

**MINUTES of the Planning Committee of Melksham Without Parish Council held on Monday 20 September 2021 at 1 Swift Way, Westinghouse Way, Bowerhill, Melksham, SN12 6QX at 7.15pm**

**THE PUBLIC WERE WELCOME TO ATTEND THE FACE-TO-FACE MEETING, BUT WERE ENCOURAGED TO PARTICIPATE VIA ZOOM, DUE TO LIMITED SPACE AVAILABLE IN THE COUNCIL'S MEETING SPACE TO COMPLY WITH THE COUNCIL'S RISK ASSESSMENT RELATING TO COVID. THE MEETING WAS ALSO UPLOADED TO YOUTUBE**

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

**In attendance:** Councillor Rob Hoyle and Wiltshire Councillor Phil Alford (Melksham Without North & Shurnhold) (via Zoom)

**Officers:** Teresa Strange (Clerk) and Marianne Rossi, Finance & Amenities Officer

**218/21 Welcome, Announcements & Housekeeping**

Councillor Wood welcomed everyone to the meeting.

The Clerk reminded those present the meeting was being recorded.

**219/21 To receive Apologies and approval of reasons given**

Apologies for absence were received from Councillor Pile who was on holiday and Councillor Chivers who was 'self isolating'.

**Resolved:** To note and accept the reasons for absence.

**220/21 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.

**221/21 To consider holding items in Closed Session due to confidential nature** *Under the Public Bodies (Admission to Meetings) Act 1960, the public and representatives of the press and broadcast media be excluded from the meeting during consideration of business, where publicity would be prejudicial to the public interest because of the confidential nature of the business to be transacted.*

There were no items for discussion in closed session.

Councillor Alford joined the meeting at this point via Zoom.

**222/21 Public Participation**

Councillor Alford explained following a reshuffle of the Government Cabinet, Michael Gove MP was now in charge of planning and it was understood proposals for planning reforms had paused for now.

**223/21 To consider the following Planning Applications:**

**[PL/2021/07503](#)**: Land to the rear of Poplar Farm, Bath Road, Shaw. Proposed building for the storage of agricultural machinery and fodder.

**Comments:** No objection.

**[PL/2021/07622](#)**: 486A, Semington Road, Melksham. Proposed New Dwelling (Reserved Matters Application pursuant of 19/02238/OUT relating to appearance, landscaping, layout and scale).

**Comments:** No objection.

**[PL/2021/08019](#)**: 19 Winston Road, Berryfield, Melksham. Proposed side extension above existing garage and rear extension.

**Comments:** No objection.

**224/21 Revised Plans** To comment on any revised plans received within the required timeframe (14 days).

The Clerk explained following a query from a member of the public earlier that day regarding planning application 20/08400: Land South of Western Way, it would appear that there were revised plans since the Parish Council had last commented on them, reducing the proposed dwellings from 235 to 231. It was noted the access was still proposed off of Pathfinder Way.

Members felt even with a reduction in dwellings, this did not change their objections to this application. It was noted the application had already

been 'called in' for consideration at committee, by Councillor Holder as Wiltshire Councillor for Bowerhill, if the officer was minded to approve the application.

**225/21 Planning Decisions:**

The Clerk explained the Section 106 Agreement for planning application [20/01938/OUT](#): outline planning permission for up to 144 dwellings with informal and formal open space, associated landscaping and vehicular and pedestrian accesses off of Semington Road had recently been completed and signed. However, the copy available online only contained signatures of the various parties and not the full Section 106 Agreement.

Both the Clerk and Members expressed disappointment the Parish Council had not been involved in the Section 106 Agreement. Members also noted the various things they had asked to be provided had not been included in the Decision Notice. The Clerk explained she had already chased Wiltshire Council for the full Section 106 Agreement and contacted the Wiltshire Councillor for Berryfield, Councillor Seed.

Councillor Glover suggested the Wiltshire Councillor for Berryfield be informed of the Parish Council's frustration at not being included the Section 106 Agreement in the first instance.

**226/21 Planning Enforcement:**

**a) To note any new planning enforcement queries raised**

The Clerk explained there were no new ones to report and no response regarding recent enquiries.

**227/21 Planning Policy**

**a) WALPA (Wiltshire Area Local Planning Alliance) Update**

The Clerk informed the meeting that at a recent Strategic Planning Committee meeting a planning application for a development in Malmesbury for 50 dwellings had been unanimously refused, despite the Planning Officer recommending approval. It was noted this decision may yet go to appeal.

Malmesbury Town Council felt this represented a 'sea change' in thinking by Wiltshire Council, as previously with a lack of 5 year land supply and the application being outside the settlement boundary, this application probably would have been approved as the Malmesbury Neighbourhood Plan was over 2 years old.

**b) Neighbourhood Planning**

**i) To note minutes of Steering Group meeting 19 May 2021**

The Clerk explained these would be produced shortly, however, all the actions from that meeting had been completed as they related to final preparation for the Referendum in July and reminded Members the first meeting regarding Neighbourhood Plan #2 would be on Wednesday, 29 September at 6.00pm at the Town Hall.

**ii) Neighbourhood Planning - Bringing forward affordable housing including First Homes. (*Locality/Aecom presentation with useful definitions/resources*)**

Members noted the information contained within this document. The Clerk had attended the online session, and would be a useful resource if allocations of sites dedicated to affordable housing were required, in the mean time it included some really useful explanations of affordable housing, and noted the new term for starter homes, which is now First Homes.

**c) CPRE (Campaign for Protection of Rural England) 6 Tests for New Planning Laws.**

Members noted the information contained within this article.

**d) Robert Jenrick MP, Housing Minister. To note article in The Planner regarding the National Planning Policy Framework.**

It was noted that since the issuing of the agenda, Robert Jenrick MP, was no longer the Secretary of State for Housing, being replaced by Michael Gove MP, following a Government reshuffle. It was anticipated there would be a few changes to proposed planning reforms.

**e) To note article re Councils missing out on rural services due to permitted development**

The above article had been circulated to Members prior to the meeting.

The article explained rural communities were at risk of missing out on vital local services due to new permitted development planning laws, which had allowed a surge of almost 225% in homes converted from barns and farm buildings without planning permission in the past 5 years. As they did not need full planning permission, developers were not required to contribute towards local infrastructure, such as roads, schools, GPs etc with the Local Government Association (LGA) which

represents councils saying it was concerned rural areas could be missing out on these essential local services.

Members noted the information contained within the document.

**f) Wiltshire Council's Innovative Housing Approach**

Members noted the above article in the national "Public Sector Executive" publication written by Councillor Phil Alford, Cabinet Member for Housing, Strategic Assets and Asset Transfer, Wiltshire Council and congratulated him on the article.

**228/21 S106 Agreements and Developer meetings: (Standing Item)**

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

**i) Public Art Update**

- Pathfinder Place. Installation update.

Members noted despite re-assurances the public art was due to be installed imminently, this had not happened as yet.

- Bowood View. To receive update on archaeology interpretation boards and consider a way forward, and update on signage contract with Kerry Lemon.

Following a recent update by the Wilts & Berks Canal Trust, Members expressed concern at the proposed change in route of the canal through Berryfield to the West rather than to the East as proposed in their planning application, noting the artwork on the new village hall would depict the route to the East. Given the advanced stage of the project, with final sign off due to take place in the next few weeks, Members felt it was too late to change the design.

Councillor Baines explained he had checked the history of the Wilts & Berks canal project as far back as 1987 and noted the original route was proposed to the West of Berryfield.

The Clerk explained that they had understood that there was a condition that came from Wiltshire Council Archaeology Officer regarding the interpretation of the historic line of the Wilts & Berks Canal which Members were keen to include as part of the art project. However, on speaking to the Planning Officer, it would appear this request did not get carried forward at Reserved Matters.

The Clerk explained there would be some Community Infrastructure Levy (CIL) funding available (circa £4,200) from a

smaller housing project of 4 houses on Semington Road which could be used for the interpretation board project if Members wished.

Councillor Wood informed the meeting Bowood View was now up to 112 occupancy, the Clerk had contacted Wiltshire Council to inform them a 'trigger' had been met in the Section 106 Agreement.

Members noted Kerry Lemon would be submitting a quotation for the village hall signage package in due course in order to raise a separate contract for that element of the village hall build.

**Recommendation:** The design of the artwork on Berryfield Village Hall remain as agreed.

**ii) Play Areas**

To note update on play areas.

- Davey Play Area (Pathfinder Way)

The Clerk explained the outstanding items relating to the play area were still to be done, despite the developers being chased by both the Parish Council and Wiltshire Council.

- Whitworth Play Area (Bowood View)

Councillor Wood informed the meeting the play equipment had been installed but not yet the safety surfacing.

**b) To note any S106 decisions made under delegated powers**

None to note.

**c) To note any contact with developers**

There had been no contact from developers.

Meeting closed at 7.27pm

Signed .....  
Chair, Full Council, 18 October 2021