

**MINUTES of the Planning Committee of Melksham Without Parish Council held
on Monday 5 October 2020 at 7.00pm**

**(DUE TO THE ON-GOING COVID 19 PUBLIC HEALTH CRISIS THIS WAS A
VIRTUAL MEETING, WITH MEMBERS OF THE PUBLIC BEING ABLE TO
ACCESS THE MEETING VIA THE PUBLISHED ZOOM INVITATION. THIS
MEETING WAS ALSO LIVE STREAMED VIA YOUTUBE)**

Present: Councillors Richard Wood (Council & Committee Chair), Alan Baines, (Committee Vice-Chair), Terry Chivers, Greg Coombes (from 8.35pm), Mary Pile and David Pafford

Also in Attendance: Wiltshire Councillor Phil Alford (Melksham Without North)
Wiltshire Councilor Nick Holder (Melksham Without South)

Members of Public Present: 3 Members of public

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

89/20 Welcome, Announcements & Housekeeping

The Clerk reminded those present that until they indicated or were invited to speak, they would be kept on mute. The meeting was being recorded to help with preparing the minutes, as well as being live streamed on YouTube.

90/20 To receive Apologies and approval of reasons given

Apologies were received from Councillor Glover who was away on holiday.

The Clerk noted that Councillor Coombes was not present, however, no apologies had been received.

Resolved: To note and approve Councillor Glover's reasons for absence.

91/20 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 stated the Council had a dispensation lodged with Wiltshire Council dealing with Section 106 agreements relating to planning applications within the parish.

92/20 To consider holding items in Closed Session due to confidential nature

*Under the Public Bodies (Admission to Meetings) Act 1960, the public and representatives of the press and broadcast media be excluded from the meeting during the consideration of the following items of business (**Item 14d**) as publicity would be prejudicial to the public interest because of the confidential nature of the business to be transacted.*

As item 14d related to negotiations with the landowner on community gains for the site allocation within the Neighbourhood Plan, the Clerk advised this item should be held in closed session.

Resolved: That item 14d be held in closed session as it related to the start of negotiations with the landowners of the site allocation in the Neighbourhood Plan (as per Standing Order 3d) reason b).

93/20 Invited Guests

The Clerk advised that despite an invitation to attend this meeting, Terra Strategic had not taken up the offer to discuss their proposals for 50 dwellings on land West of Semington Road (Planning Application No 20/07334).

Members expressed disappointment they were not in attendance.

Members agreed to suspend Standing Orders to allow for a period of public participation.

94/20 Public Participation

Two residents of Townsend Farm and one resident of Berryfield attended the meeting to voice their objections to proposals for 50 dwellings on land West of Semington Road by Terra Strategic. The objections raised were as follows:

- The red line indicating the extent of the application appeared to take in an area of land around Townsend Farm which residents had a right of way over.
- Proposed parking for the site was adjacent to Townsend Farm boundary.
- The plans appeared to include the access road for Townsend Farm.
- The fields within the site often flooded, particularly this time of year, which did not appear to be taken into consideration in the Flood report,

with regards to what measures would be put in place to mitigate against this.

- Loss of part of Grade 2 agricultural land.
- The loss of farmland in general.
- Melksham has met its housing allocation.
- Lack of infrastructure, such as schools and health care.
- Whilst this application is for half the site, once approved the rest of the site could be put forward for development and the extra impact this would have on current facilities within the town.
- Road safety – The nearest primary school would be Aloeric School. People would be tempted to cross the A350 using the crossing to the West rather than the light-controlled crossing to the East of the site, both crossings are dangerous however. There have been several near misses, on the East crossing, some of which have involved children where vehicles have not stopped on a red light.
- Impact on Berryfield and the destruction of the area due to inappropriate development.
- Impact on local wildlife, adders, which are a protected species are known to inhabit areas of the site.
- Impact the extra traffic will have on Semington Road.
- The lack of a holistic approach to development in the area, resulting in the lack of new infrastructure being delivered.
- Lack of a footpath along the A350, particularly for students wishing to access Melksham Oak or other primary schools in the area.
- Traffic is already busy on the A350, particularly at rush hour and the impact this development will have on traffic.
- The impact this development will have on the Right of Way residents of Townsend Farm have to the rear of their properties.

Councillor Wood stated that current development taking place in Berryfield would not have taken place, if it had not been for a previous lack of 5 year land supply by Wiltshire Council.

Regarding the Right of Way currently enjoyed by residents, he felt it was important to draw this to the attention of the developers and asked that the Clerk contact the developers regarding this.

Councillor Alford explained there were a few items on the Planning agenda he wished to talk to.

Regarding planning application 20/07375 for a change of use from visitor/education centre to farm stay accommodation in connection with an alpaca enterprise at Oakley Farm, Lower Woodrow, he had 'Called In' this application for consideration at Committee if the Planning Officer were minded to refuse. There had been issues with previous planning permissions for this site, however, the business was thriving, which demonstrated a need for such a business in the area.

With regard to Wiltshire Council's lack of 5-year land supply, which currently stood at 4.62 years, he had spoken to an officer at Wiltshire Council regarding the impact on Melksham in particular and the need for an holistic/strategic approach in considering development, rather than a piecemeal approach which is unsustainable.

He also stated he would be happy to be involved in 'pre app' discussion with developers, bearing in mind his time constraints, as per agenda item 12e.

Councillor Holder stated he endorsed inviting the relevant Wiltshire Councillor Member to Pre-App meetings and had recently attended a Pre-App meeting with Terra Strategic regarding proposals for 50 dwellings on land West of Semington Road (Planning application 20/07334) and expressed disappointment they had not attended the meeting this evening.

Standing Orders were reinstated.

95/20 Correspondence and Background Information to note

- a) Wiltshire Council, Tree Preservation Order. To note Wiltshire Council have confirmed a Tree Preservation Order for two Horse Chestnut Trees to the rear of Whitley Brow, 178 Top Lane**

Members noted a Tree Preservation Order for two Horse Chestnut Trees to the rear of Whitley Brow, 178 Top Lane had been made.

- b) To note Planning Application 20/04259/FUL: 406C The Spa (Revised Plans) to construct 2 bungalows has been 'Called in' for consideration at committee**

The Chair invited Councillor Nick Holder to speak to this item and the members agreed to suspend Standing Orders.

Councillor Holder informed the meeting he had 'Called in' this application.

Standing Orders were reinstated.

- c) To note Road Safety Report with regards to Semington Road (20/01938) application and to note a further request has been made for a road safety report regarding the other schools in the area.**

A copy of the Road Safety Report relating to the proposed development for 144 dwellings off Semington Road, Berryfield had been forwarded to the Parish Council, following a concern raised when discussing this application previously, at the safety of children having to cross the A350 to access education facilities.

Councillor Baines raised concern there appeared to be several omissions from the report as it did not refer to several other roads having to be

crossed to access Aloeric School, such as Longford Road and Lewington Close. He also noted that the footpath between Peel Court and Lewington Close was often obstructed by vehicles parking on the footpath.

Other observations:

- Reference had been made by the Road Safety Officer that whilst undertaking the assessment they witnessed an unaccompanied child travelling by scooter to Aloeric Primary School waiting at the barriered central refuge at the double toucan crossing, pressing the wait button and then not wait for the 'green flashing safe to walk lights' as there were no oncoming vehicles.
- Poor visibility when approaching the toucan crossing via vehicle from the East due to an overgrown hedge, with the writer of the report noting this had obscured their view of several cyclists waiting at the crossing.

It was noted the Parish Council had made several requests for this hedge to be cut back due to poor visibility.

- The shortest direct route crossing the A350 is via the West informal crossing, which the Road Safety Officer felt was not a safe option.

It was noted the Parish Council had also raised this as a concern.

Members also raised a concern at the safety of pedestrians using the light-controlled crossing to the East, which was felt to be very dangerous. Having received several reports of near misses whereby vehicles had not stopped at a red light, the Parish Council had asked at a recent Community Area Transport meeting (CATG) that extra safety measures be installed at this crossing.

- The report only referenced children accessing Aloeric School, however, children from this development could attend other primary schools in the area such as Bowerhill, St George's in Semington and the proposed new school at Pathfinder Way.
- The report stated the walk to Aloeric School from this site was safe if accompanied by an adult, however, older primary school children often walked and cycled to school on their own.

It was noted there is no preschool provision at Aloeric School and therefore, it needed to be borne in mind where preschool children would attend and what walking route would be used.

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

A resident of Berryfield expressed their concern at how dangerous crossing the A350 is and stated they had previously made the Parish Council aware of a near miss when attempting to cross the Eastern crossing when traffic was on a red light.

Another resident reiterated concerns regarding crossing the A350 and stated adults were more aware of their surroundings, however, children often were not and expressed a concern at the potential dangers of unaccompanied children crossing the A350.

Standing Orders were reinstated.

Recommendation: To forward the above comments to the Wiltshire Council Road Safety Team and to remind them that a report on safe walking routes to other schools in the vicinity had also been requested and to ask that they bear in mind where preschool children would attend in their report.

96/20 To consider the following Planning Applications:

20/07334/OUT: Land West of Semington Road, Melksham. Outline planning permission for up to 50 dwellings and formation of access and associated works (outline application to consider access with all other matters reserved).
Applicant Terra Strategic

Members had raised a number of concerns at the meeting with the developers on 30 September as follows:

- Highway safety with regards to pedestrians crossing the A350 both on the light-controlled crossing to the East and the informal crossing to the West of this site, both of which are dangerous. With various near misses, some involving children, being reported to the Parish Council.
- Loss of Grade 2 Agricultural land.
- The unsustainability of the site.
- Outside the settlement boundary.
- The need for proposed affordable housing to be tenant blind.
- Impact traffic calming measures will have on vehicles accessing/egressing the site.
- The impact this application would have on proposals for the Wilts & Berks canal "Melksham Link" project.
- Increased traffic using the A350, particularly since the temporary closure of Cleveland Bridge, Bath to HGVs with the potential for this application to exacerbate this further.

- That further development could take place on the piece of land currently in the developer's ownership adjacent this site, if this application were approved.
- It was noted that some residents of Townsend Farm accessed their properties to the rear and used the 'green' lane adjacent to gain access and it would appear this may be hindered by proposals for this site.

Councillor Pafford raised a concern at the impact of Wiltshire Council allowing planning approval for the Pathfinder Way development in Bowerhill, which had set a precedent for development in inappropriate locations and allowed for opportunistic applications by developers.

Councillor Pafford also felt some of the comments in the report provided by the developer were over optimistic with regards to the level of facilities available within Melksham at the current time.

Members reiterated concerns regarding the safety of pedestrians crossing the busy A350 to access Aloeric School and the town centre and the impact these plans would have on the Wilts & Berks Canal project. It was noted that the access road to this site may impact proposals for an access road to Berryfield which was included in the canal plans, with potential for two roads to be adjacent to one another.

It was understood that any significant development on the West side of Semington Road would have to contribute towards the canal, however, if this development were to go ahead this could set a precedent for future development taking place and therefore not contributing towards the canal, given the current delay in the plans.

Members felt the site was unsustainable for various reasons, including the lack of public transport serving this area.

It was noted some parents may wish to send their children to St George's, Semington and be tempted to go through the 'bus gate' rather than via the A350.

Discussion ensued on what Members would like to see included on the site, if Wiltshire Council were minded to approve the application.

Concern was raised at some inaccuracies within the Design & Access Statement ie.

1.3.20: Further to the West is the River Avon, which forms part of the Wilts & Berks Canal. As part of the Council's Melksham Link project.

The Melksham Link has not been created yet, however, it is anticipated that the River Avon will form part of the canal link. The project is also not a project of 'the Council'.

Whilst page 30 shows an indicative layout of the plans to be submitted, on page 35 it shows a site layout similar to that submitted previously for 160 dwellings on the whole site.

The Clerk informed the meeting Wiltshire Council had refused another application on this site by Terra Strategic (17/01095/OUT) in May 2017 for 160 dwellings on the following grounds:

- 'The site is located in open countryside outside the limits of development defined for Melksham in the Core Strategy.
- The proposal conflicted with the Council's plan-led approach to the delivery of new housing sites outside of the identified limits of development, as set out in Core Policy 2 of the Wiltshire Core Strategy, which seeks to provide new housing sites to deliver the identified needs in Melksham Community Area through a Site Allocations DPD and/or Neighbourhood Plan.
- The proposal would create a large block of housing isolated from other development by surrounding fields.
- The application would result in the loss of Grade II Best and Most Versatile Agricultural land where the loss of land is not considered to be necessary.
- Increase in pedestrians crossing the Western arm of the A350 roundabout where there is no formal crossing and such a crossing facility could not be safely provided due to the proximity of the roundabout.
- The various constraints on the site and the impact on the character of the locality.
- The proposal does not provide for the delivery of the necessary infrastructure (eg affordable housing, education provision, and open space) required to mitigate the direct impacts of the development.'

Comment: To Object to this application on the following grounds:

- The proposal is outside of the settlement boundaries for both the village of Berryfield and Melksham Town, and as such would be development in the open countryside which would erode the rural buffer between these two settlements.
- This is an inappropriate site for development and could possibly prejudice some of the enabling development required for the Wilts & Berks Canal Link. The route of the canal is protected under Core Policy 16 of the Core Strategy.

This application threatens any road access into Berryfield as proposed in the Wilts & Berks Canal Plans and could result in two roads adjacent to one another.

- The proposed site entrance is very close to the entrance to the Mobile Home Park, and in addition to the road calming measures already in place this could lead to congestion and traffic issues, especially on the Semington Road roundabout on the A350. The A350 is a primary route with 20,000 vehicles a day using it.
- The site is considered to be inaccessible from Town. There are concerns over how children would get to primary schools, such as Aloeric Primary, St Georges in Semington, Bowerhill and any new school forming part of the Pathfinder Way application and to secondary school - Melksham Oak.
- Highway safety. Several near misses on the light-controlled crossing on the A350 have been reported to the Parish Council, some of these near misses have involved children attending Aloeric School.
- This development would result in the loss of Grade 2 agricultural land.
- The unsustainability of the site and lack of public transport.
- The reasons planning application 17/01095 was refused by Wiltshire Council in May 2017 for a development of 160 dwellings still stand.
- In the Case Officer's report for another application in Berryfield, 16/11901/OUT, which was approved on 23 March, 2017, under the Assessment of the

Principle Development, the Officer stated the following:

“Appendix F of the Wiltshire Core Strategy sets out that Berryfield is a Small Village with no settlement boundary therefore a judgement has to be made as to whether the application site is “within the existing built area” of Berryfield.

Berryfield is considered to form a large group of dwellings located mainly to the West of Semington Road leading to the A350.

The application site is located on the northeast edge of the village forming part of a spur of residential development that extends North out of the village. Residential development is located to the South and North of the application site (489A Semington Road and 490 Semington Road) and opposite (West) is a public house.

To the East lie open fields however this site has outline permission for 150 dwellings (16/00497/OUT). The application site is therefore bordered by development on three sides and proposed development on the fourth. Due to the location of the site between existing development it is considered that the application site lies within the existing built area of Berryfield. Due to the location of the application site between existing residential development it is also considered that the development would be considered infill development. The proposed development therefore complies with Core Policy 2 of the Wiltshire Core Strategy”.

The Council therefore considers, taking into account the evidence for the approval of application 16/11901/OUT, that this application does not fall “within the existing built area” of Berryfield, having only a small area of development to the East of the application site, open fields to the South and West of the site and the A350 to the North; neither does it fall within the settlement boundary of Melksham Town.

This application therefore does not comply with Core Policy 2 of the Wiltshire Core Strategy, in that it is outside of the defined limits of development and has not been brought forward through the Site Allocations DPD or the emerging Melksham Neighbourhood Plan.

Should Wiltshire Council be minded to approve this application the Parish Council would like to see the following conditions included in the Heads of Terms for the S106 Agreement:

- The development is tenant blind.
- There are practical art contributions.
- A LEAP (Local Equipped Area of Play) is provided which includes bins and benches as well as public open space and the regular emptying of bins to be reflected in any future maintenance contribution.
- The Parish Council wish to enter into discussions on being the nominated party for any equipped play area for the site, and the associated maintenance contribution.
- Bus shelters to be provided in Semington Road with WiFi connectivity to provide Real Time Information.
- The road layout is such that there are no dead ends in order that residents and refuse lorries do not need to reverse out of roads.
- There is a visible delineation between the pavement and the road.
- As no community facility is being provided from this application, that a contribution is made towards the running costs of the new village hall being provided as part of planning application 16/00497/OUT on Semington Road.
- A contribution is made to public transport.
- A contribution towards the canal scheme.
- Equipment is provided for teenagers, such as a teen shelter with WiFi connectivity.
- The provision of circular walking routes with the provision of benches and bins.

Councillor Holder following the comments raised above stated he would 'call in' this application to be considered at Committee.

It was agreed to forward a copy of the notes of the recent Pre App meeting with Terra Strategic to Councillor Holder and Terra Strategic and to inform residents when this application would be considered at committee.

Councillor Holder left the meeting at this point.

20/07375/FUL: Oakley Farm House, Lower Woodrow, Forest.
Change of use from Visitor/Education Centre to Farm Stay Accommodation in connection with the Alpaca

Enterprise. Applicant Mr Turrell

It was noted there were several minor inaccuracies within the agent's report as follows:

Point 45 stated the nearest bus stop is 0.6km away from the site, whilst this may have been the case several years ago, there has been changes in bus services and the nearest bus stop is now 1.6km from the site.

There is no continuous footpath from New Road, there is at least 200m of road either side of New Road which does not include a footpath.

Comment: Whilst having **No Objection** to this application to highlight the minor inaccuracies within the agent's report.

20/07828/FUL: Fieldsend Cottage. 584 Semington Road. Erection of detached garage/games room wing. Applicants Mr & Mrs Petty

Comment: No objection, but to ask that a condition be placed on any planning approval that the detached garage/games room is not converted into a separate dwelling at some point in the future.

20/07931/FUL: 17 The Beeches, Shaw. Proposed single storey rear extension. Applicants Mr Melvin

Comment: No objection.

97/20 Revised Plans. To comment on any revised plans received within the required timeframe (14 days)

No revised plans had been received.

98/20 Planning Enforcement:

The Clerk explained she had not heard back from the Enforcement Officer on a concern that the hedgerow to the South of the 450 dwelling development, East of Melksham had been removed without consulting an ecologist for advice in the first instance and would chase this up.

There was another one for Halifax Road still outstanding which the Clerk agreed to chase up.

99/20 Planning Policy

a) To note “Cornwall Council” presentation on current changes to the Planning System

Members noted the Cornwall presentation on current changes to the planning system, that had been shared by WALC (Wiltshire Association of Local Councils).

b) To note the Government consultation (closes 1 October) on short term/transition changes to the Planning System

It was noted these changes were made prior to any proposals in the Planning for the Future document being adopted.

Unfortunately, this consultation had closed, however, it was noted with disappointment that there were proposals to increase the threshold for affordable housing from 10 to 40/50 dwellings.

Recommendation: To express the Parish Council’s disappointment at proposals to increase the threshold for affordable housing from 10 to 40/50.

c) To consider submitting comments to Government consultation (closes 29 October) Planning for the Future – White Paper

The CPRE had sent their observations to proposals within the Planning for the Future White Paper which had been circulated to Members prior to the meeting.

The CPRE were urging councils to contact their MP on any concerns they had to proposals within the document as Parliament were due to discuss proposals this Thursday.

It was noted there were a lot of questions to be answered within the document and the Clerk explained officers could look through the document to provide a response to submit to the next Planning meeting if Members felt this was appropriate.

Whilst the report was extensive, the following was noted:

- A proposal to take away the green notices informing local residents of plans for their area. Members felt most people were aware of these notices and were a useful tool in informing people of planning applications.
- Will not be plan led, but policy led.
- 3 proposed zones ie Growth Areas, Renewal Areas and Protected Areas and the impact on Melksham

- Presumption to develop and the impact on the already stretched facilities within the town.
- Proposals assumes all areas need the same amount of housing, which is not the case.
- Geared towards the developer rather than local aspirations/needs.
- Concern proposals leading to centralization and a demolition of policies which work and the loss of localism and democracy.
- Concern Community Infrastructure Levy (CIL) payments will not be forwarded to the town/parish the development is in, as it was unclear in the report, whether CIL would go to the Local Planning Authority or to central Government.

However, it was noted there was some good proposals such as improving the speed of the planning process, improvements in design quality, plans will be available digitally.

Although not currently being consulted upon, the Clerk explained if a Neighbourhood Plan allocated a site within their plan they were protected if the Local Planning Authority went down to a 3 year land supply. However, under changes to the National Planning Policy Framework (NPPF) this had now changed and only protected areas for the first 2 years of a Plan being adopted and sought a steer from Members if they wished to add to the list to send to the local MP at this stage as part of this consultation.

Recommendation: To support the comments made by the CPRE and to inform the local MP of the parish's concern with the loss of democracy and localism, with a move towards centralisation and to lobby against the changes in the NPPF in that areas with a Neighbourhood Plan, with a site allocation, are only protected for the first 2 years of adoption, if the Local Authority cannot demonstrate a 5 year land supply (protection provided down to a 3 year supply).

- d) To note the Government call for evidence (closes 30 October) on <https://www.gov.uk/government/consultations/transparency-and-competition-a-call-for-evidence-on-data-on-land-control>**

Members noted the above consultation was available for comment until 30 October.

- e) To note Government press release (8 September) on new funding and schemes for Affordable Housing and Social rent**

It was noted that some of the proposals relating to new funding for affordable housing and social rent were contradicted in proposals within

the Planning for Future document regarding affordable housing.

The Clerk agreed to investigate this.

100/20 To note update on ongoing and new S106 Agreements

a) To consider any new S106 queries

There were no new Section 106 queries to consider.

b) To note any S106 decisions made under delegated powers

There were no delegated decisions to note.

c) To note any contact with developers

There had been no recent contacts by developers other than those detailed below.

i) To receive feedback following second meeting on 24 September with Pegasus & PFA Consulting re: public consultation for 150 dwellings on Land to the South of Woodrow Road

Members of both the Parish Council and Town Council held a second meeting with Pegasus Planning and PFA Consulting on Thursday, 24 September to discuss proposals for 150 dwellings on Land to the South of Woodrow Road. In line with the Council's 'Pre App' Policy, the notes from the meeting are presented below:

'Present at the meeting were: Councillor Richard Wood, Chair of Planning & Melksham Without Parish Council; Councillor Alan Baines, Vice Chair of Planning, Melksham Without Parish Council; Councillor Adrienne Westbrook, Chair of Planning of Melksham Town Council; Teresa Strange, Clerk, Melksham Without Parish Council; Lorraine McRandle, Parish Officer, Melksham Without Parish Council; David McKnight, Economic Development Manager, Melksham Town Council; Harry Ramsey, Pegasus Planning; Sarah Hamilton-Foyn, Pegasus Planning; Gareth Lambert-Jones, PFA (Transport)

The Clerk explained since the last meeting the Parish Council had submitted its formal response to the current consultation and perhaps a way forward for the meeting was to answer any questions relating to these, as well as discuss potential community benefit and follow-up on points by Pegasus as part of the Regulation 14 consultation on Melksham's Neighbourhood Plan regarding this site.

Comments to Public Consultation

Regarding feedback to proposals for the site, The Clerk explained there were various concerns regarding highway issues. Gareth explained that all comments had been addressed in the Transport Assessment.

Councillor Wood stated it was understood the applicant owned all 4 sites, adjacent to this site, and sought clarification as to why development was not starting at the other end, adjacent to the A3102 (Sandridge Road), which would provide easier access than off Woodrow Road.

In answer to this question, Sarah explained their client had instructed them to promote this site first for development.

Councillor Baines explained the Parish Council had put forward the first two sites off of the A3102 as SHLAA sites, suitable for development in the next plan period and would look at these sites more favourably, before Woodrow Road, as it made a logical sequence of development and would fulfil comments made by Pegasus as part of their Neighbourhood Plan Reg 14 submission that all four sites should be developed and incorporate a primary school.

Gareth reiterated they could only work on what the client had wished to put forward.

Councillor Baines stated when Savernake Avenue was built in the 1970s only pedestrian access was provided off of Woodrow Road, as it was felt unsuitable then to have vehicle access onto Woodrow Road.

Councillor Westbrook stated from a Town Council point of view would reiterate the points raised by both Councillors Wood and Baines regarding access and the logic of starting development from the A3102 end first.

The Clerk asked if the developers were aware of the large number of equestrian facilities on Woodrow Road, which were in constant use by horse riders, including learners, as well as the National Cycleway 403, which was also very popular with cyclists.

The Clerk also explained that following a recent Traffic Survey, the 85th percentile of drivers were travelling at 38.3mph in a 30mph zone. Since the metro count had been undertaken more vehicles were using New Road from the East of Melksham development and Sandridge Place to access the A350/M4 via Lacock and with the addition of this development the volume of traffic would be

exacerbated. Concern was raised at the impact of construction traffic also on Woodrow Road.

The lack of school places both for primary and secondary was also raised as a concern by both Councils.

The Clerk went through the various other comments raised by the Parish Council in their submission to the consultation, as well as a preferred list of amenities on the site, such as circular walks and play equipment including some element for teenagers.

Community Benefit

With regard to community benefit it was noted Forest Community Centre would serve residents of this site and was a well established and well supported community centre, which included a large recreational area, which could facilitate 2 football pitches. There was currently a 125-year licence for the site.

Unfortunately, being a former container, only had a 10-15 year life span left, but there was potential for this site to have a new community hall, due to its large footprint, with plenty of parking, which could provide areas to split off, making it a more attractive venue for users, with the flexibility to have a bigger hall when required.

Therefore, funding towards a replacement building would be welcome rather than having a new hall provided on the development site, given the potential for both halls to end up competing with each other.

Councillor Baines stated foul water drainage for the Parish Council part of Woodrow Road was from a pumping station to Bowerhill Sewerage Treatment works with natural drainage for the proposed site being from the northern corner of the proposed site and presumably would also have to be pumped to Bowerhill Treatment works.

Councillor Baines also noted there are no mains sewers in the highway for some properties on part of Woodrow Road. However, if development started at Sandridge Road end there was the opportunity to use two sewerage systems.

The Clerk explained she was aware local residents were particularly concerned at the proposed pedestrian access onto a blind corner with a sign already being installed warning drivers of a concealed entrance. It was noted by Councillor Baines large numbers of drivers did not observe the 30mph speed, which was a concern for anyone crossing the road to this development.

Gareth explained they were looking at options, such as any form of crossing being combined with traffic calming feature with priority for out bound vehicles, with inbound vehicles having to slow down.

Councillor Baines stated any pedestrian access should be via Savernake Avenue to enable access to public transport, rather than onto Woodrow Road. Gareth explained the access to Savernake Avenue was under a different landowner and therefore this made this option difficult.

Councillor Wood again sought clarification as to why this site had not been put forward with other sites adjacent, to make it a more viable site and why the landowner did not hold off until the Local Plan Review, when there was an opportunity for all 4 sites to be put forward for consideration.

Sarah explained the landowner felt given the lack of 5-year land supply that putting one site forward now, would have a better chance of being approved as opposed to all 4 at the present time.

Councillor Wood asked for the views on proposed community benefit. Sarah explained they were currently going through the various responses to the consultation and would have to produce a report to go back to the client for discussion with Wiltshire Council in the first instance to see what their response was, with the bottom line being what was fair and reasonable and related to the site in terms of the developer's contribution. However, she had noted the comments the group had made regarding Forest Community Centre.

Councillor Wood passed on his thanks to Pegasus and PFA for taking the time to talk to both councils to discuss concerns and taking them on board.

It was asked if Lacock Parish Council had been contacted, given the impact this development would have with extra traffic potentially going through Lacock to access the A350/M4. It was explained they had already been contacted, but were awaiting a meeting.

Next Steps

It was confirmed once the consultation period had ended a report would be compiled and sent to the consultation team for a response and submitted to Wiltshire Council as part of the Statement of Community Involvement, along with the planning application, which it was hoped would be submitted before Christmas.

The Clerk agreed to formally write to Pegasus regarding community benefit. Councillor Westbrook confirmed the Town Council had

already commented on this as part of their response to the Community Engagement which was currently being prepared.

Councillor Baines asked that it be emphasized to their client that the application would be looked at more favourably if development was started from the other end and included the two sites put forward by the parish council as the next logical sites for development.'

It was noted people on social media were stated this was a planning application, which was not the case, but was currently being consulted on, prior to plans being submitted.

Whilst the Parish Council's formal response to the public consultation had already been sent, it was agreed to send the notes from the above meeting to Pegasus Consultants as additional comments to the consultation, as well as the Town Council ready for their next Planning meeting.

ii) **To receive feedback following meeting 30 September with Terra Strategic re: planning application [20/07334/OUT](#): Land West of Semington Road**

Members of both the Parish Council and Town Council met with Terra Strategic and Tetlow King on Wednesday, 30 September 2020 to discuss proposals for 50 dwellings on Land West of Semington Road – (20/07334/OUT). In line with the Council's 'Pre App' Policy the notes of the meeting are presented below.

'Those present included: Rosie Dinnen, Tetlow King; James O'Shea, Terra Strategic; Councillor Richard Wood, Chair and Chair of Planning, Melksham Without Parish Council; Councillor Alan Baines, Vice Chair of Melksham Without Parish Council Planning Committee; Councillor Nick Holder, Ward Member for Melksham Without South (Wiltshire Council) and Melksham Without Parish Council (part of meeting); Councillor Adrienne Westbrook, Chair of Planning, Melksham Town Council; Teresa Strange, Clerk, Melksham Without Parish Council; Lorraine McRandle, Parish Officer, Melksham Town Council; David McKnight, Economic Development Manager, Melksham Town Council

James, Terra Strategic explained an application had been submitted for 50 dwellings on part of a site in their ownership on Semington Road. There had been two previous applications for the full site in their ownership in 2017 for approximately 150 dwellings **(note Refused)** and one in 2018 for 108 affordable houses **(note Withdrawn)**. Terra Strategic still had a 5-year option on the site to promote and felt this was a good site given its location and lack of constraints.

James stated after speaking to Andrew Mead, Wiltshire Council regarding affordable housing need in Melksham understood there was a shortage of approximately 200 affordable homes in the area. Therefore, affordable homes proposed for the site were policy led, however, would be happy to discuss increasing this level to meet the shortage if necessary. Various affordable home suppliers had been approached and they were happy to take on any affordable homes supplied.

Rosie, Tetlow King explained a revised scheme had been submitted, as it was felt previously, the scale of the scheme was too large, with this application only being for 2.2h of the site, which was relatively constraint free, with proposals for mainly 2 bed properties with some 1 bed and affordable housing.

Rosie explained the original scheme failed as it was felt to be outside the settlement boundary. However, since then, there has been various changes, including the Bellway development which is currently under construction and also occupied, therefore, a precedent has been set and therefore now was an ideal time to submit an application.

Rosie explained since the submission of the previous applications the issue of crossing the A350 had been looked at, as this had been a concern raised previously. A Transport Assessment had been commissioned to look at pedestrian movements from the site and a safety audit undertaken. It was noted within the report the crossing was substandard for vulnerable road users to cross, such as partially sighted, therefore, a suggestion had been made to contribute towards crossing improvements to help those partially sighted and to possibly contribute towards sensors to reduce the red light time on the crossing, if people cross quicker than expected.

Rosie explained the reason for submitting the plan now was due to Wiltshire Council having a lack of 5-year land supply and that the Local Plan was out of date, having not been reviewed in the last 5 years as recommended, therefore there is a presumption in favour of sustainable development as the plan is seen as out of date.

A Community Infrastructure Levy (CIL) will be charged to this site which could be used to improve infrastructure with contributions towards improvements to the crossing and affordable housing coming via Section 106 Agreements.

Questions from Councillors and Officers:

Councillor Baines stated the Parish Council were aware of several incidences of vehicles not stopping on the dual carriageway on the

A350 at the Eastern crossing on a red light, which was dangerous and felt measures proposed would not alleviate this issue.

Regarding the settlement boundary, this had not changed since the last plans were submitted, with Western Way being confirmed as the settlement boundary. Therefore, the site was outside the settlement boundary of Melksham. It was also noted this site was not in Berryfield but in open space between the first houses on Semington Road, Berryfield.

Councillor Baines also raised a concern at the loss of Grade 2 agricultural land which formed part of this site and explained there was a presumption against developing higher grade agricultural land.

He also felt that the affordable housing proposed was not tenant blind, with a congregation of affordable housing proposed in the Southern corner of the site.

James confirmed the affordable housing would be in one location on the site, as this was preferred by Housing Associations from a management point of view, but was happy to look at a more flexible approach.

Regarding the agricultural land quality most of the Grade 2 land was in the other half of the site in their ownership, with only a small amount of Grade 2 quality land within the development site.

With regards to vehicles not stopping at the red lights, discussions could be held with traffic consultants to see what could be done to improve this.

Concern was expressed at the safety of using the crossing on the A350, with this issue being raised at a recent CATG (Community Area Transport Group) meeting. Concern was also expressed that residents of this development would be tempted, as it was the desire line, to use the informal crossing to the North of this site, which is also dangerous and is regularly used by people wishing to assess the town/Aloeric school and residents of the town wishing to access the canal.

Rosie explained the Transport Assessment had also looked at this crossing and it was proposed that residents would be given a travel information pack which included information on the safest way to cross the A350.

Councillor Holder explained that at a recent CATG meeting it was noted Wiltshire Highways were planning improvements to the crossing and suggested discussions take place with Highways on these proposals. He also suggested the possibility of

decommissioning the Western crossing be looked at, given the safety concerns.

Councillor Wood raised a concern at the impact the traffic calming measures on Semington Road would have on vehicles accessing/egressing the site and whether there were proposals to reconfiguration traffic calming measures along this stretch of road.

It was explained the traffic assessment would have looked at this issue.

It was asked if any consultation had taken place with residents on proposals for the site. James explained no consultation had taken place, as public consultation had taken place on previous submissions and it was felt as there was no change there was no need for further public consultation. Councillor Wood stated there had been a change with the Bellway development virtually opposite the site.

James explained there could be a leaflet drop to inform residents an application had been submitted.

Changes since the previous applications had been submitted were noted, such as:

- Increased traffic on the A350 (pre Covid).
- HGVs being diverted onto the A350 due to the temporary closure of Cleveland Bridge in Bath.
- Lack of school places both primary and secondary (whilst Melksham Oak is currently being extended, it is anticipated the school will be full by 2023)
- Whilst a primary school at Pathfinder Way, Bowerhill is proposed, access to the school will be difficult due to a lack of footpath to Pathfinder Way, with students having to cross the dangerous crossing on the A350.
- No footway opposite this site to access the official crossing on the Western side.
- Lack of sustainability of the site. (whilst the Bellway development is currently being constructed, this would not have happened due to the lack of sustainability of the site, if it were not for a previous lack of 5-year land supply).

Potential Community Gain from the Site

Whilst it was noted it was proposed to contribute to improvements to the A350 crossing, it was felt other community gain needed to be considered for the site, particularly as it appeared Wiltshire Council were already looking at ways to improve this crossing.

Rosie explained they could investigate traffic calming as well as providing footpaths as part of the Traffic Assessment, as long as it met the relevant tests on community gain.

Councillor Westbrook reiterated the need to provide a safer route over the A350 for pedestrians wishing to access the town and vice versa.

The Clerk asked the following questions:

- If dog walking/play areas/teen facilities could be included within the site, negating the need to cross the busy A350.
- Where will young children attend pre-school (Aloeric does not have a pre-school).
- The Design and Assessment Statement mentioned connectivity to the canal. How will this application affect any proposed access to Berryfield as part of the canal link project, as it would appear you could have two roads parallel to each other?

James explained whilst they had been aware of proposals for the canal, there had not been much movement on this application in recent years, however, they would be open to discussions with the Canal Project Team.

It was felt important that discussions take place with the canal project team on proposals for the site.

Councillor Baines asked how this site would contribute to the canal.

James asked what contributions people would like to see presented if this application were approved.

Councillor Wood stated he understood the financial model for the canal project would have to be via contributions from housing, with any development West of Semington Road contributing towards the canal. However, any community gain from this development would be so small and would need to bear in mind the needs of any residents moving into the development, therefore the Parish Council would prefer to see provision of play equipment.

Councillor Wood asked if an application for the other half of the site would be submitted, which James confirmed would be the case at the right time.

Councillor Westbrook explained the plan was so interlinked with proposals for the canal project and was surprised at a recent Town Council meeting, when Members had been informed that a decision on the canal project was imminent.

The Clerk explained she had spoken to Ken Oliver at Wiltshire Council, who was Lead Officer on this project and he felt it was optimistic to say a decision was imminent. However, he confirmed the Environment Agency post Covid were engaging again in discussions on this project.

Councillor Wood explained to make the canal scheme work would be a huge undertaking and needed all landowners on board (with this parcel of land originally being part of this scheme) with a Masterplan and whilst the Parish Council supported the scheme had a concern that the scheme could only happen if significant housing took place to contribute towards it.

A concern was raised the canal project could be compromised if this application were to go ahead and other applications came forward on the proposed route of the canal, prior to the approval of the canal project scheme and likewise plans for this site could be compromised if the canal scheme were approved prior to this application gaining approval. Those present expressed the need for joined up thinking from both parties and asked that the Canal Project Team be contacted on proposals for this site.

Councillor Wood invited more discussion on community gain and felt it important there needed to be opportunities for play on the site, as well as improvements to assess and transport.

Councillor Baines raised concern at the lack of public transport, stating there were no buses between Trowbridge and Chippenham after 6.00pm with no service on a Sunday, which would encourage the use of a private vehicle.

Councillor Baines also raised concern at statements made in the Transport Assessment regarding frequent rail services and clarified trains were only every two hours, with only two trains operating to Southampton with one of these due to be removed, with most trains operating between Westbury and Swindon only, therefore, contributions towards transport would be welcome.

With regard to schools, the Clerk explained that some parents may choose to send their children to St George's at Semington and due to a bus gate prior to Semington Bridge, this would require vehicles having to access the A350 from Commerce Way and accessing Semington from the other end of the village.

The Clerk also felt it important to include the provision of a teen shelter/equipment with some form of connectivity.

Councillor Wood asked for circular walks, providing paths for recreational use and dog walking.

The Clerk expressed a concern at shared spaces and the need to delineate these more clearly within new development such as different coloured brick, if flat surfaces proposed, as these types of spaces have raised issues in other new developments within the area.

An invitation was extended to Terra Strategic and Tetlow King to attend the Parish Council's Planning meeting on 5 October, at which the notes from this meeting would be presented.

David explained this application would also be on the Town Council's Planning agenda for Tuesday if they wished to attend.

It was agreed to forward these notes to the Town Council prior to their meeting next week.'

iii) To note meeting arranged with Savills & Hallam Land on 6 October re: proposal for 240 dwellings on Land to the South of Western Way

The Clerk reminded Members the above meeting was due to take place at 10.00am via Zoom the following morning and had been informed by the developers that plans for the site had already been submitted to Wiltshire Council and expressed disappointment they had not waited until after the Pre-App meeting in order these discussions could help shape plans for the site.

e) To consider inviting relevant Wiltshire Councillor to developer engagement meetings

Recommendation: To invite the relevant Wiltshire Councillor to future developer engagement meetings.

101/20 Lack of 5 Year Land Supply: To consider raising concern with Wiltshire Council about local impact of current Lack of 5 Year Land Supply

The Clerk stated she had put this on the agenda for consideration, given frustration at the impact another lack of 5 year land supply by Wiltshire Council was having on the Parish. The last lack of 5 year land supply had resulted in several inappropriate and unsustainable developments taking place.

Plans for inappropriate and unsustainable development were currently being submitted by developers aware of the current lack of 5 year land supply using the site precedent that had been set the last time there was a lack of 5 year land supply.

Having discussed her frustration with a Spatial Planning Officer at Wiltshire Council they had explained that whilst development may be approved elsewhere in Wiltshire, (650 dwellings for Chippenham approved in the last couple of weeks) it had to be proved that these would come forward, be built and occupied within the next 5 years in order to increase the land supply figure.

The Clerk had also asked why this issue could not be looked at now, rather than be delayed any further and it had been explained that whilst this had not been due to a lack of resources, staff had been diverted to help support the community in the current health crisis.

Frustration was expressed at the need to look at things more holistically/strategically rather than on a piecemeal basis.

Recommendation: To write to Sam Fox, Director Economic Development & Planning, Wiltshire Council expressing concerns at the domino effect of the lack of 5 year land supply, urging Wiltshire Council to oppose opportunistic, unsustainable and inappropriate applications.

To provide evidence of inappropriate development in the area ie Pathfinder Way and Bowood View, Berryfield and to list the various applications that have been received recently that the parish council consider are in inappropriate locations and are unsustainable.

It was noted that Councillor Coombes had joined the meeting.

102/20C Neighbourhood Plan

a) To receive update on Neighbourhood Plan & Regulation 14 Consultation, note change of date for Plan period and key critical dates for submission of Plan for Regulation 16

The Clerk went through the various key dates for the plan:

Members of the Steering Group and Place consultants were currently looking at the Plan for any final tweaks, following comments received from the consultation with a deadline of next Wednesday for receipt of comments.

The final version of the Plan would come out on Friday, 16 October to go before the Neighbourhood Plan Steering Group on Wednesday, 21 October at 6.00pm for approval.

Both the Parish and Town Council to approve the final plan soon after, with a suggestion both Councils do this on Monday, 26 October in the evening.

The Clerk explained there was a need to swap parish council meetings around to accommodate this as follows:

19 October – Planning Committee - to look at the Plan
26 October – Full Council – to approve the Plan

The plan to be submitted to Wiltshire Council at the end of October, who would undertake a Regulation 16 consultation, which would probably be for 8 weeks instead of 6, given Covid and forwarded to the Planning Inspector (probably in the new year) once amendments made to the Plan following the consultation. Any recommended changes to the Plan by the Planning Inspector will be made prior to submitting to Wiltshire Council for adoption.

The Plan would then go to Referendum on the same day as local elections 6 May 2021.

The Clerk explained once the Plan had been adopted, if Wiltshire Council were to go down to a 3 year land supply, Melksham would be protected as it had an adopted Neighbourhood Plan with a site allocation.

Members were also informed the Steering Group had agreed to extend the Plan to 2030 following a hearty debate.

It was anticipated to start reviewing the Plan as soon as it was submitted in the New Year.

b) To consider feedback/proposal for CIL policy from Melksham Town Council

The Clerk explained proposals for CIL sharing by the Town Council was not for the Neighbourhood Plan but for the Full Council to consider.

Whilst the Town Council agreed with all the changes proposed by the Parish Council relating to draft Policy 8 of the Neighbourhood Plan - Infrastructure Phasing and Priorities, they had made proposed changes to the supporting text as follows:

‘A Memorandum of Agreement will be put in place between Melksham Without Parish Council and Melksham Town Council setting out the terms of the sharing of CIL, or any replacement funding system. The Memorandum of Agreement will include a Statement of Priorities for infrastructure needs and civic amenity projects which will be reviewed annually and agreed jointly between the Town and Parish councils.’

Recommendation: No objection to the Town Council’s proposal to amend the supporting text of Policy 8 of the draft Neighbourhood Plan.

c) To consider feedback from Wiltshire Council on Pre-application Engagement Protocol to widen scope to rest of planning process (not just pre-app)

The Clerk explained the Spatial Planning Officer at Wiltshire Council had made a recommendation as part of his response to the Neighbourhood Plan Regulation 14 consultation that engagement with developers should take place at the various planning stages, not just pre app stage.

Recommendation: The Pre-Application Protocol should be for all the steps in the planning application process, from pre-app, to outline planning app, to before reserved matters, during reserved matters and post permission and would like to see this policy updated to reflect this.

d) To receive update on site allocation (*in closed session*)

As the Parish Council were entering negotiations on community gain for site allocations within the Neighbourhood Plan this item was held in closed session **(Notes on separate sheet)**.

Members also noted that the site for Whitley Farm was no longer a site allocation in the Melksham Neighbourhood Plan.

The Clerk explained a late request had been received, in the previous week, from another site in the Whitley area offering to host a community shop in a small housing development and asked for it to be considered for the Melksham Neighbourhood Plan.

Members agreed with the response prepared by the Plan's consultants, that although the loss of the local shop and post office was an important local issue, this was far too late to be considered at this late stage of the Plan preparation. This did not prevent a planning application being made for the proposal.

Meeting closed at 9.00pm

Signed:
By the Chair at the Full Council
meeting held on 26 October 2020