two years a plan would not be completely out of date, just two years old, therefore would be able to look to Paragraph 14 protection beyond July to defend against unwanted planning applications.

Vaughan reminded the group there was already a made neighbourhood plan and local policies and therefore could still use this after July and still have the full weight of the neighbourhood plan. With regard to the new plan, it had limited planning weight until it was submitted successfully to Wiltshire Council after Regulation 14, in order for them to take forward. After Regulation 14 there would be evidence of community engagement and therefore would know how much objection there is to certain policies and those policies where there is no objection were therefore likely to pass through and would attain greater weight at this stage. Each stage provides greater weight i.e. the act of Wiltshire Council accepting the plan as a document fit for purpose to take

forward to the next stages of the process; the examination and what the Examiner says; the Referendum and finally the making of the plan.

The Parish Clerk asked if the fact that it was a current plan under review gave it more weight than a brand new plan.

Vaughan explained the plan had full weight now and still would in July and when the reviewed plan got through examination and referendum, the only thing dented, would be the ability to resist speculative housing development, due to Paragraph 14 protection running out.

Vaughan explained as the Steering Group were currently updating 7 policies, pushing them forward to 2036, the update would give a subtle uplift into the future and they would have full weight going forward. The housing allocation would have less weight, because no one can defend so fully against unsustainable development, whether Local Plan or Neighbourhood Plan. If the plan gets to examination, the Inspector gives less weight to things like design or quality of the development, which is nothing to do with the Neighbourhood Plan weight, but to do with not having a 5-year housing land supply after Paragraph 14.

Mark Blackham asked where the 2,500 housing figure came from and if it was an arbitrary figure or based on local needs.

Vaughan explained the housing figure came from Wiltshire Council and was a required figure for housing growth within the Local Plan and given by central Government. The figure being a combination of calculating population change in Wiltshire together with the Government target for national housing growth and therefore a formula for producing a housing figure. The figure is then divided into Housing Market Areas (HMAs), with Wiltshire being divided into several HMAs and worked out using population statistics for what the growth in these areas is and having done this arrive at a housing figure for each HMA, then divided between settlements in the HMA. In the draft Local Plan policy at present, the emerging strategy is to increase the proportion of growth in Melksham, as opposed to Chippenham, there is less growth in Trowbridge for instance, which is in the Trowbridge HMA.

Mark asked if it was known approximately what the proportion of 2,500 homes is to the current housing in Melksham.

Vaughan explained he did not know the figure, but would investigate.

Mark Blackham stated if there were approximately 1,000 homes in Bowerhill, which equated to 3,000 people for instance, an additional 2,500 homes would effectively be making a Bowerhill and a half, which seemed extreme and therefore was there an expectation the population of Melksham would grow this significantly.

Vaughan explained it was a strategic issue, as Wiltshire Council had a strategy where they have recognised in their opinion that Melksham is

suitable for a more strategic level of growth, which came down to the likelihood of a potential bypass and due to less constraints to the land around parts of Melksham to make it possible to accommodate larger amounts of development and agreed it was a substantial amount of growth up to 2036 and stressed this was not a Neighbourhood Plan issue but a Local Plan issue, as the Neighbourhood Plan could not change the housing figures quoted by having an alternative housing figure.

Council Baines stated he believed the new housing figure for Wiltshire up to 2036 was 42,000. Wiltshire Council having looked at the various HMAs in the County allocated housing figures to each including Chippenham HMA which includes Melksham, Calne, Malmesbury, Corsham and others. Wiltshire Council has determined Melksham has fewer constraints than other areas in the Chippenham HMA, such as quality of agricultural land and access to Melksham is better. The housing figure for Melksham up to 2036 was 4,000, however, with various commitments which have already been approved this figure came down to 2,500, with new sites having to be identified which will be a strategic issue, with the neighbourhood plan looking at smaller sites for 10% of this figure.

Councillor Ellis regarding the question of what proportion of housing compared to current, explained the current population of both Melksham and Melksham Without was approximately 25,000 (bearing in mind census figures for 2021 were due to be produced shortly this figure may change) therefore estimated 10,000 homes, with 2,500 additional homes providing an uplift of approximately 25%.

Shirley McCarthy explained in the Housing Needs survey it stated there were 9,151 households occupying 9,364 dwellings, therefore, the housing figure equated to an additional third and sought clarification having read somewhere if HMAs were being done away with and whether current activities at Government level would change the level of housing required.

Councillor Pafford stated the meeting needed to move on as it was all speculative and understood there were things happening at Government level which may change things.

John Hamley asked if the 2,500 housing figure was a given and could it be changed.

Councillor Pafford clarified the housing figure will be that which is allocated in the Local Plan and therefore would need to work on assumption the figure will not change at this stage. Unfortunately, it was not the remit of the Neighbourhood Plan to change the figure.

Vaughan confirmed it was not for the Neighbourhood Plan to make a representation on the number of houses Wiltshire's Local Plan is proposing, but for the town and parish council to make representations, which they have, with another opportunity to make representation as the Local Plan progresses.

Vaughan explained when the choices are made for potential sites to be allocated through the Neighbourhood Plan, as there is a need to get on with the plan in order to hold Paragraph 14 protection, the development allocation move to community consultation at the Regulation 14 stage (formal stage of consultation) once validated by the steering group and then put before the two councils. Given time constraints, Vaughan recommended there be no informal consultation, but move straight to formal, however, it was up to the steering group and this decision could be made at a future steering group meeting.

Working, Shopping and getting around

Policy 9: Town centre

Vaughan explained this was about Policy 9 and the town centre, with a commitment in the current Neighbourhood Plan, particularly in the Priority Statement about creating the town centre masterplan. Good progress had been made on this with a draft of the town centre masterplan coming forward, however, there was still a bit of fine tuning to be made. The Town Centre Masterplan group had secured some additional support for a car parking study to go with the masterplan.

The Town Clerk explained the car park owners have been written to and were awaiting to hear back, however, Wiltshire Council has written back giving permission.

Vaughan explained it was hoped to bring the draft masterplan to the next meeting for validation by the Steering Group and clarified it was not part of the Neighbourhood Plan, but a guidance and strategy document to support the delivery of Policy 9, with the Town Centre policy itself requiring a slight update.

Once the Steering Group had validated the Town Centre Masterplan stakeholder and community engagement will need to take place.

Policy 10 – Employment Sites

Vaughan explained only a minor update was required on this policy. It may be that an employment site is allocated in the plan, such as the Christie Miller site, which has come forward in the call for sites from Wiltshire Council for employment use. The Neighbourhood Plan has an opportunity to secure this as an employment site.

Community wellbeing and nature

Vaughan explained a new policy of local green space designations had been created.

Lorraine explained 49 sites remained after short listing with the various landowners being written to having until 18th December to respond. The majority of sites belonged to Wiltshire Council and they would be looking at the list on 12th December and reporting back. The Land Registry had been

contacting regarding the ownership details of one outstanding site and were currently waiting to hear back.

Vaughan explained the target was to bring final list to go into the plan at the next Steering Group meeting.

Natural built environment:

Vaughan explained a new Green Gap Policy would be included in this section, having been agreed at a previous meeting. In hindsight, there had been an omission in the current Neighbourhood Plan with not having a Green Gap Policy and whilst the Appeal was not lost because no policy had been included, if it had been included, it would have helped following the Appeal being allowed in Berryfield.

Vaughan explained whilst the policy itself was not difficult to write, the evidence of where the green gaps were needed to be done robustly by a professional, with a brief being approved at the last meeting. A significant amount of work had been done to get the work underway by a consultant and were now in a position where Locality are considering awarding free consultant technical support, but this has taken longer than anticipated. The Town Clerk explained both councils had allocated funding towards creating a policy, in case the free technical support was not forthcoming.

The Parish Clerk explained Locality had approved the technical support, however, the request was currently sat with the Department of Levelling Up, waiting to say Locality could have the money, which was frustrating, as previously AECOM had agreed to undertake the work, which was the speediest way to get the work done but unfortunately had subsequently stated they did not have capacity to undertake the work involved.

Councillor Aves asked if Michelle Donelan MP could chase this up on behalf of the Steering Group.

Vaughan felt it was perfectly reasonable to ask for something to be expedited in the public interest and whilst there was a delay on getting the work done on creating a Green Gap policy, it would not take as long as the Housing Policy, which would take longer.

The parish clerk asked if the response was going to be no from the Department of Levelling Up, or it was going to take an unreasonable amount of time to undertake the work, if delegated powers could be given to both Clerks to use the money allocated by both councils in order to appoint someone to undertake the Green Gap policy work, if necessary, prior to the next Steering Group meeting, which may be some time off.

Resolved: To give delegated powers to both Clerks to appoint a consultant to undertake the Green Gap Policy work, if Vaughan felt time was moving on and it was going to cause a significant delay in the time line of the Neighbourhood Plan Review.

Policy 18: Locally Distinctive Design, High Quality Design: Design Codes

Vaughan explained there would be a subtle update to this policy with the inclusion of character design codes. Whilst there was a snap shot character appraisal in the existing Neighbourhood Plan, the work undertaken on design codes will take the Policy further forward in a greater level of detail. The work undertaken on this had been undertaken as part of technical support by AECOM and a draft document reviewed by the task group and comments pulled together. It was not too late to add more information, if members of the Steering Group wished to add comments.

The Parish Clerk explained herself and the Town Clerk would look at it themselves too and forward to members of the Steering Group who had requested to see it, for comment.

It was explained Planning Authorities can turn down a planning application if something is not good design but it is hard to define what this is. Both the Parish Council and Urban Design Officer at Wiltshire Council, in commenting on proposals for 144 homes on Semington Road (PL/2022/02749) had said it was poorly designed. Once the Neighbourhood Plan had design codes included which stated in the various areas what is good design and what is not this provided the evidence to refuse an application if it did not match the design codes within the Neighbourhood Plan; removing the ambiguity of what “good design” was in the Melksham NHP area.

Vaughan explained the character and design code was not something which needed to wait for the updated Neighbourhood Plan to be made before it could be used, as the Neighbourhood Plan already had a design policy.

Vaughan suggested some training on the design codes in order both council’s planning committees were up to speed with the content.

Resolved: For the Design Codes to be sent to Melksham Without Parish & Melksham Town Council’s Planning Committees for review and validation, once approved by the Steering Group.

Policy 19: Local Heritage

Graham Ellis as lead on the Heritage Working Group, explained Heritage Assets were in addition to listed buildings, of which there were over 200 listed in Neighbourhood Plan area with 12-20 items included on the heritage asset list which had been thoroughly researched. There was still a little bit of work to be undertaken and then landowners could be contacted.

Graham thanked those who had been involved in providing research on this topic.

The Parish Clerk explained Paul Carter Jnr had joined the group, as Chair of the Historical Association. Graham explained it would be useful for him to have a look at the list of assets in order to provide a sanity check.

Priority Statements

Vaughan explained there were a few of these included in the current plan, which provided statements on how the community wanted to see things move forward, what it supports and what is being done by other people, with an opportunity to up-date these as things have moved on:

Priority Statement 1: Wiltshire Local Plan Review (which is progressing).

Priority Statement 2: Town centre regeneration

Priority Statement 3: Transport Infrastructure – Bypass.

Vaughan explained it had been debated whether to include this and whether it could be supported or not.

The Parish Clerk explained National Highways were currently looking at the best strategic route via the Western Gateway to Poole. If the A350 was shown to be the best route, this strengthened the business case for a bypass and would be out of Wiltshire Council's hands, as it would be a Government project. If the study found the A350 was not the best route, this would weaken the business case for a bypass, unfortunately, the report was not expected to be completed until Summer 2023. It was also unknown if there would be a protected route for the bypass in the Local Plan.

Priority Statement 5: Wilts & Berks Canal Restoration

It was explained it was unclear if there would be a protected route of the canal in the Local Plan, as there is in the current Core Strategy and whether it would be the same route as the 2012 planning application.

Vaughan explained proposals for the canal had issues, such as the levels of housing growth required as part of enabling development which would be of a strategically large level. Whether it came with a large amount of housing would be something dealt with by Wiltshire Council. At the moment the Steering Group is not in a position to amend this Priority Statement as there is not enough information.

Vaughan explained the Priority Statements needed to be up to date and not in conflict with the Local Plan, as by law a Neighbourhood Plan had to conform to a Local Plan and not be in conflict with a different strategy. Luckily, Priority Statements could wait until the end and could change again after Regulation 14 consultation, if circumstances changed before the plan is submitted to Wiltshire Council.

Strategic Environment Assessment (SEA)

This needed to be undertaken on the whole of the updated plan, particularly as it would include housing allocations, which may have a significant environmental impact. The SEA would look at the impact and mitigations the plan has in it, to remove or minimise these.

Vaughan explained the assessment work had already started through Locality technical support, thanks to the Link Officer at Wiltshire Council, with the work

currently ongoing and could not be completed until it was known how much housing was being allocated in the Neighbourhood Plan, which created a risk to the Neighbourhood Plan programme, as the work needed to be done by an external party towards the end of the review.

Vaughan informed the meeting that it was previously understood that a draft SEA had to be completed and then go to Regulation 14 consultation. However, there were some case studies, including Chippenham, where the SEA had not been finished but the Regulation 14 process started, which was good news as this sped up the process and David Way as the Link Officer at Wiltshire Council could work on this with the group.

Councillor Mike Sankey asked in terms of the SEA whether it could look at the implications of the bypass and the canal if they were to go ahead.

Vaughan explained unfortunately it could not, as these were not Neighbourhood Plan projects. Those responsible for these projects would have to undertake their own SEA.

Timeline

Vaughan went through the Gantt Chart on the timeline of the Neighbourhood Plan Review and explained the Regulation 14 consultation had slipped by 3 months from early in the new year to April/May/June time due to various factors as previously explained in the meeting, including the housing site allocation as currently waiting for AECOM to undertake the site selection assessment process prior to selection by the steering group. However, as long as the various evidence bases are available by the time the plan goes to consultation everything should be fine.

Vaughan explained stakeholder consultation would hopefully take place in February/March. Other informal consultation would need to be undertaken on local green spaces, with all landowners being given an opportunity in providing their comments on the designation. Also, all landowners needed to be consulted for housing allocations. This was also time to undertake community/trader/stakeholder engagement with regard to the town centre masterplan and get their input.

Vaughan explained during this time housing sites would be selected; however, it was difficult to put draft sites selections on the table informally, and made a recommendation to go straight to Regulation 14, however he suggested he could look at this if the steering group wanted to undertake some informal consultation on the housing allocations.

Councillor Pafford asked if there was a required period of consultation, or whether it was flexible.

Vaughan explained the formal Regulation 14 consultation had to be for at least 6 weeks, with informal consultation there was no requirement and was in the gift of the steering group. However, the strategy was to recoup as much slippage time as possible, in order to submit the draft plan to Wiltshire Council

after July when the period of Paragraph 14 protection ends and will keep pressure on to get the various aspects of work completed, such as housing site allocation work as soon as possible.

Vaughan explained unfortunately the Steering Group were still in the dark on the Regulation 19 housing allocation in the Local Plan but did not think it would undermine the content of the revised plan. After the Regulation 14 consultation period was when everyone including Wiltshire Council, land agents and the public had an opportunity to make representation and with big development interests in the plan.

Vaughan reminded the Steering Group not to under estimate the number of comments, which will come forward which would require a significant amount of work to get through the comments and make revisions, in order to submit a robust plan.

The Parish Clerk explained the current neighbourhood plan had at least 1000 individual comments from over 200 people all of which required a response.

bC) Policy 7 Whitley Housing Site Allocation review to be held in closed session

The item was discussed in closed session, with Councillor Pafford reminding those present of the confidentiality of the item as no decisions had been made.

It was agreed as both Councillors Harris and Goodhind were members of the Steering Group task groups and both councillors of the qualifying bodies, they could remain for this item.

The Parish Clerk explained members of the Housing Task Group and both Clerks had met with the landowners of the housing allocation in the current Neighbourhood Plan to discuss their proposals for the site which was allocated in Policy 7 in the current Plan, as part of the Review process.

7. To approve Community Communications

Vaughan explained this was part of an engagement process, linking in with informal engagement and then formal engagement and keeping people on message and giving them advanced warning of community engagement early next year.

The Town Clerk explained it was hoped to do some engagement on Saturday 3rd December at the Christmas Fayre, however it was felt there was not enough time to do something constructive, such as town centre masterplan. Therefore, rather than let the opportunity go, a leaflet had been designed with the input of Melksham News (with 2,000 being printed) in order to raise awareness of what has taken place so far and what else will be taking place in the future, such as consultation on the plan. It was hoped this would generate interest and

encourage as many people as possible to engage in the new year with the Neighbourhood Plan process.

Several volunteers were sought with several coming forward to help hand out leaflets from 12pm through to the end of the Christmas Fair and Lights Switch On event at 8pm.

Both Clerks thanked Melksham News in helping design the leaflet and others who had provided input on the design. A link to the leaflet would be provided on the Neighbourhood Plan website, as well as being available on both councils' websites.

8. To approve future spend, quotation for additional work by Place, latest invoices and note current financial report.

The Parish Clerk explained Vaughan had provided a summary of additional work required for approval by the Steering Group:

Final Draft comments and revisions:	£550
Library, Campus, edge of centre cluster site planning:	£550
Stakeholder/community engagement:	£1,100
Town Centre Masterplan engagement work:	£825
Car parking study:	<u>£275</u>
TOTAL	£3,300 (excl VAT)

Resolved: To approve for payment the following invoices, excluding VAT.

£250	Melksham News (for design work)
£488	Nettl (printing 2000 leaflets)
£2,709.35	Place (for work undertaken to date) via Locality Grant and agreed Parish & Town Council spend)

To approve the quotation of £3,300 from Place to undertake the extra work as stated.

9. To agree date and venue of Next Meeting of Steering Group

Vaughan explained some of the things hoped to be ready by 25th January for the Steering Group to go through may not be completed by this time and therefore suggested the Steering Group meet in February.

As it was hoped to undertake community engagement in the new year, it was suggested to hold a meeting in January to sign this off.

Resolved: A Steering Group meeting be held on 25th January at 6.30pm at the MWPC meeting venue in order to sign off on community engagement.

A Steering Group meeting be held on 22nd February at 6.30pm at MWPC meeting space to sign off on the various reports which should have been received by this time.

Meeting closed at 8.22

Signed
Chair, 25 January 2023

Attachment: Daily Telegraph – 6th December 2022

Commentary

Time is up for overdevelopment – our plan will revive communities across the country

Bob Seely and Theresa Villiers



For years, we've needed a planning system that is community-led, environment-led and that drives regeneration. For years, we've had the opposite.

While paying lip service to sustainability, development has, in reality, been the definition of unsustainable – as so many communities involved in battles against distant developers know.

We know how residents' groups, in places such as the Isle of Wight and Barnet, as well as many rural and suburban constituencies across England, have despaired at the top-down, developer-led process that so often seems to have ridden roughshod over the wishes of local people and the need of communities.

The agreement reaffirms the power of councils to increase the percentage of affordable homes

We agree. That's why the two of us have built an alliance of more than 100 like-minded Conservative colleagues, tabled 21 amendments to the Levelling Up and Regeneration Bill, and negotiated intensively with Michael Gove, his ministers and officials, to secure the change we need.

Drawing on ideas from the back benches and the Government, we have agreed the following.

Targets remain, but they will be only "advisory". In the words of our agreement, they become a "starting point, a guide that is not mandatory". Targets will now be more influenced by constraints such as density and the existing character of an area. This will help prevent suburbs feeling they are being turned into cities, and rural areas into suburbs. Where councils

can show genuine constraints on their capacity to meet the target generated by the centrally determined methodology, they will be able to put a reduced figure in their local plan, and the power of the planning inspectorate to block this will be curtailed.

Curbing the power of planning inspectors in this way amounts to “a rebalancing of the relationship between local councils and the Planning Inspectorate”. Inspectors will be required to take a more “reasonable” and “pragmatic” approach to “plans that take account of the concerns of the community”. The bureaucratic red pen arbitrarily struck through well thought-out local plans will go.

For councils that have an up-to-date plan in place, we have secured the end of the pernicious five-year land supply obligation. At the moment, developers can “landbank” permissions – sometimes sitting on them for a decade or more – forcing councils to identify even more sites to meet the land supply requirement because the developers refuse to build. With the removal of the land supply obligation, the “tilted balance”, which is used so often by developers to bulldoze land – literally and metaphorically – into the planning process, will, for the most part, go as well. Its time is up.

Although the Government has some of these powers already, we would argue that the measures we have secured (to be implemented via the National Policy Planning Framework) amount to significant change in those powers and how they are interpreted.

The Government will also review how to give a stronger priority to brownfield development, including for derelict sites and former industrial land. This is critical if housing is to play a role in long-term regeneration of urban communities as part of the levelling up agenda – and to release pressure on greenfield sites.

Ministers have also agreed to give councils powers to impose higher levies on greenfield sites to help create more incentives to switch to brownfield.

More housing will be aimed at reviving communities in the urban areas of cities in the Midlands and North. There is no point talking about “levelling up” – regional regeneration – if house building is so predominantly focused on the South and the suburbs. In addition, our agreement means that cities cannot palm off their housing to other areas. Outside London, we have some of the lowest density cities in the world. We agree with Michael Gove that we need to gently densify our regional cities to take pressure of suburbs and rural areas.

There’s also a review as to how we can do more to convert empty spaces above shops to homes, and to find ways to help councils use compulsory purchase powers – confirmed by Michael Gove last week – to act more effectively against owners of buildings that lie vacant or derelict for years.

The agreement reaffirms the power of councils to increase the percentage of affordable homes, enabling more to be done to prioritise local young people. This is so important in rural areas where such housing is scarce.

Listening to our communities, we have helped ministers shape an agenda that is more conservative, working with the grain of communities and playing its part in delivering home ownership for young people.

Bob Seely is the MP for the Isle of Wight. Theresa Villiers is the MP for Chipping Barnet

Lorraine McRandle

Subject: FW: Remedials at Pathfinder Way Melksham plan app-16/01123/out Update as at 7th November

From: Philip Court - TW Bristol <Philip.Court@taylorwimpey.com>
Sent: 08 December 2022 00:26
To: Holder, Nick <Nick.Holder@wiltshire.gov.uk>; Teresa Strange <clerk@melkshamwithout-pc.gov.uk>
Cc: Keith Simmons - TW Bristol <Keith.Simmons@taylorwimpey.com>; Hannah Hart - TW Head Office <Hannah.Hart@taylorwimpey.com>; Susan Beaton - TW Bristol <Susan.Beaton@taylorwimpey.com>; Thomas, Dave <Dave.Thomas@wiltshire.gov.uk>
Subject: RE: Remedials at Pathfinder Way Melksham plan app-16/01123/out Update as at 7th November

Dear Nick,

The remaining streetlights are booked in with SSEN to complete the jointing this weekend following which Centregreat are booked for Wed 14 Dec to complete the connections in the columns which will make all remaining lighting operational.

The old redundant streetlight were removed 13 Oct.

We continue to advance all remaining elements and would expect these to be completed during the first quarter of next year.

In regards to grit/salt bins, we'll liaise with Wiltshire highways officers to establish their criteria for this development. We are happy to work with them to provide the necessary requirements.

Kind Regards,
Philip
Tel. [REDACTED]

From: Holder, Nick <Nick.Holder@wiltshire.gov.uk>
Sent: 07 December 2022 09:36
To: Philip Court - TW Bristol <Philip.Court@taylorwimpey.com>; Teresa Strange <clerk@melkshamwithout.co.uk>
Cc: Keith Simmons - TW Bristol <Keith.Simmons@taylorwimpey.com>; Hannah Hart - TW Head Office <Hannah.Hart@taylorwimpey.com>; Susan Beaton - TW Bristol <Susan.Beaton@taylorwimpey.com>; Thomas, Dave <Dave.Thomas@wiltshire.gov.uk>
Subject: RE: Remedials at Pathfinder Way Melksham plan app-16/01123/out Update as at 7th November

Warning: This email is from an external sender, please be cautious when opening attachments or links.

Hi Philip,

Hope all is well, just wondering how the matters are progressing with the lights and the other matters.

I do have another question for you and it would be helpful if you could help me.

- From what I can see there does not seem to be any grit/salt bins on Pathfinder phase 1 or phase 2, is this your domain or do I need to pick up with WC highways?

**PRE APP MEETING WITH LANDOWNERS OF MIDDLE FARM, WHITLEY
THURSDAY, 24 NOVEMBER 2022**

Present: Councillor Wood, Chair of Planning Committee (Chair of meeting)
Councillor Pafford, Chair of Council
Councillor Baines, Vice Chair of Planning
Councillor Harris, Planning Committee Member
Teresa Strange, Clerk, Melksham Without Parish Council
Lorraine McRandle, Parish Officer, Melksham Without Parish Council
Linda Roberts, Town Clerk, Melksham Town Council
Clinton Dicks, landowner Middle Farm
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

3 bed x 8
4 bed x 8

TOTAL 16**OVERALL TOTAL 22****Affordable**

2 bed x 4
3 bed x 2

TOTAL 6

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 attention 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.