

**MINUTES of the Planning Committee of Melksham Without Parish Council
held on Monday 7 November 2022 at Melksham Without Parish Council Offices
(First Floor), Melksham Community Campus, Market Place,
Melksham, SN12 6ES at 7.00pm**

Present: Councillors Richard Wood (Chair of Planning), Alan Baines (Vice Chair of Planning), David Pafford (Acting Chair of Council) Andy Russell (Acting Vice Chair of Council), Terry Chivers & Mark Harris

Officers: Teresa Strange, Clerk and Lorraine McRandle, Parish Officer

In attendance: Wiltshire Councillor Nick Holder (Bowerhill) (for part of the meeting)
8 Members of Public (one via Zoom)

233/22 Welcome, Announcements & Housekeeping

Councillor Wood reminded those present of the fire safety procedures for the building.

As residents of Berryfield were at the meeting he informed them a community access defibrillator had been installed on the new village hall and had gone 'live' earlier that day. Whilst no training is required to use the defib, to give residents confidence in using the device a training session had been arranged at Berryfield Village Hall on Saturday 14th January, with residents requested to book a place.

Councillor Wood informed that there would be a meeting to form the Berryfield Village Hall Committee on 16th November, with their inaugural AGM the new hall; all residents were welcome.

234/22 To receive Apologies and approval of reasons given

Members were reminded Councillor Glover had been granted a leave of absence and Councillor Mary Pile had stood down from the council. There were no apologies.

235/22 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 received.

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.

236/22 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.*

The Clerk informed the meeting that there were no items suggested for the closed session.

237/22 Public Participation

Several residents of Semington Road and Shails Lane were in attendance regarding revised proposals for 144 dwellings on Semington Road (PL/2022/02749) and raised a concern that despite raising on numerous occasions the need for some form of barrier to stop residents of the new development entering Shails Lane, which is a private road, the latest revised plans did not appear to address this concern.

There was also a query on what was meant by a service easement. Councillor Baines explained this would be for the provision of utility services of some description.

Concern was also raised at the number of vehicles speeding along Semington Road and with the additional dwellings proposed the impact this may have on highway safety.

Councillor Wood reminded residents that the Council had previously requested some form of impervious barrier be installed on the Southern boundary of the development in order to stop residents of the new development accessing Shails Lane.

Councillor Baines informed residents that the Wiltshire Councillor Ward Member for the area, Councillor Seed had 'called in' the application and therefore the application would be considered at a committee meeting by Wiltshire Councillors rather than being determined by a Planning Officer; residents would be able to attend the meeting.

The Clerk explained if residents had commented directly on the application to Wiltshire Council that they would be notified of the meeting. The parish council would also notify them if they had provided their contact details.

Residents were reminded only a couple of people would be invited to speak to this application with a time limit set for the public to speak.

The Chair explained the parish council would also have an opportunity to speak and Wiltshire Councillor Seed had been well briefed on this application.

Councillor Chivers suggested residents contact the members of the Wiltshire Council Planning Committee to make them aware of their concerns.

Wiltshire Councillor Holder confirmed there was a time limit, however, residents could also speak at a Full Council meeting of Wiltshire Council regarding their concerns and whilst there was a time limit for public participation, this was longer time.

Wiltshire Councillor Nick Holder updated Members on the latest with regard to the Pathfinder Place development at Bowerhill, stating that unfortunately one of the pedestrian crossings on the A365 had stopped working over the weekend. Taylor Wimpey had been contacted as he had also raised a concern at the number of times these lights had failed since being installed.

Councillor Holder explained he had reiterated to Taylor Wimpey the lack of street lighting in places on the A365 up to Melksham Oak school and raised another issue with them regarding the lack of the installation of the proposed cycle path from Tedder Way; to be informed this will be installed before Christmas.

A residents meeting was due to take place shortly with the intention of forming a residents' association. A tentative meeting had also been arranged with the management company (Remus) in December, which he hoped to attend.

Councillor Holder explained there appeared to be issues with adoption of the estate, with parts being adopted by the management company and others parts still being maintained by Taylor Wimpey. Residents had understood the whole of Phase 1 was to be adopted at the same time, which was the same proposed with Phase 2.

With regard to the license application by Lovejoys to sell alcohol, Councillor Holder explained he had no objections to it.

With regard to the planning application for Lower Home Farm, Sandridge Park he had no issue with this application.

Councillor Wood asked if Members were happy to move agenda item 7 regarding revised plans for planning application: PL/2022/02749 for 144 dwellings on Semington Road, further up the agenda whilst members of

the public were present, which they agreed.

238/22 Revised Plans To comment on any revised plans received within the required timeframe (14 days).

[PL/2022/02749](#): Land at Semington Road, Melksham. Reserved matters (Following Outline Permission 20/01938/OUT) for development comprising the erection of 144 dwellings with informal and formal open space, associated landscaping and vehicular and pedestrian accesses off Semington Road. (Amended/Additional Information).

The Clerk explained she had spoken to the planning officer earlier in the day regarding this application and in terms of design there had not been much of a change in the plans, apart from a slight layout change at the entrance to the development and what appeared to be some hedging to the South by Shails Lane.

The Clerk explained the planning officer had asked for several changes to the plans layout and unless there was something fundamental the parish council was unhappy with, no further changes were being recommended. However, the planning officer was unhappy the developers were still not meeting the housing mix requested.

They were waiting for the Housing Needs Assessment undertaken by consultants for the Neighbourhood Plan Steering Group, which provided the evidence they needed to ask for a change in the housing mix to smaller units.

The Clerk explained at their last meeting, the Neighbourhood Plan Steering Group had requested wording be changed from housing need to housing requirement in the Housing Needs Assessment, with conversations taking place with the consultants to seek the wording change before it can be published.

The Clerk explained during conversations with the planning officer that she had highlight two bungalows had been detailed in the s106 and these were not included in the plans; and would raise this again.

The Clerk explained the 'Call in' was still in place to enable the planning application to be considered at a Planning Committee of Wiltshire Council. Unfortunately, the parish council would not have sight of what the planning officer was recommending until the agenda

papers for the meeting were published the week before the meeting. It was understood Wiltshire Council's Planning Committee meetings were scheduled for November and December, but it was unclear which meeting this application would be put to.

Councillor Wood noted it appeared planting was proposed to the South of the development site near Shails Lane and could be intended to be a barrier.

Councillor Harris noted it appeared there had been a reduction in the number of cul de sacs proposed, with the council raising a concern previously at the amount proposed and the implications of this.

The Clerk explained some Councillors were aware of a boundary dispute issue between a resident near the entrance to the site and the developers, however, the resident had been informed by Wiltshire Council that this was a civil matter and could not be considered as part of the planning application.

Councillor Wood explained he had met with the resident and had empathy with their concerns and hoped these would be considered at the Wiltshire Council Planning Committee meeting.

Councillor Wood also raised a concern at one property being built up to the boundary and not garden to garden, as the parish council had previously requested and the implications this had.

Comments: Whilst welcoming the modest changes made to the revised plans the parish council would like to see improvements to the other issues previously raised such as the need for an impermeable boundary to the South of the site adjacent to Shails Lane to stop residents from the new development accessing the lane, which is a private road. The council would also like to see a better housing mix (more 3-bedroom properties; and bungalows as detailed in the s106 agreement) to suit the needs of the local community, as detailed in the Melksham Neighbourhood Plan Housing Needs Assessment.

The parish council always request new developments are built garden to existing garden and note one house in particular near the entrance to the site, is proposed close to the boundary of an existing property with a walnut tree the other side of the boundary which could be to the tree's detriment.

239/22 To consider the following Planning Applications:

[PL/2022/06861](#): Lower Beanacre Farm, Beanacre Road, Beanacre.
Installation of ground mounted 10 solar modules for domestic use

Comments: No Objection.

[PL/2022/08111](#): 6 Plane Tree Close, Whitley. T1 - Platanus x Hispanica.
Remove deadwood, small crossing branches and raise by 2m. Consent under Tree Preservation Order.

Comments: No Objection.

[PL/2022/08287](#): Lower Home Farm, Sandridge Park, Sandridge Common.
Proposed conversion of outbuilding attic into ancillary accommodation.

Comments: No objection, but ask that a condition be placed on the application the outbuilding attic accommodation is not occupied at any time other than for purposes ancillary to the residential use of the main dwelling and remain within the same planning unit as the main dwelling.

240/22 Planning Enforcement: To note any new planning enforcement queries raised and updates on previous enforcement queries.

There were no new planning enforcement updates to report.

241/22 New Premises Licence Application. Lovejoys Wholesale Ltd, C1 Ashville Centre, Commerce Way, Melksham. To supply alcohol (off the premises). To consider making a representation.

It was noted this application would enable Lovejoys to include alcohol in its hampers to customers.

Resolved: To submit no objection to this application prior to the 15 November deadline.

242/22 Pre Consultation for a Proposed Alteration/Extension to the existing No Waiting at Any Time Restrictions on Portal Road, Bowerhill (Entrance/Exit Dick Lovett)

It was noted this application related to the entrances to the new Dick Lovett BMW/Mini premises on Portal Road.

Councillor Baines informed the meeting that as the new entrances for Dick Lovett cut into the existing no waiting restrictions, this application had

been submitted to cover the gaps in the existing restrictions.

The Clerk highlighted this type of application would normally go to the Highways Committee for comment, but given the deadline for comment was later in the week, this application had been placed on this agenda for comment.

Resolved: To inform Wiltshire Council the parish council have no objection and welcome proposals, prior to the 10 November deadline.

243/22 Planning Policy

a) WALPA Update

The Clerk explained there was no update to report.

b) Neighbourhood Planning

i) To note minutes of Steering Group meeting held on 28 September 2022

Members noted the Neighbourhood Plan Steering Group minutes of 28 September 2022.

ii) Update on the Neighbourhood Plan Review and to consider any time critical requests before next Steering Group meeting

The Clerk explained a request had previously been made for some funding towards the costs associated with providing a Green Gap policy for the Neighbourhood Plan, which required specialist input; AECOM had then said that they were able to bolt on free of charge to the workstreams that they were already undertaking with Locality Technical Support funding. Unfortunately, AECOM had since said they would be unable to do it. The Clerk was still hopeful that Locality funding could still be secured to pay for this, but just in case wanted to reiterate this request for additional funding, which would be a shared cost with the town council for approx. £4,000 - 5,000 in total.

The Clerk explained that it had been agreed that some further community engagement would be useful. Therefore, it had been suggested to launch some engagement on what has taken place so far on the Neighbourhood Plan at the Christmas Fayre at the beginning of December and in order to get residents' attention the highlight would be to launch the Town Centre Masterplan consultation. It had also been suggested to put something in an empty shop during the Christmas Lights period on and hopefully something in the foyer of The Campus. Traders will also be

approached for a dedicated event for them, perhaps in January after the festive trading period.

The Clerk explained this would be an opportunity for people to say what they wanted in their town centre. However, some funding would be required for resources and for the input of Place Studio and sought approval from Members for some additional funding.

Place Studio were currently drawing up proposals for engagement and costings ready for the Neighbourhood Plan Steering Group meeting at the end of November for approval and once approved advertising would need to be undertaken straightaway and therefore there would be no time to come back to Council for approval. The Clerk just wanted to check that the Planning Committee members were happy in principle with the community engagement plans with more detailed costings to follow.

Recommendation (1): To approve contingency funding of 30% share of circa £4,000-£5,000 for a landscape architect to undertake Green Gap evidence work to formulate a new policy.

Recommendation (2): To approve additional funding required to undertake community engagement, with the parish council contributing 30% of the costs associated with this.

c) To note round up of latest Government changes to Planning legislation by CPRE

Members had been circulated the latest roundup of changes in Government Policy in relation to planning. However, it was noted there had since been a change in Prime Minister and therefore whilst Members welcomed the information, they awaited further updates given the recent changes in Government.

d) To note new planning appeals service
<https://todaysconveyancer.co.uk/government-announces-new-planning-appeals-service/>

Members noted the information contained in the new planning appeals service.

e) To note responses to questions relating to planning issues put to the Full Council meeting of Wiltshire Council on 18 October 2022.

The Clerk explained as Members had previously raised concern at the revised timeline of the Local Plan Review and the impact on the Neighbourhood Plan; and the impact of the lack of 5-year land supply on the parish; had circulated a response to questions raised on these issues

at a recent Full Council meeting of Wiltshire Council for Members' information.

244/22 S106 Agreements and Developer meetings: (Standing Item)

a) To note update on ongoing and new S106 Agreements

i) Hunters Wood/The Acorns:

- To note update on Footpath to rear of Melksham Oak School

Whilst there was no update on this from Wiltshire Council, Members noted Michelle Donelan MP had taken up the campaign to get the footpath installed as soon as possible.

ii) Bowood View:

- To receive update on village hall, play area, management company and residents forming group.

The Clerk explained the Council's solicitor was now in touch with Bellway's solicitor regarding the transfer of the play area to the parish council.

With regard to the Village Hall, the Clerk explained that there was a meeting on Wednesday 16th November to form a village hall committee at Berryfield Village Hall. Residents of Bowood View were also having a resident meeting this Wednesday at Berryfield Village Hall.

iii) Pathfinder Way:

The Clerk confirmed the meeting of Pathfinder Way residents at Bowerhill Village Hall, as mentioned by Councillor Holder earlier in the meeting was taking place on 29th November at 7.00pm.

- To receive update on Play Area

The Clerk explained there was no update to report.

iv) NHS contributions

The Clerk explained in commenting on the planning application for 144 dwellings on Semington Road a question was asked where the funding for the NHS, as included in the Section 106 Agreement, was contributing to the local area and at a meeting of the Area Board, Health & Wellbeing meeting with representatives from the Melksham GP practices in attendance this query had been raised. This funding does not go anywhere locally, but into a central pot.

At the meeting it had been explained that there was no 'plan on the shelf' for want of a better word, for what the GPs require, which Section 106 funding can be hung on.

Therefore, at that meeting, Councillor Holder suggested that his group re-engage with the Estates Manager of local NHS in obtaining details of the Estates Plan for Melksham NHS services to enable future funding coming forward via Section 106 funding to be used to support NHS services in the Melksham area. This process had commenced prior to covid, and needed picking up again.

Frustration was expressed that Section 106s NHS contributions had been lost to the town, due to a lack of a plan for NHS services locally.

b) To note any S106 decisions made under delegated powers

The Clerk reported no decisions had been made under delegated powers.

c) Contact with developers.

The Clerk reminded Members a meeting had been arranged for 10th November at 1.30pm with Living Spaces, working with Sovereign Housing for the appeal site on Semington Road (rear of Townsend Farm) for 50 affordable houses.

Meeting closed at 7.45pm

Signed.....
Chair, 14 November 2022