

**MINUTES of the Planning Committee of Melksham Without Parish Council held on
Monday 22 June 2020 at 7.00pm**

**(DUE TO THE ON-GOING COVID 19 PUBLIC HEALTH CRISIS THIS WAS A
VIRTUAL MEETING – MEMBERS OF THE PUBLIC WERE ABLE TO ATTEND THE
MEETING AFTER CONTACTING THE CLERK FOR INFORMATION ON HOW TO
ACCESS THE MEETING)**

Present: Councillors Richard Wood (Council & Committee Chair), John Glover (Council Vice Chair), Alan Baines (Committee Vice-Chair) and David Pafford

Also in Attendance: Wiltshire Councillor Nick Holder

Members of Public Present: 4 Members of public present

Officers: Teresa Strange (Clerk) and Lorraine McRandle (Parish Officer)

540/19 Apologies

Apologies were received from Councillor Coombes who unfortunately had no IT capabilities to join the meeting.

Councillor Pile also gave her apologies due to a previously family engagement.

Members accepted the apologies given by both Councillor Coombes and Councillor Pile.

Councillor Terry Chivers was not present.

541/19 Declarations of Interest

a) To receive Declarations of Interest

There were no declarations of interest

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

None.

c) To note standing Dispensations relating to planning applications

The Clerk reminded those present the Parish Council had a standing dispensation relating to the Berryfield Village Hall planning application, which would be discussed later in the meeting.

542/19

Public Participation

**Development for 155 dwellings, Semington Road - 20/01938:
(Revised Plans)**

A resident of Shails Lane reiterated his previous objections to this application for the following reasons:

- Impact on wildlife.
- Increase in traffic on Semington Road.
- Proposed access onto Shails Lane which is a private road, which has no public right of way.

Development of two new houses in the land to the rear of Whitley Brow, 178 Top Lane

The applicant for this site informed the meeting she currently lived at Whitley Brow and wished to downsize as the house and garden were too big for her to manage. They also wished to stay in the village and therefore, plans had been drawn-up for two dwellings to the rear of the property, which would enable the applicant to sell the main dwelling, as well as a cottage on the site to release funds to build (Plot 1), which would be for themselves. It was anticipated that Plot 2 would be developed at a later stage.

Both the build and materials used would be of high standard with solar energy being incorporated into the design. Screening would be provided on Plot 2, to reduce the impact on residents living adjacent to the site.

Neighbours had been consulted on the plans and were happy with the proposals but expressed a concern at the potential number of vehicles accessing the new dwellings, particularly delivery vans. Therefore, it was proposed to make the driveway wider and provide a pull-in at the bottom of drive with area for deliveries to be dropped off.

Construction of two bungalows, land adjacent to 406c The Spa - 20/04259/FUL:

A resident of The Spa attended the meeting to voice their objections to this application for the following reasons:

- Over development of the small site, with 4 bungalows being proposed on a plot which original had one bungalow.
- Out of keeping with the historic nature of The Spa and the impact this will have.
- Safety concerns with the increase in traffic exiting/entering the site into a narrow lane, potentially in a reverse gear onto a shared cycleway/footway used by children attending Melksham Oak School.
- Impact on flooding, which occurs near this site.
- Impact on adjacent mature trees.

543/19

To consider the following Planning Applications:

20/04234/FUL: Whitley Brow, 178 Top Lane, Whitley. Minor development of 2 new houses in the land to the rear of Whitley Brow. Applicant Stainer.

Members raised a concern that parts of Top Lane had experienced flooding in the past and if this application were to go ahead this could increase surface water 'run-off' in the area and sought reassurance that appropriate mitigation measures would be installed.

The applicant and their architect spoke to this concern and stated the materials used for the driveway/hardstanding could be of permeable material. In addition, the applicant owned the field to the rear and any attenuation measures required could be housed there, if necessary.

The applicant stated she was happy to come up with a management agreement between any new residents of Whitley Brow, the cottage and new developments in order contribute financially towards any flood mitigation measures on the site.

Comments: Whilst having **No Objection** to this application, it was agreed to make the Wiltshire Council Drainage Team aware of the application.

20/04259/FUL:

Land adjacent to 406c The Spa, Bowerhill.
Construction of two bungalows and associated works.
Applicant Amy Hallett

Comments: Members **OBJECTED** to this application on the following grounds:

- Safety concerns. Due to the angle of the exit/entrance any vehicles will have to exit the site across a shared cycleway/footway in potentially a reverse gear.

The shared cycleway/footway is regularly used by pupils attending Melksham Oak School.

- Over development of the site. Four dwellings are proposed on a site previously occupied by one bungalow.

Councillors wished to reiterate their previous comments made to various other planning applications for development at 406c The Spa, as follows:

This application is outside of the settlement boundary for both the Parish of Melksham Without and Melksham Town. Additionally, it considers that this is over development of the site and that this proposal offers no outdoor amenity space for any future occupier.

The Parish Council acknowledges that the settlement boundaries were part of the Housing Allocation Plan review, the outcome of which have still to be adopted by Wiltshire Council. However, they understand that the current settlement boundaries still stand until any revisions are approved and formalised.

In addition, the Parish Council would like to make reference to the Planning Inspector's comments following refusal of planning application 17/04649FUL, where the lack of garden and outdoor amenity space was cited for refusal, with the Inspector stating that the application would fail to provide an acceptable standard of outdoor provision for future occupants.

The Parish Council therefore, seek a consistent approach to applications in the parish.

Members also previously raised concerns with vehicles having to egress in a reverse gear over the shared cycleway/footpath.

Councillor Nick Holder based on the comments raised agreed to 'call in' this application to be considered at committee.

20/01938/OUT

Outline planning permission for up to 144 (previously 155) dwellings with informal and formal open space, including allotments, associated landscaping and vehicular and pedestrian accesses off Semington Road. All matters reserved except for principal means of access. Applicant Hollins Strategic Land LLP – Revised Plans

Comments: Whilst welcoming the applicant had taken on board the comments previously made with regard to the provision of equipment for older children and protection of the former line of the Wilts & Berks Canal, Members still **OBJECT** to this application and reiterated their previous comments, as well as making the following comments:

- The lack of school places, particularly primary, within safe walking distance of the site.

Members felt that a 2 mile walk, traversing the busy A350 was not ideal and in recent months had been approached several times by residents concerned at how dangerous it was to use the crossing on the A350 to access the town and in particular Aloeric Primary School.

Reference had been made to children on this site using Pathfinder Way Primary. Whilst a site has been earmarked for a new primary school, no plans have been submitted as yet and again Members felt this school would not be within safe walking distance, with people having to cross the busy A350.

Members agreed to send the minutes of the various Highways Meetings where safety concerns in crossing the A350 had been raised to the Education Department as evidence of safety concerns.

Some children may be sent to St Georges Primary School, Semington. A concern was raised people may be tempted to use a short cut and traverse the bus gate on Semington Road to access the school.

If this application were to be approved, the Parish Council would like to see:

- The provision of a MUGA on site, in addition to the gym equipment and teen shelter indicated.
- The removal of the access to Shails Lane to protect the 'private road' status of the lane.

Concern was raised if this development were to go ahead, any new residents adjacent to Shails Lane would be tempted to create their own accesses onto the lane, in order to create a short cut to access facilities in Bowerhill, including schools such as Bowerhill Primary, Melksham Oak and a potential new primary on Pathfinder Way. Members felt it was important that measures needed to be put in place to prevent such actions from residents. It was noted that access from Shails Lane has been closed by the Coroner following a fatality on the A350.

- Access to the adjacent Bellway development in order that new residents can access the new village hall proposed for this site.

- A contribution to the new Berryfield Village Hall.

Previous comments made on 6 April 2020 ie:

- Outside the settlement boundary.
- Melksham has already exceeded its housing requirement up to 2026.
- Wiltshire Council have recently adopted the Housing Site Allocation Plan with no recommendation for housing in Melksham, given it has met its housing requirement up to 2026.
- As approval has recently been given for a new ring road in Chippenham this would release additional housing land in the Chippenham Housing Market (HMA), which includes Melksham therefore, it would be hard to argue that Melksham needs to take any additional housing proposed.
- The impact this development will have on the already stretched medical/education provision within the town.
- The site is remote and unsustainable, with limited access to local schools and facilities.
- Overdevelopment of the site, when considering the recent Bellway development next to this site. This development would double the size of Berryfield, which is classed as a small village in the Wiltshire Core Strategy.
- Lack of facilities proposed for the site.
- This site is more suitable for the expansion of Hampton Park West Industrial park adjacent to this site.
- The impact on local wildlife. This site is known to be a habitat for Great Crested Newts and bats.

- The impact this development will have on the ecology of the area, particularly to the hedge which forms the line of the former Wilts & Berks Canal. If this application were to go ahead any houses should be set well back from the former line of the canal, in order to protect this hedge.

The bund of the canal should also be made a feature of this development if it were to go ahead.

- The impact this development will have on the environment/climate, as most residents would have to rely on their own vehicles to access facilities due to the remoteness of this site.
- The proximity of the adjacent sewerage works to this site and the potential impact this may have on new residents regarding noxious smells.
- The impact this development will have on the adjacent sewerage works in reducing the land available to extend their site, in order to cope with a future increase in demand.
- Whilst noting the plans are outline and therefore indicative, Plot 11 would appear to have no amenity space to the rear and is close to existing neighbouring properties.

Highway Safety Concerns

- Access to nearest schools ie Aloeric, Bowerhill Primary, St George's Primary, Semington and Melksham Oak are via the extremely busy A350. There have already been cases where pedestrians, including children have nearly been knocked over whilst using the crossing on the A350 from Berryfield, due to drivers not stopping in time for a red light.
- If students attend St George's Primary, Semington, drivers may be tempted to use the bus gate on

Semington Road as a short cut, rather than the A350.

- The access to the site is very narrow, which could result in visibility problems for those exiting the site.
- The proposed access will also be shared with Wessex Water in order to access their facility adjacent to the site, which could cause conflict with larger vehicles and those accessing the development.
- Large vehicles for the sewerage works, if this application were to go ahead, may decide to access their site north of Berryfield, off the A350, thereby having to negotiate traffic calming measures installed along Semington Road.
- Proposed access for pedestrians/cyclists into Shails Lane. This is a private lane (and not a Public Right of Way) and would require the agreement of the landowners.

Concern was raised that anyone using this lane would try to cross the busy A350 to access Bowerhill. Following a fatality not long after this road was opened, the Coroner recommended the access at the bottom of Shails Lane be blocked off. Pedestrians would also try to use this lane as a short cut to get to Semington from the development.

Other concerns

- Whilst community allotments are proposed, the Parish Council already have 76 allotments located in Berryfield, with only one person on the waiting list and would prefer to see other community benefits.
- No indication the developers are making a contribution to the Wilts & Berks Canal Restoration

Project or to community facilities, such as enhancing the village hall or providing a local shop.

- It is understood residents of the adjacent Bellway development (Bowood View) did not receive leaflets on proposals for this site as part of the public engagement process.

If Wiltshire Council are minded to approve this application, the Council would wish to be a signatory on any Section 106 agreement and involved in discussions on community benefit such as:

- Contributions to educational and medical facilities within Melksham area.
- Provision of a footbridge across the A350 from Berryfield.
- Maintenance contribution towards the new Berryfield Village Hall adjacent to this site.
- The provision of circular footpaths within the development.
- Equipped play areas and LEAPs (The Council would welcome discussions on who would be responsible for ongoing maintenance of these facilities)
- Public art.
- Provision of a community shop.
- Provision of equipment to accommodate not just young children, but teenagers, such as a teen shelter, gym equipment and MUGA. The area currently allocated to allotments would be an ideal location for these facilities.

The Council would also like to see the following:

- Bungalows provided and located near to the entrance to the site, as it is understood there is a need for these within the area, as well as additional footways installed or public rights of way to provide better linkages to the rest of the community and facilities, such as local schools including a potential primary school at Pathfinder Way.
- The provision of charging points on the development.
- The provision of additional landscaping and buffer to the south east of the site in order to protect the rural

nature of Shails Lane and shield potential housing from the industrial site at Hampton Park.

- Social housing to be tenant blind.
- If shared surfaces within the scheme are proposed that different materials are used in order to delineated footpaths from road surfaces.

If the current public health situation changes, the Parish Council would like to revisit this application in order to have an opportunity to discuss this application with residents.

Wiltshire Council Nick Holder agreed to call this application in for consideration at committee.

20/04190/FUL: 5 The Laurels, Beanacre. Change of use from agricultural land to residential to use the land to create an area of natural grassland/re-wilding. Applicant Mrs Emma Smith

Councillor Glover declared an interest in this application as he knew one of the neighbours.

Comments: Whilst having **No Objection** to this application, Members asked that no development take place on this site in the future.

Members were aware that areas adjacent to this site were prone to flooding and noted a ditch running across this site to help with any 'run-off' and sought assurances this ditch would be maintained, therefore, it was agreed to highlight proposals for this site to the Drainage Team at Wiltshire Council.

20/04081/FUL: Bridge House, Canal Bridge Semington. Proposed outside bathroom, covered area extension & alterations. Applicant Mr G Watson

Comments: No objection.

544/19 Neighbourhood Plan

a) To receive update on Neighbourhood Plan & Regulation 14 Consultation

The Clerk informed the meeting the consultation period had been extended for a further two weeks on the advice of Wiltshire Council, due to the current public health crisis and would now run until 27 July. An advert would be going out into Melksham News later in the week advertising the consultation period.

The Clerk explained Place Studio had been employed to get the plan to Regulation 14 stage, therefore she had approached them to provide a quote to progress the plan to the next stage once it had passed Regulation 14.

545/19 S106 Agreements and Developer meetings: (Standing Item)

a) To note update on ongoing and new s106 Agreements

The Clerk informed the meeting, Diana Hatton had just been appointed by Wiltshire Council as the Public Art Consultant by for the Bellway, Semington Road application and was looking to hold a meeting to progress the art project for this site.

In addition, David Sharp, the architect for Berryfield Village Hall, had been in touch as the Urban Design Planning Officer had originally come up with proposals for including water butts and flower beds, however, the land in front of the hall was public open space and therefore, it had been felt this was not appropriate. It had been suggested some sort of art relief on one of the outside walls of the hall would be an appropriate way to use the public art money and enhance the hall aesthetics.

Resolved: To arrange a Zoom meeting as soon as possible, to include David Sharp, architect for the hall, members of BASRAG, the original working party and a representative from the Wilts & Berks Canal who had previously undertaken art projects for them.

b) To consider any new S106 queries

The Clerk informed the meeting there were no new Section 106

queries to report.

c) To note any S106 decisions made under delegated powers

The Clerk stated she had no S106 decisions under delegated powers to report.

d) To note any contact with developers

The Clerk informed the meeting developers had contacted the Parish Council wishing to put forward a scheme for 9 dwellings on First Lane, Whitley. The developers were currently consulting local residents on proposals therefore, the Clerk sought guidance from members if and when they wished to meet the developers to discuss the proposals.

Resolved: To arrange a Zoom meeting as soon as possible with the developers, potentially before/after the meeting with the Public Art Consultant.

The meeting finished at 20.05pm

Chair:.....
Approved at Full Council Meeting
held on 27 July 2020