

MINUTES of the Planning Committee of Melksham Without Parish Council held on Monday 13 June 2022 at Melksham Rugby Club, Oakfields, Eastern Way, Melksham, SN12 7GU at 7.00pm

Present: Councillors Richard Wood (Committee Chair), Alan Baines (Committee Vice Chair), Terry Chivers, Mark Harris & Mary Pile

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

In attendance: Wiltshire Councillor Nick Holder (Bowerhill) and one member of public

66/22 Welcome, Announcements & Housekeeping

Councillor Wood welcomed everyone to the meeting.

67/22 To receive Apologies and approval of reasons given

Apologies for absence were received from Councillor Glover and Councillor Pafford who were both on holiday.

Resolved: To approve the apologies for absence and the reasons given.

68/22 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.

69/22 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 explained she was aware Councillor Nick Holder might wish to update the Parish Council on his recent meeting with Taylor Wimpey

regarding their Pathfinder Way development and may want those discussions in closed session.

70/22 Public Participation

Councillor Holder explained planning application PL/2022/03317: 406C The Spa was in his Ward and having spoken to the Planning Officer, was happy with the proposal for a variation in condition, which would stop gravel from the driveway spilling out onto the pavement/highway.

Councillor Holder explained he was happy to update the Council on the Pathfinder Way development in public participation and not in closed session.

Councillor Holder stated that following his article in the Melksham News highlighting delays to the Pathfinder Place development with regard to the installation of public art, traffic lights and issues with the play area, he had contacted Taylor Wimpey direct, with a copy of the article and invited their Managing Director to attend a meeting which was accepted. A meeting subsequently took place last month, between the Regional Director from Bristol, Head of Customer Services, Head of Highway Installation at Taylor Wimpey and Councillor Glover with a forthright and productive meeting having taken place, with reassurances on the following timeline:

20 June: Installation of art installation depicting the history of Bowerhill.

24 June: Cabling to commission the 5 pedestrian crossings and street lights up to the Hunters Wood/The Acorns development (but not including it).

Both Councillor Holder and Glover had asked if Taylor Wimpey and Bloor Homes (Hunters Wood/The Acorns) could work closely together in getting the rest of the lighting installed.

11 July: Work to start on final crossing on A365 (near the play area).

18 July: All street lighting and pedestrian crossings working. (if timeline goes to plan)

With regard to the play area, it was understood the outstanding remedial works would hopefully be completed shortly and signed off by Wiltshire Council.

Councillor Wood thanked Councillor Holder for all his hard work in trying to get this matter resolved.

Councillor Holder stated following approaching both the National Chief Executive and Board Chairman of Taylor Wimpey they had contacted him to ask if he is happy with the outcome, to which he had responded to say he was and felt now there was a level of focus on trying to get the works

complete, which there had not been previously and hoped things would progress quickly. Officers at Wiltshire Council had also been brought up to speed following the meeting.

The Clerk explained Councillor Glover had taken a picture of the two bus shelters on Pathfinder Way, as they were already rusty and contacted Wiltshire Council, to which they had responded to say the shelters had not been adopted as yet and therefore they could not do anything, however, on contacting the local Highways Technician they had responded to say they were not happy with the condition of the shelters either and would be asking for these to be replaced.

Councillor Holder explained a management company for the Pathfinder Place development had been appointed and residents would be informed in due course and until maintenance of the site had been handed over to the maintenance company, Taylor Wimpey will continue to maintain the site with regards to grass cutting, bin emptying etc.

Councillor Holder explained to residents of the development who had contacted him that they may wish to form a residents' group, similar to other groups on new developments in Melksham, in order to liaise with the management company.

71/22 To consider the following Planning Applications:

[PL/2022/02675](#): Land Adjacent to 6 Guinea Cottage, Forest Road, Melksham. of a dwelling. Outline Application (All Matters Reserved) Applicant Richard Bourne

Comments: Members felt there was insufficient detail provided with the plans to make informed comments and therefore, sought more information from the Planning Officer, particularly on the agricultural enterprise associated with the application prior to making their comments.

[PL/2022/03317](#): 406C The Spa. Variation of condition 9 of 17/01107/OUT and 18/03329/REM to allow the driveway to be finished in gravel with tarmac apron to avoid spilled gravel. Applicant Jack Hallett

Comments: Members object to the proposals as they felt the one metre proposed tarmac strip would not be sufficient to stop gravel overspill onto the pavement/road, which is a well used walking/cycling route, particularly for students of Melksham Oak Secondary School. Members felt the original proposal for a porous block driveway was more appropriate.

72/22 Revised Plans To comment on any revised plans received within the

required timeframe (14 days)

None received.

73/22 Planning Enforcement: To note any new planning enforcement queries raised and updates on previous enforcement queries.

The Clerk explained several planning enforcement queries had been raised, but was awaiting a response.

Councillor Harris noted the retrospective planning application for fencing at 12 Tangmere Close, Bowerhill had been withdrawn and whether Planning Enforcement needed to be made aware.

Recommendation: For Planning Enforcement to be made aware the retrospective planning application for fencing at 12 Tangmere Close had been withdrawn in order to investigate if the current fencing needed to be removed.

74/22 Planning Appeal: APP/Y3940/W/21/3285428: Semington Road. To note outcome of appeal hearing (upheld) and consider next steps.

Members noted with disappointment that the planning appeal for 50 affordable houses on Semington Road to the rear of Townsend Farm had been upheld by the Planning Inspectorate and planning permission granted.

Councillor Wood sought clarification on what redress was available to the Parish Council.

The Clerk felt it was difficult to challenge an appeal decision, however, following discussions with Place Studio, the Neighbourhood Plan Consultants, they strongly urged the parish council to write to Wiltshire Council to ask going forward how they would view applications for speculative development in light of this judgement, particularly as the Planning Inspectorate had stated Melksham still had Paragraph 14 protection due to the Joint Neighbourhood Plan.

Councillor Baines asked if Wiltshire Council could also be asked how they would respond if the applicant came back in the future regarding the viability of their site, given the appeal was only approved due to the 100% affordable housing element and whether they would be able to defend refusal of an application for a market value housing development on this site with the usual 30% affordable housing element.

Recommendation: To write to Wiltshire Council expressing the Council's disappointment in the Planning Inspector's decision and to ask going forward how they would view applications for speculative development in light of this judgement, particularly as the Planning Inspectorate had stated Melksham still had Paragraph 14 protection due to the Joint Neighbourhood Plan. To also ask how they would respond if the applicant came back in the future regarding the viability of their site, given the appeal was only approved due to the 100%

affordable housing element and whether they would be able to defend refusal of an application for a market value housing development on this site with the usual 30% affordable housing element.

75/22 Planning Policy

a) WALPA (Wiltshire Area Local Planning Alliance) Update

The Clerk provided an update on recent WALPA activities and explained they were aware of the outcome of the recent planning appeal.

b) Neighbourhood Planning

i) To reflect on responses to planning applications for review of the Neighbourhood Plan

No recent responses to note.

ii) To note progress with Review (Update following Task Group surgeries)

The Clerk explained the task groups had met for the first time two weeks ago with further meetings taking place later in the week and thanked those parish council members who came forward and attended the meetings and noted there was no Council representative on the Design Codes Task Group.

It was noted Councillor Harris had volunteered in the last week to join the group.

The Clerk explained various elements of technical support from AECOM had been approved.

Recommendation: The Planning Committee ask that Councillor Harris join the Design Codes Task Group.

iii) To suggest presenter for update at Area Board meeting on 22nd June

The Clerk explained the Neighbourhood Plan Steering Group had a slot at the next Area Board meeting on 22 June in order to give an update on progress of the neighbourhood plan review and sought a steer on who should present at the meeting and explained Councillor Glover would not be available.

Recommendation: Councillor Pafford be asked to provide an update on the review of the Neighbourhood Plan at the Area Board meeting on 22 June, with Councillor Wood, as previous Chair of the Steering Group as a substitute if necessary.

c) Future Chippenham. To note High Court Judge deferred decision on Future Chippenham judicial review

Members noted following a High Court Hearing challenging the Future of Chippenham Programme on 26 May that the High Court Judge had deferred their decision for approximately 3 weeks.

76/22 S106 Agreements and Developer meetings: (Standing Item)

a) To note update on ongoing and new S106 Agreements

i) Hunters Wood/The Acorns: Update on Footpath to rear of Melksham Oak School, Community Centre

The Clerk explained she was still awaiting an update regarding the footpath.

ii) Bowood View: To receive update on play area, bins, and management company

The Clerk explained there was no update following the recent site visit.

iii) Pathfinder Way: To receive update on Play Area, Street works, Public Art, School

Councillor Holder had provided an update earlier in the meeting.

b) To note any S106 decisions made under delegated powers

None to note.

c) Contact with developers

i) Land to rear of Blackmore Farm. To note response from Rights of Way Officer on suggested improvements as part of public consultation response

Members noted the response from the Rights of Way Officer to comments the Parish Council had made with regard to improvements to rights of way adjacent to the site as part of their submission to the public consultation for 650 homes on land to the rear of Blackmore Farm.

ii) Proposed Sewage Pumping Station at Beanacre: To consider fencing treatment

The Clerk explained at the recent drop in session at St Barnabas Church, Beanacre on Wessex Water's proposals to provide first time sewerage at Beanacre they had commented that they had purchased land on the corner of Westlands Lane for their pumping station and

proposed to erect a 1.8m palisade fence around the site and now was the opportunity for members to comment on the proposal prior to plans being submitted in the future.

Recommendation: To defer this item until the Full Council meeting in June.

Meeting closed at 7.30pm

Signed
by the Chair, Full Council, 20 June 2022