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MELKSHAM WITHOUT PARISH COUNCIL

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Wednesday 21st September 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), Mark Harris, Mary Pile & Terry Chivers

You are invited to attend the Planning Committee Meeting which will be held on **Monday, 26 September 2022 at 7.00pm at Melksham Without Parish Council Offices (First Floor), Melksham Community Campus, Market Place, SN12 6ES** to consider the agenda below:

******PLEASE NOTE NEW VENUE******

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,

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 (Item 10a)ii) 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. Public Participation
6. To consider the following Planning Applications:
 - [PL/2022/06452](#): Upper Beanacre Farm, Beanacre. Proposed extension and associated alterations. Applicant: Mr & Mrs Airey. **Comments by 30 September.**
 - [PL/2022/05778](#): Upper Beanacre Farm, Beanacre. Listed building consent (Alt/Ext). Proposed extension and associated alterations. Applicant: Mr & Mrs Airey. **Comments by 30 September**
 - [PL/2022/06512](#): 1 Ludlow Hewitt Court, Halifax Road, Bowerhill. Convert an existing three bedroom, ex Court Manager house into 1no. 1 bedroomed first floor flat and 1no. 1 bedroomed ground floor flat and a ground floor Court Manager office. **Comments by 5 October**
 - [PL/2022/06846](#): 9 Fulmar Close, Bowerhill. Proposed Entrance Porch. Applicant: Mr and Mrs Gaisford. **Comments by 12 October.**
 - [PL/2022/06470](#): Leekes of Melksham, Beanacre Road, Melksham. Construction of a coffee shop with drive-thru facility, with associated car parking and landscaping. Applicant: Leekes Ltd **Comments by 29 September (PLEASE NOTE NOT THIS APPLICATION IS NOT IN THE PARISH)**
 - [PL/2022/06943](#): 1 Stirling Close, Bowerhill, Melksham. Proposed bay window. Applicant: Mr Cox **Comments by 18 October**
 - [PL/2022/07065](#): 187 Westlands Lane, Whitley, Melksham. Erection of a 3 bay, oak framed garage with office accommodation above. Single large central dormer window to the front of the roof. Applicant: Mr Johnson **Comments by 18 October**

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[PL/2022/06918](#)

Newtown Farm Cottage, Canal Bridge, Semington. Conversion of an existing garage to living accommodation for ancillary use. Applicant: Mrs Kay Luis **Comments by 19 October**

[PL/2022/07194](#)

Ivy Lodge, Lower Woodrow, Forest, Melksham. Proposed two storey extension to Ivy Lodge. Applicant: Ms J Ayliffe **Comments: 19 October**

7. **Revised Plans** To comment on any revised plans received within the required timeframe (14 days)

[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. Applicant: **Comments by 27 September**

- To note correspondence from resident objecting to the application.
- To note that this application has been called in by Wiltshire Councillor Seed following the parish council's request.
- To note correspondence regarding ownership of the adjacent brook re potential footbridge

[PL/2022/03132](#)

34 Shaw Hill, Shaw, Melksham. Single storey rear and side extension, internal alterations, loft conversion, garage conversion. Applicant: Miss Daisy Coppin. **Comments by 5 October**

8. **Planning Enforcement:** To note any new planning enforcement queries raised and updates on previous enforcement queries.

9. **Planning Policy**

a) **Update from WALPA.**

b) **Neighbourhood Planning**

i) Update on the Neighbourhood Plan Review.

ii) To note AECOM have been successful in receiving funding from Locality to undertake this work as part of their brief.

c) **Townsend Farm, Semington Road Planning Appeal (APP/Y3940/W/21/3285428).**

To note correspondence response from Councillor Nic Thomas, Chief Planning Officer, Wiltshire Council if received.

10. **S106 Agreements and Developer meetings: (Standing Item)**

a) **To note update on ongoing and new S106 Agreements**

i) **Hunters Wood/The Acorns:** Update on Footpath to rear of Melksham Oak School, Community Centre and pedestrian safety during roundabout roadworks

ii) **Bowood View:**

- To consider items arising further to site meeting with Bellway 12/09/22 re play area and village hall

iii) Pathfinder Place:

- To receive update on Play Area
- To note update on commissioning of the pedestrian crossings and lights
- To choose location for replacement bench
- To receive update on drainage issue

b) To note any S106 decisions made under delegated powers

c) Contact with developers

- i) Feedback from Melksham Town Council meeting with Stantonbury on 14 September Re proposals for Upside Park, Bath Road, Melksham

Copy to all Councillors

**LEEKES STORE, BEANACRE ROAD - PRE APPLICATION MEETING
HELD ON TUESDAY, 8 FEBRUARY 2022 VIA ZOOM**

Present: Councillor Colin Goodhind (Deputy Mayor, Melksham Town Council)
Councillor Pat Aves, Melksham Town Council
Councillor Graham Ellis, Melksham Town Council
Councillor Carl Houghton, Melksham Town Council
Councillor Sue Mortimer, Melksham Town Council
Councillor Louisa Lewis, Melksham Town Council
Councillor Jack Oakley, Melksham Town Council
Linda Roberts, Town Clerk
Councillor Richard Wood, Melksham Without Parish Council
Councillor Mark Harris (observing), Melksham Without Parish Council
Lorraine McRandle, Parish Officer, Melksham Without Parish Council
Nathan Goldup-John, Kew Planning
Katryn Williams, Director Kew Planning
Chris Leeke, Managing Director, Leekes Store
Derek James, Architect

Chris Leeke explained he had previously spoke to the Town Council at a Planning Meeting regarding plans for a hotel and restaurant on the site and at the time the Town Council had expressed frustration that a pre app meeting had not taken place hence why he wished to hold a pre app meeting on new proposals for the site.

Nathan explained proposals for the site included a Costa Drive Thru located near the entrance to Leekes:

- 167m² in size.
- Designed in such a way as to minimise impact on existing pedestrian flow and vehicular movements.
- Eat in will also be available.
- Toilets will be provided.
- Materials will reflect the traditional materials for the type of facility.
- Landscaping
- Parking for 28 cars, including disabled bays.
- Outside seating.

Whilst it is anticipated Costa will be the occupiers, this may change once the planning application is submitted.

A previous application for a 4 storey, 71 bedroom Premier Inn and restaurant were approved in 2019 and as part of this application a Transport Assessment and Travel Plan were submitted as part of the application and it was concluded there would be no impact on the highway and as this application is smaller, don't envisage this will change.

The meeting was opened up to questions.

Q: Is there a possibility of a pathway to the station through Foundry Close via Section 106 contributions, which was raised when the Premier Inn application was considered?

A: Rare to get any Section 106 from this type of scheme and needs to be proportionate to the scheme. However, would discuss this with applicant.

Q: Is the Premier Scheme definitely not going ahead?

A: Unfortunately, due to timing, as Covid hit, Premier Inn exercised their right to terminate the contract and understand they are not building hotels with restaurants and building smaller hotels. Looking to reapproach Premier Inn to see if still interested, therefore, not off the table yet, but if they are still interested it would be a different scheme than originally submitted.

Q: Will any electric car charging points be provided?

A: No electric charging points are proposed, but Leekes have invested in solar on their building, which will also enable charging for visitors to the store.

Q: Looking at plans, where will the pedestrian access be in relation to the current crossing on A350?

A: Realise no pedestrian access on plans forwarded to the Town Council, However, the plans to be submitted to Wiltshire Council will show where pedestrian routes are proposed.

Q: Concerned there will be queues from the A350. Will people be told to park up and will this affect trade at Leekes and will the car park be redesigned to make clear to people?

A: The car park will be remarked and lay-out changed.

With regard to the impact on the highway, traffic assessments were undertaken at peak times ie between Christmas and New Year and Easter and tracking drawings done, so as not to impact the highway.

Q: Melksham has a Neighbourhood Plan. Will reference be made to it, in planning documents? There are several policies which would be relevant to this type of application for instance Policy 4 & 11. Could there be a contribution towards providing electric charging points?

A: The Neighbourhood Plan will be referenced in the Planning Statement.

Can look at Neighbourhood Plan again with Costa and potential funding for electric charging points or providing some.

Q: In environmentally sensitive times interesting choice for a drive thru on a very busy road, which will increase traffic.

- A:** Transport reports have been undertaken and report addresses this and it is hoped there will be linked visits with Leekes Store as well.
- Q:** Will traffic flow within the car park be improved. The current small roundabout within the car is already difficult to manoeuvre around and is not in the best position.
- A:** No problem in re-examining the traffic flow.
- Q:** How will pedestrians using the A350 crossing get to restaurant, concerned they will be cutting across drive thru traffic.
- A:** Final designs are still to be done.
- Q:** Will there be seating?
- A:** Yes, there will be small amounts both inside and outside, final layout still to be agreed.
- Q:** What about the impact on Dunch Lane, should only be made access only to make it safer.
- A:** This is outside the scope of the plan.

Town Clerk: As part of the Section 106 for George Ward Gardens, residents are to be consulted on their views on traffic flow on Dunch Lane.

- Q:** Are you aware of the potential for an A350 by-pass, which may impact business for the drive-thru?
- A:** We have looked for beneficial use. Costa have highlighted Melksham as a key location and feel it would be commercially viable. They will lease the site and are aware of the potential for a by-pass but not privy to the detail.
- Q:** There are often long queues of traffic along the A350 of people wanting to access McDonalds, what can be done to make sure a similar thing does not happen with this application? There can be tailbacks of traffic as far back as Beanacre, particularly on Bank Holidays
- A:** Can look at this and maybe put in new road layout which may improve the situation.
- Q:** What will the trading hours be?
- A:** Not sure, but they are usually standardised as follows: 5.00am-11.00pm 7 days a week and open 30 minutes before and after for staff. There will also be deliveries of milk etc, but not on a Sunday. Trading hours will be included in plans submitted to Wiltshire Council.

The Town Clerk explained time limits had been put on deliveries to Aldi,

just down the road, due to the proximity of residences.

Q: The previous application for a hotel and restaurant had caused concern amongst people living opposite, particularly with regard to light pollution.

A: Lighting levels will come from internal lighting and luminosity will be controlled. Happy to take this back to Costa to discuss. Lighting detail will be submitted later down the line.

Q: When will the application be submitted.

A: Hoping the application will be submitted in March.

Other comments made by Councillors:

- Whilst appreciating concerns regarding impact on the traffic, feel most people who would use the drive-thru would already be driving along the A350.
- Cannot see this application being detrimental to the town centre.
- Cannot see this will increase traffic flow into the town centre.

Kathryn stated if anyone had any further questions was happy to answer these, if they were emailed to her.

EXTRACT FROM PLANNING MINUTES OF 9 MAY 2022:

PL/2022/02749: Land at Semington Road, Melksham, Wiltshire. 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. Applicant David Wilson Homes.

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 real-time 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 COUNCIL 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.

In submitting comments to Wiltshire Council the comments raised by resident at the Planning meeting on 9 May 2022 were also included:

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.

**Meeting with David Wilson Homes (BDW South West) on 16 August 2022
at Melksham Without Parish Council Offices, Melksham Community Campus
Re Proposed Revised Plans for 144 dwellings on Semington Road
(PL/2022/02749)**

Present: Councillor John Glover (MWPC Chair)
Councillor David Pafford (MWPC Vice Chair)
Councillor Richard Wood (MWPC) (Chair of Planning)
Councillor Mark Harris (MWPC)
Teresa Strange (Clerk MWPC)
Lorraine McRandle (Parish Officer - MWPC)
Councillor Jonathon Seed (WC)
Councillor Graham Ellis (MTC – Chair of Economic Development)
Linda Roberts (Clerk MTC)
Cecelia Hughes (David Wilson Homes)
Mark Powell (David Wilson Homes)

Mark Powell explained that the fundamentals of the scheme were laid out at outline stage, such as access, structure, public open spaces and drainage. However, Wiltshire Council had picked up the lack of housing mix and distribution in the scheme and therefore it was proposed to change the housing mix in the revised scheme as follows:

Open Market Housing

Current	Revised
No 2 beds proposed	No 2 beds proposed
10 x 3 beds	23 x 3 beds
80 x 4 beds	62 x 4 beds
11 x 5 beds	16 x 5 beds
Total 101	Total 101

Wiltshire Council's Housing Officer had commented on the types of affordable housing required in the area and therefore, this had also been changed as follows:

Affordable

Current	Revised
12 x 1 bed maisonettes	8 x 1 bed maisonettes
15 x 2 beds	19 x 2 beds
14 x 3 beds	14 x 3 beds
2 x 4 beds	2 x 4 beds
Total 43	Total 43

144 dwellings are still proposed in total, with 3 bed dwellings being distributed more evenly throughout the scheme.

Some of the cul de sac arrangements have also been changed following comments received from both the Urban Design Officer at Wiltshire Council and the parish council, with the introduction of a looped road system on part of the site to enable larger vehicles, such as emergency vehicles and refuse lorries, to manoeuvre more easily around the development.

Due to existing services, the size and position of SUDs basins has also been changed.

Members of the parish council felt the housing market mix still did not reflect the comments made in the Urban Design Officer's report or what is in the Strategic Housing Market Assessment (SHMA), which predominantly seeks 2 and 3 bed housing. The Core Strategy (Core Policy 45) states the preferred level of housing mix should be adhered to, which is detailed in the SHMA.

Councillor Pafford asked if the size of plots for affordable homes had been increased to provide more garden space.

Mark Powell explained the provision of gardens was relative to the size of dwelling, with affordable housing being provided with adequate gardens.

Councillor Harris raised a concern that affordable housing was bunched up, which was not what the parish council had requested; requesting that it should be tenant blind in line with the Core Strategy policies.

Mark Powell confirmed affordable housing would be provided in groups throughout the scheme, which was a requirement in the s106 Agreement and defined as clustering and is easier to manage by social housing providers. Affordable housing used to be scattered in smaller numbers throughout a scheme, however, current thinking on development has moved away from this.

With regard to access to Shails Lane, Cecelia noted from residents at a recent meeting that it was important that there was no access on to Shails Lane from the development given it is a private lane, which is fully appreciated. Therefore, access will be restricted using a boundary treatment, still be discussed, but would be sturdy and reasonably attractive (possibly hedge and fencing).

The MWPC Clerk explained there are several issues with Shails Lane, one was access from the development into Shails Lane, which is currently used by dog walkers and fly tippers to access the field and therefore there is a need to deter people using it and the other issue is stopping people getting in to Shails Lane itself and then over the A350 to Bowerhill.

Cecelia stated she understood there was a condition within the planning permission to put some form of barrier stopping residents accessing the A350 from the development but was not sure this would go across to Shails Lane, particularly as the land in question was not in their ownership, but Highway Land and therefore, cannot do anything about it.

It was noted dog walkers will be deterred from using Shails Lane once the site is developed and access from Shails Lane is cut off.

Wiltshire Councillor Seed asked if there were any proposals for access from the development to the new village hall in Bowood View (north of the site), which would prevent people coming out of the development, along a main road, and then back in again and would require a footbridge to be installed. This would provide an easy link to an important community facility.

It was confirmed the parish council had asked for this at both pre app, outline and reserved matters stages of the application.

Cecelia explained this request had been taken on board but stated that legally they did not have the right to make any connection over the water course as this was equivalent to trespass.

Councillor Seed expressed frustration at this comment and stated any issue with regard to rights of access could be resolved via discussions with the Public Rights of Way and Planning Officers at Wiltshire Council and should not be used as an excuse not to provide a link to an important community facility.

Councillor Seed stated he would raise this when the application went to committee, having 'called in' the application and felt a footbridge would not be a difficult or an expensive thing to provide, particularly at construction stage and felt Bellway (Bowood View) would also be keen to assist with this matter.

It was noted connectivity to existing development was included as a policy in both the National Planning Policy Framework (NPPF) and Wiltshire Council's Local Plan (Core Strategy).

Mark Powell asked who had control of the land in question.

It was stated it was understood the land would be in Bellway's ownership, however, they were in the process of handing over the site to their management company. Under riparian ownership presumably both Bellway and BDW had ownership from their respective sites to the middle of the brook.

Mark Powell asked if Bellway had also been asked to provide access from their development over the brook.

Councillor Wood stated at the time the council were commenting on the plans for the Bowood View development, the Council had not been aware of proposals for any development south of their site and therefore had not made reference to the provision of a footbridge in order to provide connectivity between developments.

Councillor Wood explained people travelling by foot from the proposed new development to access the village hall would have to negotiate a road being used by tankers to access the sewage works, therefore it made sense to provide access via a footbridge from the development to Bowood View.

Councillor Wood sought a commitment that BDW Homes would investigate the provision of a footbridge, with Mark Powell confirming this will be looked at.

The MWPC Clerk stated that this application had only been given approval due to Wiltshire Council having a lack of 5-year land supply and noted that at outline stage it had been stated that this site was sustainable due Bowood View being adjacent. Therefore, having used that argument, it made logical sense to access the village hall via the most sustainable means, which was via a footbridge.

Wiltshire Councillor Seed stated the provision of a footway could be conditioned, if necessary, as part of any planning approval and would be more expensive than providing a wooden footbridge.

Mark Powell sought clarification why the footbridge was not included in the outline plan.

Councillor Seed explained this was the problem with outline being sold on to developers prior to reserved matters and things being requested being missed.

Cecelia asked for confirmation of what the arrangements were with regard to the village hall.

The MWPC Clerk confirmed the village hall land had been transferred to the parish council, who had built the hall with £500,000 s106 funding from the Bowood View development, Bellway could have built it, but had pulled out at the last minute. The parish council had always planned for the Community Infrastructure Levy (CIL) receipts from this development being used to pay for the loan taken out to make up the £300,000 shortfall in the build costs. However, the open space areas will be managed by the Bowood View management company

The Clerk explained that in their comments to Wiltshire Council for the current application the parish council had asked, as part of community gain from this development, for a contribution towards a battery for the village hall solar panels and costs associated with obtaining the patio area adjacent to the hall and hoped BDW had seen these comments.

Councillor Glover explained part of the site design meant that some of the development was still closed off, with circulation around the site still a concern of the council, as well as the Urban Design Officer, there was no circulation to enable easier manoeuvrability for refuse lorries for example.

Mark Powell explained this was not possible and would require making the highway wider and brighter lit and from an ecology point of view was difficult in having to be sensitive to these issues in designing the layout. Some of the road layout was private drives, if a road was put in this would have to be to an adoptable standard by the Highways Authority, which would mean having to put in additional lighting. Councillor Glover raised a concern that the bin collection points were located near private driveways and therefore refuse lorries would have to reverse into private drives to make manoeuvring easier.

Concern was expressed there needed to be enough space for two bins to be collected from the bin stores given some weeks two bins can be collected in any one day.

Mark Powell stated the size of the bin stores would be calculated to what the requirements of Wiltshire Council are.

Councillor Wood noted there were proposals for a large green space North of the site, near the sewage works and sought clarification how this would be treated.

Mark Powell stated that due to archaeology in the area, it would be difficult to plant a lot of trees, however there would be some, however, the landscaping scheme was yet to be completed as part of the revised plans. There would be a wildflower element to this area with mown paths.

It was confirmed the parish council were keen to see circular paths and provision of benches on all new developments.

The MWPC Clerk asked where the cycleway would be provided as requested by the Urban Design Officer, particularly as Semington Road had been designed a National Cycleway and is part of the Melksham to Hilperton Active Travel route with various improvements having been made along Semington Road and the crossing over the A350 as part of this scheme.

Mark Powell explained there was no provision for a dedicated 3m cycleway, with the road already having detailed consent. The scheme is already designed as a 20mph road and therefore there is no need to provide a dedicated cycleway.

The MWPC Clerk explained the Urban Design Officer had commented on no gaps/space between houses and the road, particularly outside the affordable housing and everything appeared narrow with no easy pedestrian access and no delineation of shared spaces.

Mark Powell explained he was unclear as to why this comment had been made by the officer and felt there was good connectivity throughout the site.

It was noted people would have to walk through a parking area to get to the LEAP (Local Equipped Area of Play) from part of the site where affordable housing was located.

The MWPC Clerk stated that the parish council had previously commented that the LEAP was isolated, whereas on the adjacent development (Bowood View) it was overlooked by housing, therefore, there was an element of surveillance/security but far enough away not to disturb residents.

Mark Powell explained that there was housing overlooking the play area, however, it was pointed out it was not next to affordable housing, which would more than likely use it, given they would have smaller gardens.

The MWPC Clerk enquired whether there would be any green space for children to kick a ball, given a lot of the green space would be unmown wildflower areas.

The MWPC Clerk explained the parish council would be where residents would go to complain if there is no provision for such activities and council's do not have sight of grass cutting schedules to ascertain what the cutting regime will be in order to know if grass would be cut to a level to allow children to play informal games.

Cecelia explained any maintenance plans for public open spaces were submitted to the local authority for approval to make sure areas are managed appropriately. Members asked if the Council could have a copy of the document.

Cecelia explained this was available within the signed s106 Agreement which was on line.

It was clarified town/parish councils do not have sight of these documents until they are signed and are unable to comment and influence prior to sign off.

The MWPC Clerk explained at pre app, outline and reserved matters stage that there had been provision for a LEAP and the parish council had always indicated they would be interested in taking this on with a management contribution. Whilst there appeared to be provision for a teen shelter in the revised plans, the MUGA, as requested, had disappeared from the plans, as well as the outdoor gym.

Wiltshire Councillor Seed asked why something would have been included at outline stage but taken out at reserved matters.

Cecelia explained when they had purchased the site and reviewed the agreement to see what Wiltshire Council were asking them to provide and when at outline, a lot of public open space is identified and different groups make different requests and when the Public Open Space Officer at the Planning Authority looks at the site, decides what is needed and what is missing from the area and therefore the revised plans reflect what the Public Open Space Officer has decided is missing in the area and what can reasonably be asked for, for a scheme of 144 dwellings for instance.

It was asked if people would be able to walk around the wildflower area. Councillor Wood stated it was very important to provide mowed paths otherwise people would create their own.

It was asked if tree lined avenues would still be in the revised plans. Mark Powell confirmed these would be provided on both sides of the main road of the site and would be highlighted on the landscape plan.

Wiltshire Councillor Seed noted there was a lot of green space provided, but youths would not be able to have access to it, without the provision of a MUGA, and they would need space maybe next to the teen shelter which was highlighted on the plan.

The MWPC Clerk explained in the original plans that allotments to the north of the site had been proposed, however, the parish council had stated as there was already adequate allotment provision in Berryfield the site allocated for allotments could be

used to provide a MUGA instead, as the one on the other side of the road would be lost as part of the Wilts & Berks Canal Link proposals.

Wiltshire Councillor Seed expressed concern things asked for at outline stage by the parish council seemed to have disappeared and asked whether this was as a result of falling through the gap when they purchased the land.

Cecelia clarified what Wiltshire Council decided was necessary to be in the scheme was included in the s106.

Wiltshire Councillor Seed stated he would be ascertaining from the senior management team at planning when the MUGA and outdoor gym etc had disappeared from the planning application and expressed frustration again that things often promised and highlighted at outline stage seemed to disappear more often than not later on in the planning process and therefore at committee would be asking for things to be included on the site as a condition.

Cecelia explained Community Infrastructure Levy (CIL) can be used for some things off the Regulation 123 list and BDW were paying £55 per m² per market value house. However, would investigate what is highlighted in the s106 agreement and make sure it is satisfactory.

Wiltshire Councillor Seed lift the meeting at 5.35pm

The MWPC Clerk also informed BDW of the other community gains requested by the parish council at pre app and outline stages, such as improvements to public rights of way in Berryfield which other developers in Semington Road had contributed to.

The MTC Clerk stated it was a shame affordable housing never seemed to be provided with garages and driveways, which made them stand out even more in a development.

Councillor Glover provided examples where social housing did not blend in with other housing on a development and highlighted good examples where affordable housing did blend in more within a development.

Councillor Harris asked why the loop provided could not be around the whole estate rather than the bit in the middle.

Mark stated the access point made this difficult.

It was highlighted that any hedges needed to be well maintained and to a suitable standard and not left to get out of hand, as with other developments.

Assurances were sought how the 20mph speed limit would be enforced, in particular on the spine road section of the development, which was straight.

Cecelia explained that often Highways did not look at a Highway layout until reserved matters stage, towards the end of the planning process, which was frustrating.

Councillor Wood reminded the developers the parish council had already forwarded suggested road names, but wished the main estate spine road to be named Whitworth after the father and son who built the canal; the historic line of the canal runs through the development.

The MWPC Clerk explained historic canal interpretation signs would be installed in the Bowood View estate and asked that some be included in this development, perhaps as part of the public art scheme.

Members asked when the revised plans would be submitted to Wiltshire Council.

Cecelia explained there was a timeframe in which to submit the reserved matters application as well as when they needed to start on site but did not clarify the timeline. However, it was hoped they would be submitted soon.

Councillor Harris sought assurances that trees are not cut down, unless permission had been granted as highlighted on the landscaping plans, as this causes distress to residents.

The MWPC Clerk asked what mechanism was in place between the developers handing over the site to a management company to ensure that things did not fall through the gaps, such as bin emptying and grass cutting, given experience with other new developments in the parish, where residents have come to the council complaining things are not being done.

The MWPC Clerk explained frustration had been expressed by both the council and residents of new developments when play areas had been installed some time ago and in cases several years ago, but not adopted, because they had not been finished to the relevant standard. Unfortunately, these play areas therefore are not being inspected and safe. The play areas should be installed and adopted prior to a certain number of houses being occupied rather than being left until the end of a build.

Cecelia stated a shadow management company, which included directors from the company, would be responsible for maintenance etc until the site is handed over. Calls will also be made to new residents on a regular basis once they have moved in to make sure they are happy and to deal with any complaints rather than them having to complain to the council.

It was reiterated experience has shown this does not happen in the Melksham area, including the development east of Melksham which was a David Wilson Homes site.

Meeting closed at 5.50pm

Lorraine McRandle

Subject: FW: Thank you for your comments PL/2022/02749

From: [REDACTED]
Sent: 11 September 2022 19:20
To: Teresa Strange <clerk@melkshamwithout.co.uk>
Cc: Lorraine McRandle <office@melkshamwithout.co.uk>
Subject: Fwd: Thank you for your comments PL/2022/02749

This is a copy of the Objection I have sent to the council.

Regards

[REDACTED]

Begin forwarded message:

From: Wiltshire Council <planning@sf.wiltshire.gov.uk>
Subject: Thank you for your comments PL/2022/02749
Date: 11 September 2022 at 19:14:20 BST
To: "[REDACTED]" <[REDACTED]>

This email is confirmation that Wiltshire Council has received your comments as set out below.

Your response to this consultation will be reviewed prior to it being made public.

[REDACTED]
Member of the Public
Stance : Object

Your Comment:

My husband and I attended the meeting regarding this application on Monday 9th May and our neighbours and ourselves who attended the meeting spoke out regarding Shails Lane. This is a private lane and we do not want it being used by any of the occupants of the new houses being built.

However the new site layout shows that there does appear to be a gap on the southern edge suggesting there will be access on to Shails Lane which is disappointing as we had hoped the developers would be looking at some form of barrier, either hedging or fencing or a mixture of both to discourage residents from accessing Shails Lane. There should be no access at all from any part of the development into Shails Lane.

From the extract of the meeting Councillor Wood said 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. He also stated that a permanent boundary be installed at the walkthrough to cross over the A350.

Could you kindly inform us whether these issues are going to be addressed.

Planning Team
Wiltshire Council

Land at Semington Road, Melksham, Wiltshire

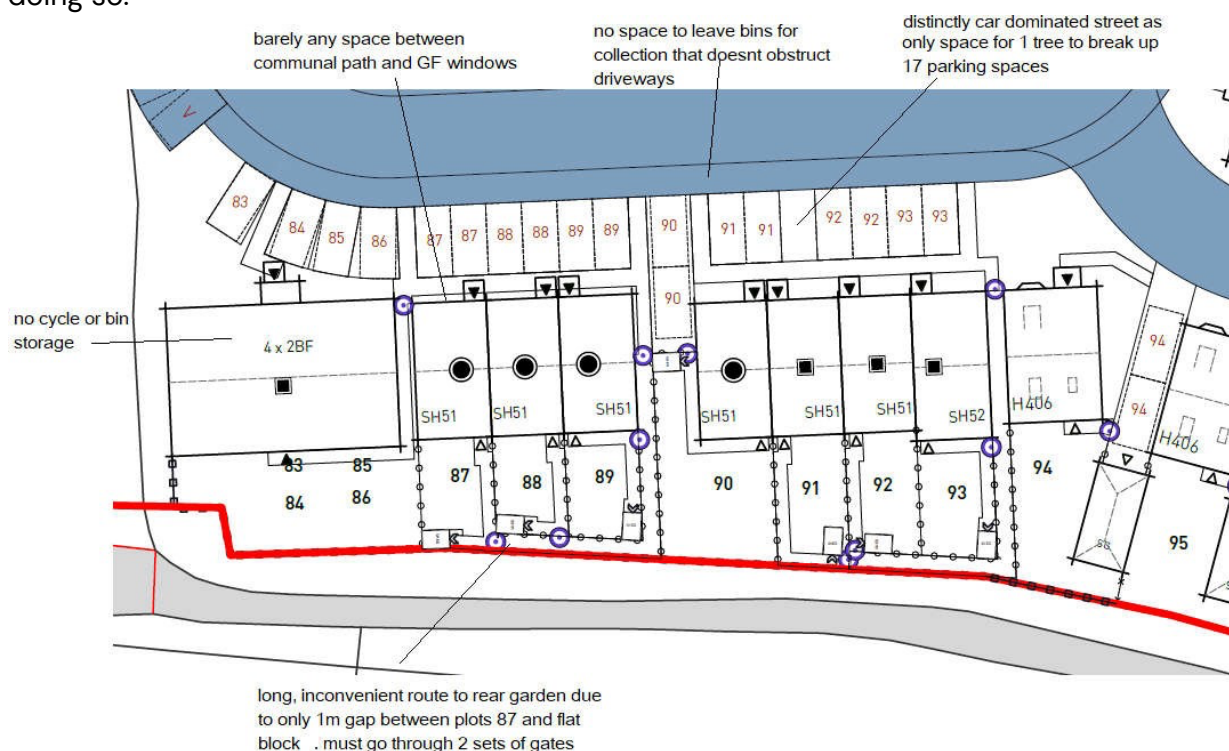
PL/2022/O2749

URBAN DESIGN RESPONSE

Below is a comprehensive and collaborative response to the comments made by Peter Martin (dated 17/04/22) regarding the Application above. It has been prepared by various members of the client and consultant team, responding to their relevant disciplines, as needed. The original comments are included, with our response to each annotated, as necessary.

USES, HOUSING MIX AND TENURE BLINDNESS

1. The Market mix is an incredible 90% 4 or 5 bed housing, with the remaining 10% being 3 beds. Not only is this a very poor mix of market housing, I cannot see how it could comply with local need as defined in the SHMA (which is for marketing housing of predominantly 3 bed housing, as well a substantial amount of 2 bed housing). Thus this mix would not be CP45 compliant as no evidence has been presented for such a limited, exclusive market mix. Critically, the mix has a direct influence on urban design, as in this case it means that the majority of available developable land has been conveyed to larger houses with front gardens, larger rear gardens, garages and multiple on plot parking spaces, with AH plots still appearing cramped (garden to plots 43-45, 60-63, 67, 87-89 are all smaller than the GF footprint of the dwelling) and car dominated, and also causing general design inadequacies through the public realm and POS which might be resolved if more space were given over to doing so.



Examples of some of the compromises forced upon AH housing despite there The market housing being given generous amounts of land.

RESPONSE: We have now more than doubled the quantum of 3 bed housing to approximately 23%. When combined with affordable provision, there is roughly a 50/50 split between 1/2/3 beds and 4/5 beds across the site. Whilst we acknowledge this is a combined figure and that the OM is 23%, we do feel the site needs to be considered as a whole, and in that context, an overall balance is struck, delivering a mix of housing sizes and tenures.

an increase in side parking (including in the area above), which has given rise to the provision of increased planting areas to soften the streetscene and allow space for bins to be stored when needed.

2. Thus, apart from the distinctive built form being different, the quality of the public and private provision around each plot would also be notably worse, and these homes would not qualify as being designed to be tenure blind.

RESPONSE: By increasing the number of side-parked affordable plots, the parking typologies for smaller units are now at a comparable level between open market and affordable units. Overall, this delivers a variety of parking typologies, in line with best practice.

3. There is no Outdoor Gym or allotment (as per parameter plan). The LEAP alone would appeal to only a few of the residents, and the lack of any other function to the POS is a wasted opportunity, if not a non-compliance issue with the Outline agreement.

RESPONSE: We acknowledge this and have included the outdoor gym in the location aligned to the Parameter Plan

BUILT FORM / STRUCTURE

4. The Decision Notice obliges the applicant to comply with Parameter Plan and Sketch Layout L (condition 4), not the Design and Access Statement per se, nor the superseded sketch layouts within that. The approved sketch layout is notably absent from the Compliance Statement, yet the applicant has referenced a superseded layout, e.g. that underlying the Movement Plan (Compliance Statement p13). So, it is not clear that the applicant has understood what they should have been complying with.

RESPONSE: pages 9 & 10 of Design Compliance Statement reference the approved Parameter Plan and form of development on the approved Masterplan. It is clear from the comparable plans in this section where the proposals comply, and it identifies areas when amendments have been made/justified to the latest plans. We believe it's clear when comparing the current proposal to the outdated plans and the approved masterplan that the extent of development form and structure is far more aligned to the approved plans.

The inclusion of superseded plans is intentional and used only in reference to certain sections to demonstrate certain key principles. In the case of the example extracted below – access and movement – its inclusion is to show where key connections are being delivered at site boundaries, for example, rather than show how the internal block structure is envisaged.

5. One specific problem is, for example, is that the superseded layout showed a primary route as a long winding cul-de-sac, whereas this was revised, by request from the council, to show a simple looping primary street, as shown in the approved plans:

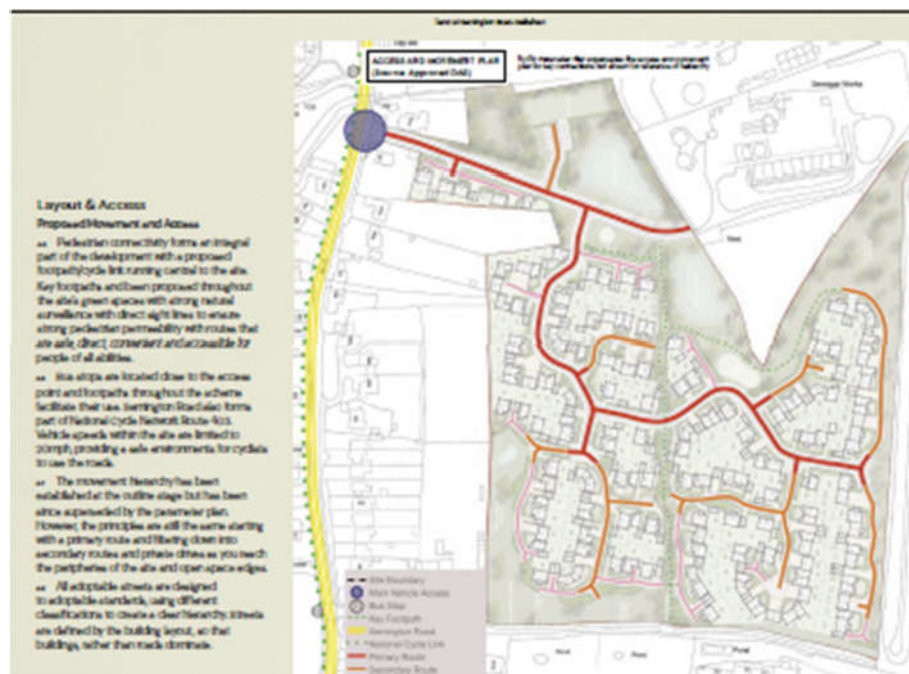


Drawing Title: Sketch Layout (with Google Base)
 Drawing Number: UG1851 - URB - UD - XX - XX - SK - (90) - 001
 Project: Melksham, Wiltshire

Revision: 1
 Scale: 1:2,000 @ A3
 Date: 31.07.2020

theurbanists
 planning & design

Sketch layout which supported the Parameter Plan referenced in the Decision Letter



Design compliance State referencing superseded, unagreed plans.

RESPONSE: We agree with this point and have now delivered the central 'loop' road. We have also redesigned the focal space around the new junction to create a more formal space/character with a combination of open market and affordable units designed as a composition to deliver a consistent building line enclosing space, with the use of a higher density and increased building heights to terminate vistas and increase overall legibility. We feel this is a significant improvement to the overall design of the scheme.

6. The developable edge encroaches much closer to the hedges, e.g. along the western boundary the POS now tapers into a trivial verge. There are purposelessly small POS 'dead ends' along many edges instead of continuous green links e.g. the sides of plot 48/52, plot 8/42, 55/63, 77/82

RESPONSE: the development is aligned to the approved parameter plan areas in these locations. The delivery of the central loop road provides an additional crossing/access point and the informal character of the circumferal open space and new footpath allows increased connectivity in addition to the formal footpath connections in these locations. Boundary hedgerows will be transferred to a Management Company to ensure accessibility to them is monitored and maintained.

7. The LEAP is now too remote. Approved parameter plan shows the principle of it being just off the main route through the centre of the site, and clearly visible from surrounding streets, whereas now its accessible through what looks like private car park (plots 58-71) or via road which meanders around the southern edge so f the site. It would not be longer a 'central' amenity or landmark.

RESPONSE: the LEAP has been moved slightly closer to the residential areas, but also needs to adhere to the 20m activity offset zones. Footpath accessibility has also been increased to improve access to it through both formal and informal routes.

8. 'Gateway' junction now defined by pump station, yet not details are provided of the appearance of its enclosure. Does this need to be so close to the streetscene?

RESPONSE: its location is fixed by its function, but we have increased boundary planting to further screen it.

9. The POS areas given over to large attenuation basins create no sense of place, nor does the one south of WWW offer its potential greenness and openness to the site, sequestered as it is into that corner.

RESPONSE: the topography and detailed modelling means the pond size and locations are effectively dictated to us. We have sought to soften the appearance of these in terms of their footprint and landscaping and included informal paths and seating opportunities around them to increase their amenity value and help ensure they are meaningful assets making a positive multi-functional contribution to the POS.

MOVEMENT

10. The options for pedestrians are surprisingly limited: there is only the standard 2m footway alongside the roads; there are not accessible (i.e. surfaced) paths into or through any of the POS except to the LEAP. There are no formal paths threading through the peripheral and focal POS as was shown on the Parameter Plan, not an accessible path along the central green corridor.

RESPONSE: we have included circumferal paths (mown and hoggin) through the open space to improve permeability. This is something the Parish Council have also requested and we believe makes a positive contribution to the scheme.

11. Many streets actually have no footpaths at all. No doubt the applicant means to name them 'shared surfaces, but there is no design detailing to give them the appearance of shared spaces. To retain these as narrower streets, which in principle I suppose, their detailed design and gateways into them must be reviewed so it credibly will calm approaching traffic and the main carriageways will be understood by all toe be pedestrian priority. The dual requirements for occasional refuse vehicle turning will just have to be resolved by the design engineer.

RESPONSE: Whilst we'd agree with the design intent here, we have to follow latest adoption guidance to ensure the streets are adopted and will therefore default to Highways on this issue

12. There is ambiguity over whether the street infront of plot 143 is supposed to be shared

on both sides. Same issue as above. Incidentally, that footway chicanes pointlessly around a turning head and ends in the grass with nowhere to go, and no connection to the LEAP where I guess it might have.

RESPONSE: this is now an adoptable 'loop' road, as requested and discussed above.

13. Multiple private drive cul-de-sacs should be replaced by continuous lanes around parcels e.g. plot 106, 22, 14-15, 82. The effect of the cul-de-sac design concept simple 'privatises' many streets and discourages all residents from feeling welcomed to use them to move around freely, and access POS around the edges. Narrow lanes around the edges should be adopted too, so that residents need not pay for maintenance. As demonstrated above re. market mix, there is no lack of space for doing this and still retaining 144 homes, but with more market homes being 3 beds, perhaps semi-detached.

RESPONSE: we believe that replacing the private drives on the periphery of the site will mean a dissolution of the intended road hierarchy and lead to further over-engineered adoptable highway. We feel that the additional paths through the open space, we are providing attractive and more desirable links for pedestrians, which will negate the need for on-highway routes suggested above in these locations

14. There is not seating or wayfinding within the POS to encourage walking and animate the open spaces.

RESPONSE: as mentioned above, this is now included around the attenuation areas.

15. There is no cycle infrastructure at all across the site, as if it's been forgotten. If the entrance road is to be shared with regular or heavy traffic from WWW, then it's not appropriate to expect children to cycle on that street, and an off-carriage section of cycle infrastructure should be provided here. Cycle stands are required near destinations such as the LEAP.

RESPONSE: with no cycle routes to connect to around the site, dedicated routes were not suggested or imposed by the outline. Internal roads and additional paths through the open space will offer suitable cycle links. The retained access running north-south is also up to 3.5m wide offering a sufficient width for pedestrians and cyclists.

16. As stated above, the development blocks come too close to POS edges in places, obstructing peripheral green walking routes, and also creating ambiguity as to whether these areas are dead ends or not, private or public. The developable area appears to have expanded since Outline, but the accommodation schedule is silent on the figure.

RESPONSE: as mentioned above, the layout complies with the approved parameter plan and these areas will be controlled and maintained by a Management Company. The POS land areas within the S106 are delivered, as requested.

NATURE

17. The SUDs are either thoughtless in their design, or there are insufficient details about them, to show that they will be multi-functional with sympathetic detailing to inlets and any enclosures. It is not clear if they would be dry or not – designing for permanent water is encouraged for biodiversity, and should be complimented by pond decks and message boards and seating. The whole basin is shown as having the same planting mix, rather than creating a variety of planting within it so that the sloped sides may be used when dry.

RESPONSE: as mentioned above the blue infrastructure is largely dictated by the topography, but we have sought to de-engineer the design of the basins. The

design intent is welcome, but the Drainage consultee comments and requirements have to be factored in and considered.

18. The Blue infrastructure concept in general is poor, in that the whole site is dealt with by just underground pipes and 2 immense basins as opposed to swales, raingardens or permeable paving for parking courts or driveways etc.

RESPONSE: as mentioned above the blue infrastructure is largely dictated by the topography, but we have sought to de-engineer the design of the basins. The design intent is welcome, but the Drainage consultee comments have to be factored in and considered.

19. The 'tree-lined' avenue is generally not a tree-lined avenue as it has only trees long one side, despite the opportunities to include trees on the opposite side if the AH units were not so cramped as to have no space for planting between their front parking bays.

RESPONSE: we have increased the tree-planting along the main access road and 'loop road, although its character does justifiably change as it goes through a more urban space (in the centre of the site) and more naturally verdant areas, such as the area adjacent to the LEAP.

HOMES AND BUILDINGS

20. Plots 4, 6 & 7 are plotted very close to the highway (windows are only 1m back from the footpath and 3m back from the road.) Not only will traffic from ~140 houses be channelled passed these houses, but also traffic in and out of the Wessex Water Works. The applicant appears to have attempted to squeeze 2 more plots into this area than had been demonstrated during outline.

RESPONSE: we have dropped two units in this location but believe that sufficient clearance was already allowed for window clearance. We would also note that the illustrative masterplan should not be used as a direct reference for siting at RM stage

21. Apartment block and plot 60/61 do not appear to have bin and cycle storage.

RESPONSE: agreed and addressed

22. No design sheet is submitted for the size and construction of the cycle sheds

RESPONSE: agreed and addressed in the revised house pack

23. I haven't checked each elevation to see if it is appropriate for its plot yet and will do so in due course.

IDENTITY

24. The applicant's suggestion that they have followed the density parameters is not credible. The density of their scheme simple changes between market areas and AH areas which are simply located in 3 unrelated and seemingly randomly positioned clusters of terracing; they do not reinforce any coherent strategy for creating character or legibility across the new neighbourhood

RESPONSE: As mentioned above, we have introduced a higher density node at an appropriate location (ie the convergence of key routes). This is designed using both OM and affordable units

25. All the boundary walls are red brick, which comes across as a cost-cutting decision. It would be more visually coherent if the boundary walls attached to stone houses should be in stone also.

RESPONSE: this is agreed and included in the revised pack

26. In what appears to be another cost-cutting decision, there are no boundary treatments to the front of any plots e.g. railings and dwarf stone walls, "in key strategic locations" and to distinguish the core from the rural edge, as per DAS.

RESPONSE this is agreed and included in the revised pack, notably around the central focal space

RESOURCES

27. There is no provision for Electric vehicle charging show. Ignoring this now would mean digging up the ground, retrofitting connections, and posts at considerable extra expense to every residents or AH management companies.

RESPONSE: We do not believe there is an obligation to deliver EV point, although numerous plots can install these, as needed without disruption.

LIFESPAN

28. No indication as to who would pay for the management of an abundant area of POS. Ideally it should be the town council and not the residents.

RESPONSE: the POS will be transferred to a Management Company. This is widely accepted and standard practice these days

Extracts from Section 106 Agreement for 144 Dwellings on Semington Road

Highway Works

"A350 Pedestrian Safety Works"	means the provision of 100m anti-pedestrian fencing along the A350 western side, 70m north and 30m south of Shails Lane parallel to the A350 continually for 100 metres and a landscaping scheme (alongside the fence to further discourage pedestrians from vandalising the fence and breaking through it) in accordance with the A350 Pedestrian Safety Works Specification and Management Scheme to assist in preventing pedestrians from crossing the A350 in this area and to be carried out in accordance with the Wiltshire Permit Scheme
"A350 Pedestrian Safety Works Completion Certificate"	means the written notification issued by the Council once it is satisfied that the A350 Pedestrian Safety Works have been completed in accordance with the approved A350 Pedestrian Safety Works Specification and Management Scheme and Schedule 1 Part 1 of this Agreement
"A350 Pedestrian Safety Works Remedial Notice"	means the notice or notices issued by the Council requiring the Owner/Developer to carry out any works that it considers (at its absolute reasonable discretion) to be necessary for the A350 Pedestrian Safety Works to be provided in accordance with the approved A350 Pedestrian Safety Works Specification and Management Scheme
"A350 Pedestrian Safety Works Specification and Management Scheme"	means the details and specifications for the laying out and provision of the A350 Pedestrian Safety Works together with triggers for delivery and detailed arrangements for the ongoing management and maintenance to the satisfaction of the Council which scheme shall include full details of the maintenance programme

Commented [L1]: Provision of a safety barrier has been raised to stop people accessing the A350 from the development and via Shails Lane. At the meeting Cecelia said this was the responsibility of WC but this is a 106 requirement.

**"Highway
Contribution"**

means:

- (i) the sum of two hundred thousand pounds (**£200,000.00**) towards the upgrading of the double pelican crossing on the A350 east of the A350 / Old Semington road roundabout 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; and
- (ii) the sum of four thousand pounds (**£4000**) for the improvement of pedestrian signing between the development and the Melksham town centre, and the development and the formal A350 crossings near Hampton West roundabout

Commented [L2]: Improvements have already been made as part of the Hilperton to Melksham Cycleway Network.

In the Decision Notice point 12 mentions improvements to the crossing on Semington Road. However, cannot find mention of it in Section 106 and also these works were undertaken as part of the Hilperton to Melksham cycleway improvements.

Worth trying to see if get money spent on something else.

Commented [L3]: This would be a good example to highlight at the meeting with Cllr Nick Botterill to ensure it happens as it is a real health and safety concern and an explicit instruction of the coroner.

SCHEDULE 1
COVENANTS TO THE COUNCIL
PART 1
HIGHWAY SAFETY PROVISIONS

The Owner covenants with the Council:

- 1 Prior to Commencement of Development the Owner shall submit the A350 Pedestrian Safety Works Specification and Management Scheme to the Council for approval
- 2 The Owner shall not cause permit or allow Commencement of Development prior to obtaining the Council's written approval of the A350 Pedestrian Safety Works Specification and Management Scheme
- 3 Prior to first Occupation of any part of the Development, the Owner shall have:
 - 3.1 made all necessary arrangements for carrying out the A350 Pedestrian Safety Works including the application for a permit to work in accordance with Wiltshire Permit Scheme and the obtaining of (if appropriate) the necessary licence under the provisions of the New Roads and Street Works Act 1991 and in particular in relation to statutory undertakers apparatus and all other equipment over or under the highway and for enabling it to comply with the provisions of this Agreement, and if extended road space is required and requested via a permit duration variation which has not been agreed with the Council fines may be incurred under the Wiltshire Council Permit Scheme for such over running A350 Pedestrian Safety Works; and
 - 3.2 completed the A350 Pedestrian Safety Works at its own expense; and
 - 3.3 requested an inspection by the Council of the A350 Pedestrian Safety Works within seven (7) Working Days of completion of the works; and
 - 3.4 the Council has issued the A350 Pedestrian Safety Works Completion Certificate;
- 4 There shall be no Occupation of any part of the Development until the A350 Pedestrian Safety Works:
 - 4.1 have been completed and the Council has issued the Pedestrian Safety Works Completion Certificate
- 5 The A350 Pedestrian Safety Works shall be maintained in perpetuity in accordance with the approved A350 Pedestrian Safety Works Specification and Management Scheme (unless otherwise agreed in writing with the Council) and shall be transferred to a Management Company in accordance with a timetable to be agreed with the Council and no later than 6 months following first Occupation of the Development.

Affordable Housing

4 Construct

4.1 all of the Affordable Housing Units to the Standards and;

4.2 the Adapted Units comprising 2 x 1 bed 2 person Ground Floor Flats and 2 x 2 bed Bungalows to the Lifetime Homes Standards so as to be wheelchair accessible and adaptable as defined in Part M4 (2) Category 2: Accessible and adaptable dwellings of the Building Regulations 2010 (as current at the date of this Deed) and provided with level access showers not baths

unless otherwise agreed in writing with the Council

Commented [L4]: No mention of provision of bungalow in recent meeting with BDW which is contrary to the 106.

Canal Contribution

"Canal Restoration Contribution" means the sum of five hundred pounds (£500.00) per Residential Unit towards the Melksham Link section of the Wilts & Berks Canal Restoration Project

Commented [L5]: Total contribution £72,000. This is interesting because it was not allowed by the Planning Inspector for the Appeal site. £72,000 obviously will not build a canal.

Education & Early Years Contributions

"Early Years Education Contribution" means the sum of two hundred and ninety seven thousand and eight hundred and seventy four pounds (£297,874.00) towards the cost of the provision of appropriate early years

education infrastructure required as a result of the Development

"Primary Education Contribution" means the sum of three hundred and thirty seven thousand and six hundred and forty four pounds (£337,644.00) towards the cost of the provision of appropriate primary education infrastructure required as a result of the Development

Commented [L6]: No mention of contribution towards secondary education. Can we question WC if this is enough to enable the Pathfinder School to be built.

Primary Health Care Contribution

"Primary Healthcare Contribution" means the sum of one hundred and thirty seven thousand pounds (£137,000.00) towards the cost of supporting primary care capacity of the Melksham and Bradford on Avon Primary Care Network

Commented [L7]: Can we ask the NHS what this will be used for.

Public Art Contribution

"Public Arts Contribution" means the sum of three hundred pounds (£300.00) per Residential Unit towards integrating the work of artists into the Development or its vicinity

Commented [L8]: £43,200 in Total. Assume that the Parish Council want to be involved in this.

Waste & Recycling Contribution

"Waste and Recycling Contribution" means the sum of ninety one pounds (£91.00) per Residential Unit as a contribution towards the provision of waste and recycling equipment for the Residential Units

Commented [L9]: £13,104 in Total

Play Area

"Play Area" means that part of the Land having an area to accommodate a LEAP which for indicative purposes is shown on Plan 2 attached hereto and to be agreed in writing between the Owner and the Council prior to the submission of the Reserved Matters Application

Commented [L10]: No mention of Play Area being transferred to the parish council or a management contribution.

SCHEDULE 4

OPEN SPACE AND/OR PLAY AREA (MANAGEMENT COMPANY)

The Owner and/or Developer shall:

- 1 not remove uproot destroy lop or damage any tree or shrub on the Land unless and until the Landscape Plan has been submitted to and approved by the Service Head – Waste and Environment Services OR submit to the Service Head – Waste and Environment Services for approval in writing prior to the Commencement of Development the Landscape Plan including the Management Scheme and not Commence Development until the Landscape Plan including the Management Scheme has been approved in writing by the Service Head – Waste and Environment Services (such approval not to be unreasonably withheld) and thereafter shall lay out the Open Space and Play Area in accordance with the approved Landscape Plan
- 2 notify the Council in writing within seven (7) Working Days of completion of the laying out of the Open Space and/or Play Area of the details of their designated contact for queries regarding the Open Space and Play Area and request an inspection by the Service Head – Waste and Environment Services
- 3 not allow more than 75% of the Residential Units to be Occupied until:
 - 3.1 the Open Space Practical Completion Certificate has been issued;
 - 3.2 the Open Space has been made available for public use;
 - 3.3 the Owner has erected a prominent sign on the Open Space indicating who is responsible for maintaining the Open Space such sign to be kept in a good and legible condition at all times
- 4 not allow more than 80% of the Residential Units to be Occupied until:
 - 4.1 the Play Area Certificate has been issued;
 - 4.2 the Play Area is designed provided laid out and equipped in accordance with the Landscape Plan; and
 - 4.3 the Play Area has been made available for public use;
 - 4.4 the Owner has erected a prominent sign on the Play Area indicating who is responsible for maintaining the Play Area such sign to be kept in a good and legible condition at all times
- 5 After the construction and laying out of the Open Space and as soon as the planting season permits to plant in the Open Space plants and trees in accordance with the approved Landscape Plan
- 6 Not adjust the actual area of Open Space and the Play Area so as to include and/or exclude land that abuts the boundary of the curtilages of individual Residential Units or adopted or adoptable highway UNLESS such adjustment has been agreed in writing with the Service Head – Waste and Environment Services

Commented [L11]: Point 10: Another one to highlight to Cllr Nick Botterill as this has never happened to our knowledge ie East of Melksham, Pathfinder, Bowood View and Sandridge (Barrett).

- 7 Not to use or allow the Open Space and/or Play Area to be used for any other purpose other than as Open Space and Play Area for the use by and for the enjoyment of the public in perpetuity
- 8 Pay the Council's costs in taking any action to remedy the failure to comply with the Remedial Notice within 21 Working Days of the Service Head – Waste and Environment Services serving notice of the amount due.
- 9 To insure and maintain or procure the maintenance of the Open Space and Play Area in accordance with the approved Management Scheme to the satisfaction of the Service Head – Waste and Environment Services until completion of its transfer to the Management Company and to comply with any Remedial Notice issued by the Service Head – Waste and Environment Services within 28 Working Days
- 10 Not to allow more than 80% of the Residential Units to be Occupied until the Open Space and/or Play Area has been transferred to the Management Company and the Open Space and/or Play Area shall thereafter be maintained in perpetuity in accordance with the approved Management Scheme (unless otherwise agreed in writing with the Council.
- 11 To enter into negotiations with the Registered Provider or Transferee and agree a reasonable figure for the Management Charge to be levied on occupants of the Affordable Rented Units

Management Company Provisions

- 12 Not to use or Occupy or cause or suffer or permit the use or Occupation of any of the Residential Units until such time as the Owner has at its own expense:
 - 12.1 set up and registered the Management Company as a private limited company incorporated and registered in England at Companies House.
 - 12.2 ensured that the Management Company has at least two named persons as Directors and one Company Secretary that are eligible to be appointed and (if required) removed and replaced by the Members of the Management Company;
 - 12.3 procured that the Management Company appoints a named manager ('the **MC Manager**') responsible for liaising with the Council and owners and occupiers of the Residential Units.
 - 12.4 procured through the Management Company documentation (as set out in paragraph 13 below) that the Management Company will hold at least one (1) public meeting per year.
 - 12.5 Procure that the Management Company is responsible for the upkeep and on-going maintenance of Open Space and/or Play Area in accordance with the approved Landscape Plan and the obligations under this Agreement.

Management Company Documents

- 13 Not to use or Occupy or cause or suffer or permit the use or Occupation of any of the Residential Units until such time as the Owner has provided the Council with the following information and documents relating to the Management Company:
 - 13.1 a copy of the company Certificate of Incorporation and Articles of Memorandum;

- 13.2 a copy of its Rules (including the holding of at least one (1) public meeting per year and the giving of a minimum of seven (7) days written notice of each meeting to the Council and all Company Members and any other interested parties and to provide suitable facilities for the meetings of the Management Company) and Regulations and operational manuals;
- 13.3 any other relevant documentation relating to the Open Space and/or the Play Area;
- 13.4 details of the names and addresses of all Directors, Members and the Company Secretary;
- 13.5 full and sufficient details of the financial resources available to the Management Company including evidence that there are adequate resources in place to undertake the maintenance of the Open Space and/or the Play Area in perpetuity in accordance with the Management Scheme.

PART 2
FINANCIAL CONTRIBUTIONS

- 1 Prior to Commencement of Development to pay to the Council the Canal Restoration Contribution, the Public Art Contribution and the Waste and Recycling Contribution

- 2 There shall be no Commencement of Development until the Canal Restoration Contribution, the Public Art Contribution and the Waste and Recycling Contribution have been paid to the Council and payment has been acknowledged in writing by the Council provided always that in the event the Council has failed to acknowledge receipt of the Canal Restoration Contribution, the Public Art Contribution and the Waste and Recycling Contribution within 20 Working Days of receipt of payment, the restriction on Commencement of Development in this paragraph shall no longer apply
- 3 Prior to Commencement of Development to pay 50% of the Education Contribution to the Council
- 4 There shall be no Commencement of Development until 50% of the Education Contribution has been paid to the Council and payment has been acknowledged in writing by the Council provided always that in the event the Council has failed to acknowledge receipt of the Education Contribution within 20 Working Days of receipt of payment, the restriction on Commencement in this paragraph shall no longer apply
- 5 Prior to Occupation of 50% of the Residential Units to pay the remaining 50% of the Education Contribution to the Council
- 6 Not to Occupy or permit Occupation in excess of 50% of the Residential Units until 100% of the Education Contribution has been paid to the Council and payment has been acknowledged in writing by the Council provided always that in the event the Council has failed to acknowledge receipt of the Education Contribution within 20 Working Days of receipt of payment, the restriction on Occupation in this paragraph shall no longer apply
- 7 To pay the Highway Contribution to the Council prior to first Occupation of any of the Residential Units
- 8 Not to Occupy or permit Occupation of any of the Residential Units until payment of the Highway Contribution has been made to the Council and payment has been acknowledged in writing provided always that in the event the Council has failed to acknowledge receipt of the Highway Contribution within 20 Working Days of receipt of payment, the restriction on Occupation of the Residential Units in this paragraph shall no longer apply
- 9 Prior to Occupation of 80% of the Residential Units to pay the Primary Healthcare Contribution to the Council
- 10 There shall be no Occupation in excess of 80% of the Residential Units until 100% of the Primary Healthcare Contribution has been paid to the Council and payment has been acknowledged in writing by the Council provided always that in the event the Council has failed to acknowledge receipt of the Primary Healthcare Contribution within 20 Working Days of receipt of payment, the restriction on Occupation of more than 80% of the Residential Units in this paragraph shall no longer apply

Commented [L12]: Note how many are prior to commencement.

FOOTBRIDGE TO NEW VILLAGE HAL

In Decision Notice it states under Point 27 Informative about promoting connectivity between developments and 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.

IN LETTER FROM NEXUS TO WILTSHIRE COUNCIL WITH OUTLINE PLANNING

Plans included the provision of older children/teenage facilities such as a gym and teen shelter on the area previously highlighted for allotments.

Teresa Strange

From: Teresa Strange
Sent: 20 September 2022 12:15
To: Rowe, Jenny
Subject: Brook on Semington Road - WC ownership
Attachments: proposed footbridge .png

Hi Jenny
I hope you are well..
I have a new enquiry that I hope that you will be able to help with.
Please see below and attached, I don't know if its easier to have a chat on the phone?
With kind regards,
Teresa

Teresa Strange
Clerk
PLEASE NOTE THE NEW ADDRESS:
Melksham Without Parish Council
First Floor
Melksham Community Campus
Market Place
Melksham
Wiltshire
SN12 6ES
01225 705700

From: Campbell, Craig <Craig.Campbell@wiltshire.gov.uk>
Sent: 16 September 2022 19:08
To: Teresa Strange <clerk@melkshamwithout.co.uk>
Subject: RE: Brook on Semington Road - WC ownership?

Hi Teresa,

You are correct, for reasons unbeknown to me, the brook sits under WC ownership. I would recommend in the first instance that you contact someone from our Estates Team.

Usually Jenny Rowe or John Price are very helpful and I'm sure will point you in the right direction if they cannot help. Jenny.rowe@wiltshire.gov.uk john.price@wiltshire.gov.uk



Kind Regards

Craig Campbell
Area Manager Streetscene
Highways Operations

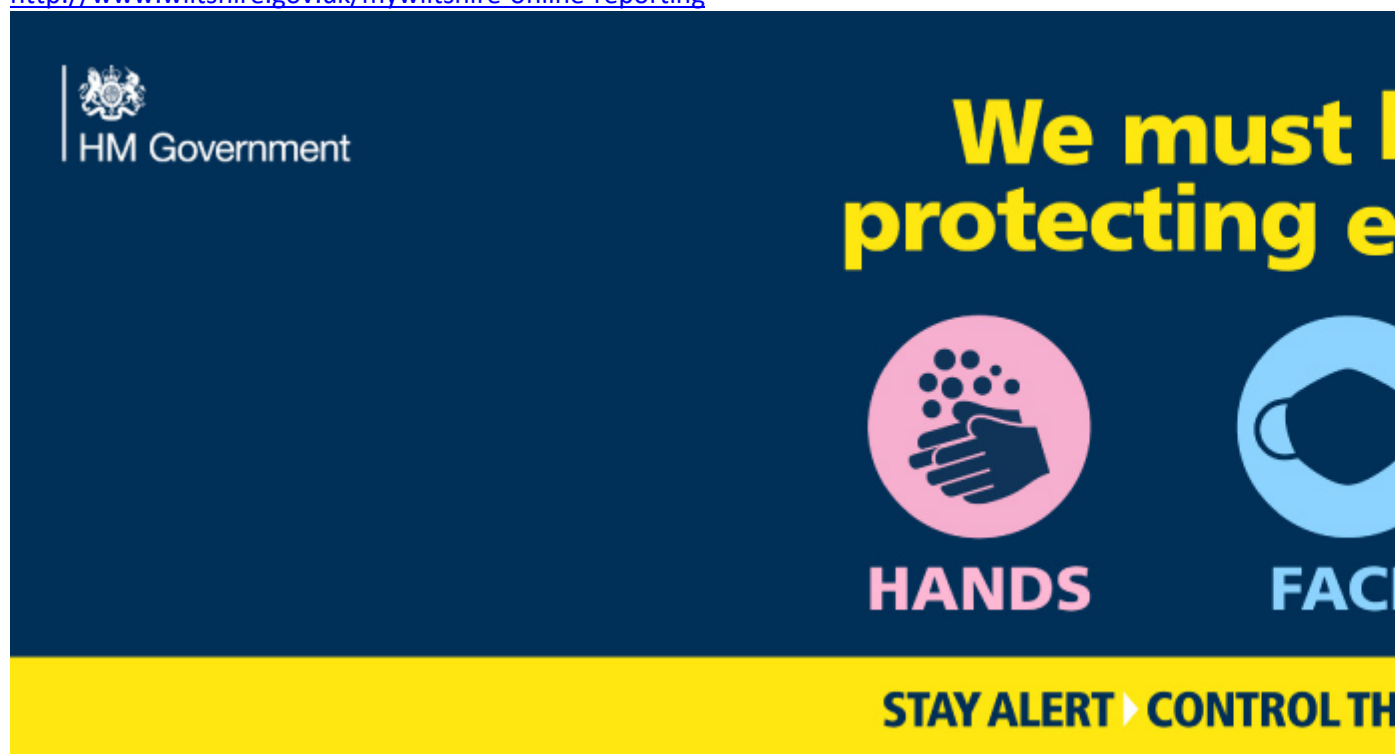
Wiltshire Council

Tel: 07500278804

Email: craig.campbell@wiltshire.gov.uk

Web: www.wiltshire.gov.uk

<http://www.wiltshire.gov.uk/mywiltshire-online-reporting>



From: Teresa Strange <clerk@melkshamwithout.co.uk>

Sent: 16 September 2022 12:31

To: Campbell, Craig <Craig.Campbell@wiltshire.gov.uk>

Subject: Brook on Semington Road - WC ownership?

Hi Craig

I am trying to ascertain the ownership of the brook off Semington Road.

It's between the current new development of Bowood View and the proposed development by David Wilson Homes currently at Reserved Matters application.

We have built a new village hall at Bowood View (indicated by the red circle on the plan) and have asked that David Wilson provide a footbridge as a planning/s106 obligation from their new development, across the brook to the village hall. I have marked with a red line a very approximate position that would meet with the existing footpath on the Bowood View side.

We assumed that riparian ownership would be in place here, but on checking the WC mapping it looks like it might be under the control of WC? Its not highways land so I thought I would start with you? As we are keen at the parish council to get the permissions in place for this to be part of the decision notice of this current application.

There is a planning informative on the outline application for them to look into this (see below)– and they have needed some prompting to do so, so just trying to help them along.

Any help you can provide, or point me to who I ask the question for permission/discussions with would be most helpful.

With kind regards,

Teresa

27

INFORMATIVE TO APPLICANT

The Council as local planning authority seek to promote connections between developments for pedestrians and cyclists to provide sustainable alternatives to the use of the car. With this in mind, the Council requires prior to the submission of a reserved matters submission, the applicant providing a pedestrian/cycle link through to the adjacent housing north should be explored, and if feasible, included as part of the submitted for approval of reserved matters.

Sam Fox - Director Economic Development & Planning

Teresa Strange

Clerk

PLEASE NOTE THE NEW ADDRESS:

Melksham Without Parish Council

First Floor

Melksham Community Campus

Lorraine McRandle

Subject: FW: WALPA - A Glimmer of Good News?
Attachments: PL-2021-05209 Changes to size size and housing proposals from Outline Consent.pptx

From: Campbell Ritchie <campbellrmtc@gmail.com>
Sent: 08 August 2022 17:07
To: Various Town and Parish Councils

Subject: WALPA - A Glimmer of Good News?

Dear All

A Glimmer of Good News?

For those communities reeling from having their Neighbourhood Plans undone because of the 5 Year Housing Land Supply (5YHLS) shortfall in Wiltshire it is essential developments which are given permission are of the best possible quality.

Following a decision by Northern Area Planning Committee on Wednesday 5th August there is a better chance this might be the case.

In May 2020 Outline Permission was given by the Strategic Planning Committee to build 71 houses on a site at Filands, Malmesbury in May 2020 (19/11569/OUT). (With a site in Lyneham it was the first to be approved in Wiltshire because of the 5YHLS shortfall). Bloor Homes bought the site and while the Reserved Matters application (PL/2021/05209) was being considered they also got permission on appeal for development at an adjacent site they owned. Both the Wiltshire Council Planning team and ourselves were clear the overall design for both sites would be much better if the two sites were designed together. Unfortunately, Bloor refused to follow this route. Instead, they submitted a Reserved Matters proposal for 70 houses on a smaller version of the original site (or an implied 86 houses on the full extent of the original site), with the Reserved Matters application for the other site to follow. Although it was made clear in the Officer Report the resulting proposal was significantly inferior to the original Outline Permission, the Officer went on to recommend the application was just about good enough and should be passed because the 'site was granted consent as part of the Council's action plan for addressing the [housing] shortfall. It's delivery and implementation is a pressing priority.'

Malmesbury Town Council had already requested through our Wiltshire Councillor that the application would be called in if it was not going to be rejected. At the hearing on Wednesday 3rd August, we argued that the Reserved Matters application as made was so short of the application that would have been expected from the Outline permission it represented significant harm. We also made the point that it would be very dangerous for all communities who are waiting for Reserved Matters applications on sites granted permission as part of the Council's response to the 5YHLS shortfall if the developers of these sites were given the green light to come up with lower quality Reserved Matters applications.

We are very pleased report that the Reserved Matters application was rejected unanimously by the committee. We hope Bloor Homes now choose to respond positively to the message they should masterplan the two sites together to achieve the best result possible and they should avoid rowing back from previous standards. Of course, they may just try and appeal the decision.

If any colleagues would like to see the case, we put to Northern Area Planning Committee against this Reserved Matters application please let me know. I have attached the four images we used to illustrate our key points.

There is an additional positive footnote – PV/Solar: The week before the committee meeting Bloor Homes finally agreed with Malmesbury Town Council that as many houses on the development as possible (based on alignment) should be fitted with PV panels as part of the original build.

There should be no reason now any new development in Wiltshire should not have PV/ Solar as standard.

All the best

Campbell



Melksham Neighbourhood Plan Update for the Area Board Meeting: Wednesday 21st September 2022

To provide update further to local consultations and evidence gathering exercises that have taken place over the summer months as part of the Melksham Neighbourhood Plan review.

Housing: Assessment and Information to inform approach to housing (together with the Local Plan)

The steering group undertook a Call for Sites exercise in the Spring, advertising widely locally, with several page adverts in the Melksham News, a social media presence, we also contacted everyone who has ever been in contact in previous consultations or visited an event. In addition, land owners who have their land registered as available with Wiltshire Council have all been contacted. This produced a list of some 90 sites that land owners have put forward to be considered for housing allocation in the next version of the Melksham Neighbourhood Plan. National independent company AECOM are now sifting and assessing the individual sites, with a report to follow in the late Autumn which will then lead to the site allocation work by the Housing Task Group who will be shortlisting sites before engaging with land owners. There will be the opportunity for some informal community engagement on the shortlist of sites. The next version of the Plan will include housing site allocations for small and medium sites, whereas the Local Plan being produced by Wiltshire Council will be allocating large, strategic sites.

Running alongside this work, a Housing Needs Assessment has also been undertaken by AECOM for the Neighbourhood Plan area of Melksham Town and Melksham Without; this incorporates the local Housing Needs Survey that was undertaken by ourselves and advertised at the last Area Board meeting in June. This looks at the type and tenure of the housing mix requirements in the area, and is the evidence for housing mix policy in the reviewed Plan; ensuring that future housing meets the needs of local people. Thankyou to the 136 local residents who responded to the Local Housing Needs survey in May and June; we are looking at publishing the results shortly.

Protecting Valued Local Green Space

There is the opportunity through the Plan to give a Local Green Space planning designation to protect spaces that are important to the local community. Thank you to those of you that put forward local green spaces that were important due to their

historic significance, their beauty, their recreational value, their richness in wildlife or their tranquillity. This designation can only apply to small, local spaces and not large tracts of land. The volunteer task group is now working through the 50+ sites that the public put forward to ensure that they meet the necessary criteria and eligibility to produce a shortlist, we will then make contact with the local landowners. You can view the sites put forward on the Neighbourhood Plan website.

Green Gaps Designation

As you may be aware, there has been a recent Appeal Hearing upheld for a site on Semington Road, behind Townsend Farm, for 50 affordable dwellings. One of the things highlighted by the Planning Inspector was the lack of a policy on green gaps, to prevent the coalescence of villages to the town and other villages, and this is being addressed in the review of the Neighbourhood Plan. We are working to secure the appropriate technical support to aid this piece of work, hopefully with AECOM to tie in with other pieces of work, with the aim of consulting the community on this during the assessment period over the next few months.

Further Addressing Climate Change

A separate task group is working on the broad topic of Climate Issues, including analysis of other Neighbourhood Plans that have recently been examined and adopted to see if there are further policies that can be included in the next version of the Plan, as this is a rapidly changing topic. Policy updates have been drafted with background information to be revised next. The group working on this brief are closely aligned with the Town Council's Environment & Climate Working Group.

Planning for the future vitality of the town centre

AECOM have also been appointed to look at the Town Centre Master Plan work, and will be taking a holistic, independent approach at the Town Centre, looking at its Economy and Vitality, its Culture and Distinctiveness, its Connections and Accessibility, the quality of its Public Realm, and its Heritage and Townscape; all set against the pressing agenda of Sustainability and Climate Change. There is also the possibility of some Town Centre Regeneration Site opportunities with vacant sites in the town centre, including those recently vacated as part of the Campus project; they may provide identified/allocated housing to meet local needs. This is a fantastic opportunity for some revised town centre policies in the revised Plan, and for a Master Plan to sit alongside the Neighbourhood Plan as a practical separate stand-alone document. AECOM have been fully briefed by the Neighbourhood Plan team and are working with the Town Council and Wiltshire Council on the publicly owned assets aspects.

Protecting our Local Heritage

Whilst not giving as much protection as the Local Green Spaces, there is still the opportunity to list in the Neighbourhood Plan heritage assets that don't have Listed status but still have an important historical value to the local community. Again, thank you to those of you who responded to this survey. A small group of volunteers is looking at the evidence for these sites, it's a short list but valuable nevertheless, and the next step is to contact landowners. You can view the list of those sites put forward on the Neighbourhood Plan website.

Strengthening locally distinctive Design Policy

For new housing, and other development, it's not just about where it is, and whether it's two or three bedrooms, or rented or for purchase; it's about what it looks like and this is where the Design Codes come in. AECOM have been appointed to do this work, and are looking at what "good design" looks like for the Melksham Plan area and all future planning applications will have to adhere to the Code when the Plan is adopted. From designing out anti-social behaviour, to brick colours, to solar panels, this is all covered in the Design Code. It covers local identity and character, access and movement incorporating the Priority for People work, green and blue infrastructure, sustainability and energy efficiency and the built form. There will be some community engagement on this piece of work as we seek your views.

Ensuring that Local Priorities are addressed as the proposed Bypass and Melksham Link Canal projects progress

The Neighbourhood Plan is all about planning policy, and to be referred and adhered to when planning applications are considered. There are a couple of proposed large infrastructure projects that are in the Melksham Neighbourhood Plan area and there are separate task groups looking into these projects to ensure that the Plan is reviewed in line with the latest updates on these projects. The Plan will have Priority Statements on these projects, but they will be light touch as the Neighbourhood Plan is not the place for decision making on these projects; and therefore cannot have policies relating to them. Volunteer task groups have met with the project teams on these separate projects to review the current statement with them.

Who is working on this project?

The Melksham Neighbourhood Plan is a joint project of Melksham Town and Melksham Without Parish Council but is community led, and the Steering Group and

Task Groups are made up from a wide range of volunteers from the community. Planning expertise is provided by Place Studio, who guide us through the process. The group has been successful in obtaining grant funding from the Government to contribute to the costs, and some technical support from AECOM who are also provided by Locality, directly funded by central Government.

How do I get involved?

Information on the progress on the review of the Melksham Neighbourhood Plan can be viewed on the dedicated website <https://www.melkshamneighbourhoodplan.org/> and dedicated facebook page. You can sign up to the mailing list by contacting any officer at the Town or Parish Council or by clicking the link on the website. If you are not online, please contact either of the councils who can provide written updates. Look out for further consultation and engagement opportunities advertised in the Melksham News too.

Teresa Strange

From: Teresa Strange
Sent: 07 September 2022 09:06
To: Watson, Jessie
Cc: Linda Roberts (linda.roberts@melksham-tc.gov.uk); Patsy Clover (Patsy.Clover@melksham-tc.gov.uk); Lorraine McRandle
Subject: Melksham NHP Green Gap Analysis Brief

Hi Jessie

Please find below the brief for the Green/Landscape Gap work as discussed.

Melksham Green Gap Landscape Analysis Brief

Background

The current NHP was made one year ago. Its policies are up to date. But the swift review, which is primarily driven by identifying allocations, provides an opportunity to add other policy or updated policy evidence.

Melksham is also likely to be identified as a location for significant strategic growth through the Local Plan allocations. This could be for c2500 homes. This will not be confirmed until the Reg 19 Local Plan is published in Oct/Nov (or later).

Melksham and Bowerhill form the main urban area and focus of potential strategic growth. Analysis undertaken by the JMNP Steering Group (AECOM Points of the Compass Review) and responses to the previous Local Plan consultation has indicated that a strategic location for this growth to the east of Melksham may have less implications for green gaps. However, to the north, west and south Melksham is close but distinct from rural settlements within Melksham Without Parish. Maintaining this distinction is important.

The villages of Shaw and Whitley, within Melksham Without Parish, are separated by an important green gap. However, both villages are considered together as a "large village" in the Wiltshire Core Strategy. It is likely they will jointly be expected to accommodate a share of Wiltshire's rural housing allocations.

Speculative Development

Melksham and Melksham Without is subject to ongoing speculative development proposals that threaten to harm local settlement distinctiveness. The inspector's report into a recent appeal loss on land between Melksham and Berryfield highlighted a lack of an identified green gap / buffer policy. This has stimulated interest in providing one through the JMNP review.

Progressing a Green Gap Policy

At its recent the Steering Group resolved to progress a NHP green gap policy and accepted that its evidence base needed professional landscape input.

The NHP Steering Group therefore need green gap policy analysis methodology and fee proposal to undertake this work. Below we have set out some information that can help scope out the requirements.

The Methodology

There is no fixed approach to analysis of green gaps. We do not want to impose a method. Our main criteria is to ensure that the policy and designations stand up to challenge at examination on the JNMP and then be robust in the development management process after the plan has been made.

As guide we have looked at research that has been done on Green Gap assessment and evidence undertaken by LUC. We attached a copy of the LUC document for a strategic green gap study.

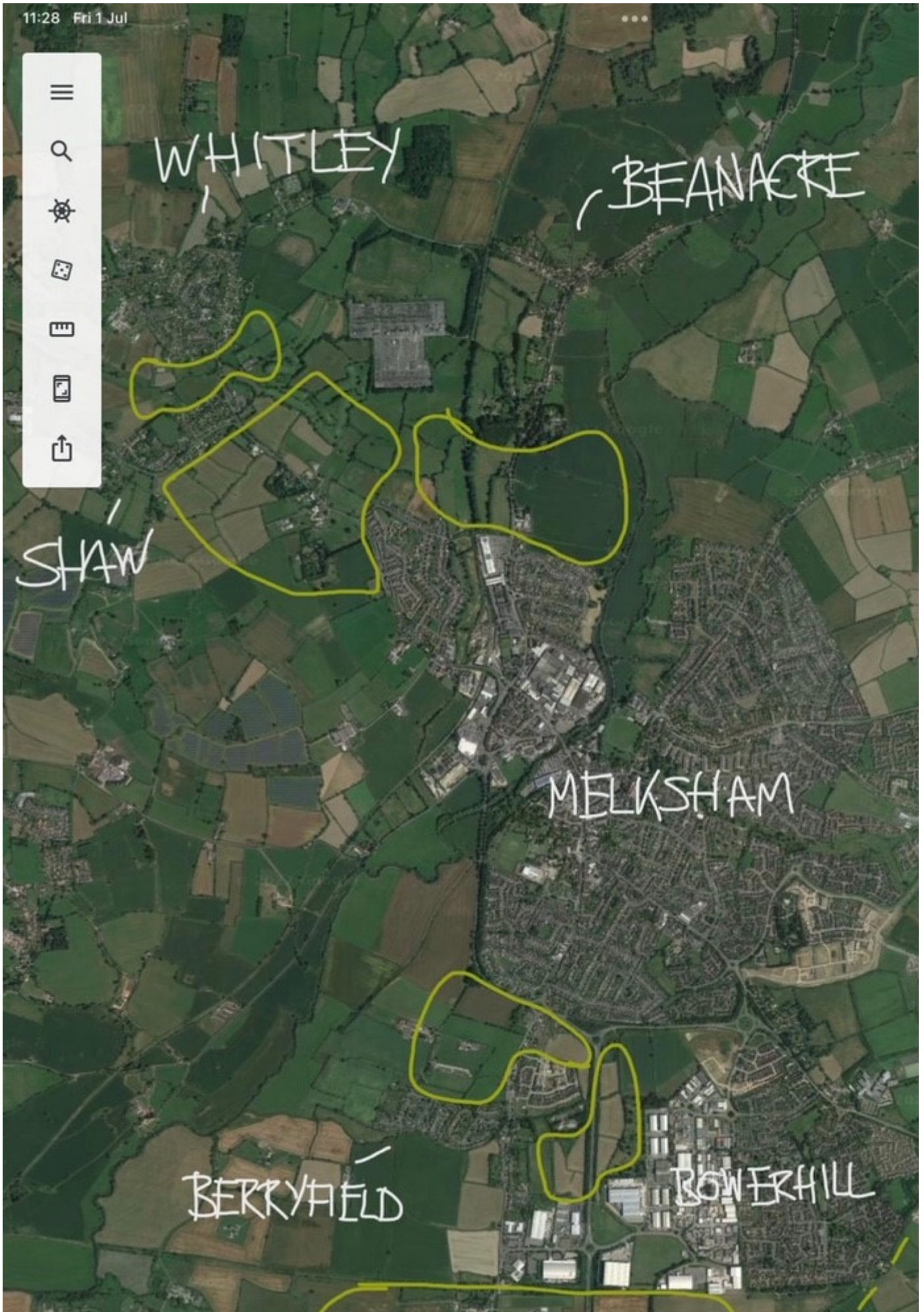
https://www.tendringdc.gov.uk/sites/default/files/documents/planning/Planning_Policy/S2Examination/Evidence/EB7.2.5%20Green%20Gap%20Study%202020.pdf

The Scope

On the attached annotated image, I've identified an initial scope of where the green gaps are likely to be. But of course, we have not undertaken detailed analysis or dialogue with the Steering Group on this yet, so it may alter. NB The land between Bowerhill and Seend and Bowerhill and Semington combines parishes. These areas may require a different approach or be contained within Melksham NDP area.

Timescale

Melksham NHP Steering Group wish to have evidence to support a new green gap policy validated by December 2022. It would therefore wish to receive landscape analysis by the end of November 2022.



With kind regards, Teresa

Teresa Strange
Clerk

PLEASE NOTE THE NEW ADDRESS:

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