

**MINUTES of the Planning Committee of Melksham Without Parish Council held on
Monday 12 April 2021 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 OR VIA YOUTUBE**

Present: Councillors Richard Wood (Council & Committee Chair), John Glover (Council Vice Chair), Alan Baines, (Committee Vice-Chair), Terry Chivers, Gregory Coombes, David Pafford and Mary Pile

Also Present: Wiltshire Councillor Phil Alford (Melksham Without North)

Members of public present: 2

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

Before the meeting started, the Chair invited everyone to join him in a minute's silence as a mark of respect, following the announcement that HRH the Duke of Edinburgh had sadly passed away at the age of 99 on Friday, 9 April.

374/20 Welcome, Announcements & Housekeeping

The Chair welcomed everyone to the meeting, including Mark Harris who would be duly elected at the uncontested election for the Bowerhill Ward on 6th May.

The Clerk stated the meeting was being live streamed via YouTube and would be available until the day after the minutes were approved.

375/20 To receive Apologies and approval of reasons given

All members of the committee were present.

376/20 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**

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

377/20 Public Participation

Mark Harris stated he was attending as an observer prior to being a councillor in May.

Councillor Alford stated he wished to comment on planning application: 21/01629/OUT for 150 dwellings on land South of Woodrow Road and informed the meeting he had 'called in' this application for consideration at a Wiltshire Council Planning Committee.

Councillor Alford explained he had raised a few concerns with the Planning Officer but predominantly had concerns with the proposed pedestrian access to this site which required pedestrians to cross over to the other side of Woodrow Road on a blind corner, to access a footpath, as there is no footpath on the application side of the road.

378/20 To note Wiltshire Council have updated their Planning System and how Town/Parish Councils can access/comment on planning applications

Councillors noted Wiltshire Council had updated their planning system and highlighted a few issues, but hopefully as everyone got used to the new system these concerns would be overcome.

379/20 To consider the following Planning Applications:

21/01816/FUL: 15 Mallory Place, Bowerhill. A detached, single storey, garden studio with integral open sided covered patio area in rear garden. Applicants Mr & Mrs Powell

Comment: No Objection.

21/02574/LBC: 15 Mallory Place, Bowerhill. A detached, single storey, garden studio with integral open sided covered patio area in rear garden. Applicants Mr & Mrs Powell

Comment: No Objection.

21/01629/OUT: Land South of Woodrow Road, Melksham. Outline application with all matters reserved for residential development (up to 150 dwellings), associated works and infrastructure, ancillary facilities, open space, landscaping with vehicular and pedestrian access from Woodrow Road. Applicants Pegasus Planning.

It was felt the site was unsustainable with the following concerns being raised:

- Inappropriate location for a site of 150 dwellings due to access via a 'C' class road which is very narrow in places (at most 5m wide). The width of Woodrow Road is further compromised with parked vehicles. It was noted the estate roads serving the site will be the same width as the access road.
- Pedestrian access to the site, requiring people to cross over Woodrow Road on a 'blind' bend to access a footpath. It was noted the Highway layout drawing indicated a "suggested" additional footway and crossing point. However, this would not solve the issue of vehicles coming around a blind bend and being confronted by people crossing the road.
- The impact of extra traffic on local roads, particularly Forest Road, Church Lane, New Road, Woodrow and the impact of traffic travelling through Lacock village.
- It was stated the site would only become viable if access to the site was from the South, off of the A3102. Therefore, the site cannot currently be classed as sustainable.
- Impact on the Grade II Listed Farmhouse, the original farmhouse for the site and wall opposite

the site. It was noted a representation letter had been sent by the residents to Wiltshire Council raising some pertinent points regarding the site and the impact this application will have on the location, particularly the Grade II Listed building and its setting.

Several members noted inaccuracies and misleading information within the various documents accompanying the application as follows:

Design and Access Statement:

- The report suggests it is very easy to access the A350, as well as other major roads from this site. The report also references the Traffic Assessment (p33) which concludes there are no material reasons in terms of traffic and transportation to suggest the proposed development would impact the operation of the surrounding local highway.

There is no direct access to major roads, including the A350 and A365 without having to use various 'C' class roads, some of which are quite narrow in place, such Woodrow Road, New Road, Church Lane and Forest Road, with various traffic calming measures and parked vehicles, as well as Woodrow, Forest Lane to access the A350 via Lacock (with its various constraints, such as narrow bridges)

- Suggests there would be limited impact on the Grade II Listed Farmhouse (p15), which is refuted, the farmhouse is opposite the site and was the original farmhouse for the site.
- Connections & Public Transport (p17): Suggests the 'Forest Chapel' bus stop is a 10 minute walk from the site, which is refuted, this bus stop is some distance away.
- Bus Services. Within the report it states buses to Bath/Devizes are every 30 minutes, which is not the case, buses to Bath city centre are every hour at least, having to change at Bowerhill or the town centre, with no through route to Devizes.

- Access to the Town Centre (p19). It was stated within the report access to the site can be achieved directly by bus, which is not the case.
- Access to railway station being 25 minute walk was refuted. Members agreed it would take more than 25 minutes to walk to the railway station from this site.
- Key Sites (p18) lists the Chapel opposite the Pig & Whistle pub, however, the chapel has been a Veterinary Practice for several years.
- Pedestrian links. The map on page 21 does not show a pedestrian access onto Woodrow, but Savernake. If there was a pedestrian link only from Savernake this would provide easy access to town bus services using Savernake Avenue. However, on page 28 & 32 the map shows potential pedestrian and cycle link off of Woodrow Road and not Savernake. Therefore, Members queried the consistency of information with the various reports.
- Archaeology (p15) refers to a desk based archaeology assessment being undertaken, but does not list any findings, if any.
- Access to Local Facilities. Within the report it states access to King George V Park is 1.3km and a 5 minute walk which was refuted, especially when walking with pushchairs and young children. In contrast the timing to other local facilities, such as education and health are not listed.

It was noted within the report it stated it was only a 5 minute walk to King George V Park, but states elsewhere in the report, it was a 10 minute walk from the site to the Chapel bus stop, which is on the way to King George V Park.

- Access to education. The nearest primary school is Forest & Sandridge which is some considerable distance away. Other primary education and secondary education (Melksham Oak) are also

some considerable distance away with potential residents having to rely on a car to access education provision. It also mentions secondary schools (plural) but there is only one secondary school in Melksham.

- Local doctors and the hospital are also some distance away, with residents having to rely on a car to access them.

Landscape and Visual Impact Appraisal

- Lists various regulations, but does not include information on the how impact of this application will be mitigated.
- Classification of land (p11-12). The report states the site is currently arable farm land. This is not the case, the South West field is currently arable, however, the North East field has never been ploughed and is established grassland.
- On p15 it refers to existing residential dwellings on Woodrow Road being set some way back from the road. This is not the case for all dwellings in the area.
- The report mentions a roadside hedge which masks these dwellings from the site. However, there is no road side hedge in front of the Grade II listed farmhouse opposite the site. Although there is an attenuation pond suggested for the Northern corner, the new dwellings will be highly visible from the listed building.

Tree Survey Report

It was noted within the report, whilst there are few trees on the site, it refers to trees adjacent to the site, including T5 & T7, none of which have Tree Preservation Orders. The trees in question are mature oaks and do have Tree Preservation Orders and can be found easily on Wiltshire Council's website.

It was noted during pre application discussions and in response to the public consultation the parish council and raised several concerns to be listed as reasons for objection.

Comment: Members expressed disappointment that having provided a list of various concerns during the pre-application/public consultations stages (including two meetings), the developer appears to have comprehensive disregard for the Council's concerns in their plans.

Given the concerns raised, Members therefore **OBJECT** to this application for the following reasons:

Highway Issues:

- Access to the development off of Woodrow Road. The carriageway on Woodrow Road is less than 5m in places, particularly going towards town and is further impeded by parked vehicles.
- The impact the extra traffic, wishing to access the A350/M4, will have on local roads, such as Woodrow Road, which has a blind bend next to the proposed pedestrian access, Forest Lane (with S bends), Bewley Common, the National Trust village of Lacock via the medieval single lane bridge (that regularly floods and is unpassable). Also the Impact the extra traffic will have on Church Lane, Forest Road and Woodrow Road which have their own limitations, with vehicles parking on the side of the road and traffic calming.

Aware three houses have been hit recently whilst travelling down Church Lane.

A large amount of traffic is already using New Road, Forest Lane to Lacock to access the A350 from the East of Melksham development (circa 800 new houses + 450 new homes currently under construction). New Road, is single track and residents could be tempted to use this road to access the A365 and A350 (South), as well as other major roads.

- The impact this development will have on proposals for a potential Eastern bypass.
- Safety of pedestrians: To access the only footway, pedestrians will have to cross over the road from the proposed pedestrian access to the site on a blind corner. This footway is extremely narrow at times with no footway at all in places. It was suggested some form of crossing be installed to allow residents to access the only footpath on the opposite side of the road. However, this would not solve the issue of vehicles coming around the blind bend confronted by people crossing the road.
- There is no kerb on the Eastern side of Woodrow Road and the narrowing of the road means vehicles are likely to overrun the verges (as they do on occasion already).
- There is a large equestrian use of Woodrow Road from the many stables in the area and the increased traffic will impact on the safety of both the horses and riders. There are many children/learners led by rein on the surrounding roads as well as more experienced riders.
- Speeding traffic is the major concern for the points raised above regarding pedestrians, cyclists and horse riders. Woodrow Road is part of the National Cycle Route 403, which cyclists are encouraged to use and will be more at risk by increased traffic.

Woodrow Road has three sites eligible for Speed Indicator Devices (SIDs) and Community Speed Watch. A metro count, undertaken in 2010 recorded 85% of traffic travelling at 38.3mph or below in a (30mph zone).

- The impact construction traffic will have on safety, given the highway concerns raised above.
- It was asked that the vehicular access onto

Woodrow Road be 'stopped up', if an alternative route onto the site becomes available at a later date.

- Savernake Avenue which was built in 1960s did not have an access onto Woodrow Road, only pedestrian, as at the time it was felt additional traffic could not be accommodated on the highway.
- Not easily accessible to town.
- Poor transport links.
- Lack of access to public transport serving this area.
- The carriageway was less than 5m in places, particularly going towards town.

Education

- The lack of school places, both primary and secondary.

The nearest primary school is Forest & Sandridge, which is some considerable distance away and not within walking distance.

The nearest secondary school (Melksham Oak) is over two miles from this site via the road network. Therefore, there will be a reliance on a private vehicle to access educational provision, making the site unsustainable.

Melksham Oak's current capacity is 1260 and with the proposed extension the capacity will increase to 1500, but even with the extension the planned and committed development in Melksham area means the school will be oversubscribed by 2023.

Other Matters

- The site has not been put forward via the emerging Neighbourhood Plan or the Core

Strategy.

- The site is outside the settlement boundary.
 - The development is starting at wrong end and should begin at Sandridge Road.
 - Poor access to social facilities.
 - Lack of access to facilities, such as shops.
 - What proposals are there to support health facilities within the town.
 - The nearest shop was not within easy walking distance.
-
- It was noted in the developer submission to the Neighbourhood Plan consultation they had indicated they are in control of all 4 Strategic Housing Land Availability Assessment (SHLAA) sites going South to the A3102 and suggested as part of developing these sites a primary school would be incorporated.

Therefore, if these sites were developed from the Southern end (off the A3102), the developer would be able to have a comprehensive development with access from an 'A' class road rather than a 'C' class road and provide within the site the promised primary school.

If this application were approved, the Parish Council would ask the following:

- If planning permission is granted and access can be achieved via the South off of the A3102, the vehicular access be blocked off at Woodrow Road.
- Circular pedestrian routes around the site.
- The provision of benches and bins where there are circular pedestrian routes and public open space.
- The Parish Council to enter into negotiations over the possibility of taking over management and ownership of any proposed LEAPs (Local Equipped Area of Play) and equipment be installed for teenagers.

- Shared spaces which are easily identifiable.
- The Parish Council are involved in public art discussions.
- Provision of Buffer/dog walking area between Woodrow Road and the development to create an open park feel.
- The provision of primary education.
- If Melksham Oak is at capacity to look at the provision of land Pegasus have interest in or a financial contribution towards a new secondary school for Melksham.
- Contribution towards improvements to Forest Community Centre.
- Contribution towards improved bus services, which serve the area.
- If this application were approved a condition be imposed similar to Sandridge Place (15/12454/OUT 17/01096/REM) whereby a pedestrian linkage is provided to an existing residential area (Savernake Avenue) as per NPPF 91a *street layouts that allow for easy pedestrian and cycle connections within and between neighbourhoods, which will also provide access to the Town bus services.*
- Speed limit within the site is 20mph and self enforcing.
- Proposed trees are not planted on boundaries but further into public open spaces.
- The application meets policies within the emerging Melksham Neighbourhood Plan.

21/02262/FUL:

486 A Semington Road Melksham. Proposed Carport. Applicant Mr J Evans

Comment: No Objection.

21/02402/FUL: 162 A Top Lane Whitley. Rear extension to form enlarged Kitchen & Dining Area & Conversion and Extension of Garage under existing Carport/Undercroft to provide Play Room and Utility Room. Applicants Mr & Mrs Toogood

Comment: No Objection

21/02163/FUL: 14 Elm Close Bowerhill. Two storey side extension. Applicants Mr & Mrs Mead

Comment: No Objection.

21/02276/VAR: Snarlton Farm Snarlton Lane Melksham. Removal/variation of conditions. Applicant Immersa Ltd

Comment: No Objection.

380/20 **Revised Plans To comment on any revised plans received within the required timeframe (14 days).**

21/00271/FUL: 11B Shaw Hill, Shaw. Extensions and alterations to dwelling including the erection of new detached garage. Applicant Mr Jag Mahil

Comment: Whilst noting improvements to the appearance of the roof design, it is unclear what materials are proposed for the roof section and therefore, the Parish Council reiterate their previous objections to the use of zinc cladding roofing material.

381/20 **Semington Road application for 144 dwellings. To consider Street Name and Public Art theme**

The Clerk sought a steer from Members of a theme for street names and public art for the new Semington Road application for 144 dwellings.

The Clerk explained that in anticipation of the outcome of this item she had contacted Wiltshire Council to ask if the canal engineer names that had not been used for the adjacent site were still available, particularly "Whitworth" as the parish council and Wilts & Berks Canal Trust had been disappointed that it had not been used. This had been confirmed; Whitworth and Dundas were available.

With regard to the art theme, the Clerk explained as the Berryfield Public Art Working Group were meeting later in the week, whether Members wished to raise this at the meeting for consideration.

The Clerk explained Colin Brown, Wiltshire Council had asked if the Parish Council wished to take on the Section 106 contribution for public art relating to this site and as the council will have the General Power of Competence from May, this would make things easier and would place this on the forthcoming Full Council agenda for consideration.

Recommendation: With regards to street naming to continue the canal theme, as the adjacent site (Bowood View) and to ask Wiltshire Council that Whitworth is used as one of the names and to consult with the Wilts & Berks Canal Group for additional canal engineer names and to also continue the canal theme for public art for the site.

That the Parish Council take on the Section 106 contribution direct for public art in order to facilitate an art project on this site.

382/20

Planning Enforcement:

a) To note any new planning enforcement queries raised

The Clerk explained that over the weekend Councillor Glover had been in touch concerned at the safety of pedestrians to and from Oakfield Stadium and had been in touch with Planning Enforcement to make them aware.

Councillor Glover stated that over the weekend he had visited Oakfields and used the new temporary road put in as part of the new East of Melksham extension development to access Oakfields and had noted several pedestrians having difficulties. As there is no footpath in places he found pedestrians having difficulty negotiating part of the road where it is narrow, on a corner and only one car width, therefore he stopped to let them by, stopping vehicles behind which made it slightly safer for them to negotiate. It was noted there is also a pedestrian island constraining access, with Heras fencing on the other side, making it single track in places mixed with pedestrians.

The Clerk explained she had been in touch with the Secretary of the Rugby Club and Chair of the Football Club.

The Rugby Club had responded to say closure to Rights of Way 23 & 18 had been required due the areas becoming part of the 'Live Construction Site'. He had engaged the help of Paul Millard, the Rights of Way Officer in getting the Closures as he had witnessed

numerous HGVs coming onto the site whilst people were trying to manoeuvre between the Plant on foot.

The Secretary of the Rugby Club went on to say Bloors & CJL have provided a temporary access road as now the original access is to become development plots. At the time there was little footfall requiring access to either club due to the Covid lockdown restrictions. As these restrictions have now been eased the problem for pedestrians has become more apparent.

He went on to say he had discussed the issue with CJL's Contracts Manager, who stated he would look into installing a designated footway by the coming weekend, so issues for pedestrians would be diminished. Both Clubs have been asked to remind their members to use the access road with care and attention.

The current access is temporary, CJL Contractors will be engaged in finalising the finished 'T' Junction within the next few weeks. There will also be an opportunity to reopen public Right of Way 23 once a safe route can be organised by Bloor Homes.

The Clerk explained Robert Murphy, Highways asked if the above answered the concerns the Parish Council had.

It was noted this issue needed to be resolved as soon as possible, given both the Football and Rugby Clubs will be used as polling stations on 6 May for local elections and expressed disappointment the temporary road was not part of a planning application.

It was noted as of 1 April, following the outcome of the Community Governance Review, anything to the East of the new relief road had been transferred to the Town Council, however, Oakfields would still be within the parish.

The Clerk agreed to copy correspondence to Melksham Town Council on this issue.

Recommendation: To keep a watchful eye on the situation and to highlight issue to Elections Returning Officer to say two polling stations are hazardous to get to and should not be used unless improvements are made imminently.

To reiterate to Wiltshire Council the disappointment in the delay in design work for the upgrading/new footpath from Woolmore Farm to the Oak School/Eastern Way coming forward, despite monies for this project being available.

- b) To note response following issues raised relating to completion of items at Pathfinder Place before occupation as detailed in the s106 legal agreement (If received) and note the Clerk has chased this up with Wiltshire Council.**

The Clerk explained she had not received a response to date to the queries raised, but would continue to chase this up.

- c) 125 Beanacre Road and Peacock House. To note the Planning Inspector dismissed appeals lodged by the applicant with regard to breach of planning control: unauthorised siting of shipping container (Appeal A) at and refusal of planning permission by Wiltshire Council for retrospective planning permission for citing of shipping container and raising of fencing level (App No 20/02092) (Appeal B)**

Recommendation: To note.

383/20

Planning Policy

a) Lack of 5 Year Land Supply

- i) Wiltshire Area Localism and Planning Group (WALPA): To note latest actions taken by the group in seeking a change to legislation to protect those areas with a Neighbourhood Plan against a lack of 5 year land supply. To consider attending meeting with WALPA and Wiltshire Council and submitting questions to be asked (refer to previous correspondence sent to Sam Fox, Director of Economic Development & Planning, Wiltshire Council)**

The Clerk explained WALPA were lobbying Wiltshire Council to put pressure on the Government to look at Neighbourhood Planning with regard to the recent changes to the NPPF.

A meeting was being held with Spatial Planning team and head of Economic Development, Sam Fox on 20 April and asked if any Members wished to attend and noted Sam Fox had not written back to the Council's letter in January regarding the Council's concerns at the impact the lack of 5 year land supply was having in the parish. The Clerk also explained there was some confusion regarding the housing figures proposed for the

Chippenham Housing Market Area with some documents suggesting that option CH-C (*Melksham option*) had been Wiltshire Council's preferred option, and others option CH-B.

b) National Planning Policy Framework Consultation

i) To note response from WALPA on the consultation

Members noted the information contained within the WALPA response to the NPPF consultation.

ii) To note response made on behalf of the Parish Council

Members noted the information contained within the Clerk's response to the NPPF consultation on behalf of the Council.

iii) To note NALC & SLCC responses

Members noted the information contained within the NALC and SLCC responses to the NPPF consultation.

c) Neighbourhood Planning

i) To note draft notes of Melksham Neighbourhood Plan meeting held on 3 March 2021

Members noted the information contained within the draft minutes of the closed Melksham Neighbourhood Plan meeting held on 3 March.

ii) To note update on progress of the Examiner's report

The Clerk explained it was hoped Wiltshire Council would soon inform the Steering Group if the plan could progress to Referendum; with a decision expected within the next couple of weeks.

iii) To note Seend Neighbourhood Plan is going to Referendum on 6 May 2021 and that BRAG Picnic Area & Giles Wood have been proposed for designation as a Local Green Space

Members noted and welcomed both sites had been proposed for designation as Local Green Spaces within Seend's Neighbourhood Plan.

384/20

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

a) To note update on ongoing and new S106 Agreements

i) Public Art Update

- Pathfinder Place

The Clerk explained the Council were still awaiting highway approval of the new site for the public art panel on Pathfinder Place.

- Bowood View

The concept design was hoped to be signed off on 15 April, at a meeting arranged with the Steering Group.

- Sandridge Place

The Clerk explained that she would contact the Town Council to let them know about the public art put in place as Sandridge Place had transferred to the Town, following the outcome of the recent Governance Review.

b) To consider any new S106 queries

None.

c) To note any S106 decisions made under delegated powers

None.

d) To note any contact with developers

The Clerk explained Savills had been in touch regarding queries they had raised in relation to the Neighbourhood Plan and had been provided a response.

The meeting closed at 8.28pm

Signed:
Full Council, 26 April 2021