

MINUTES of the Planning Committee of Melksham Without Parish Council held on Monday 15 August 2022 at Melksham Rugby Club, Oakfields, Eastern Way, Melksham, SN12 7GU at 7.00pm

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

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

In attendance: 3 Members of Public (for part of the meeting)

149/22 Welcome, Announcements & Housekeeping

Councillor Wood welcomed everyone to the meeting, the last scheduled meeting at the venue and wished to put on record his thanks to the Rugby Club in allowing the Council to use the venue and for the hospitality shown, with a request a letter of thanks be sent.

Resolved: To send a letter of thanks to Melksham Rugby Club in allowing the Council to use their facility for meetings and the hospitality shown.

Two members of public joined the meeting at this point and Councillor Wood went through the fire evacuation procedure in case of a fire.

150/22 To receive Apologies and approval of reasons given

Apologies were received from Councillor Terry Chivers, who felt due to a conflict of interest relating to a planning application on the agenda, thought it prudent not to be present at the meeting.

Resolved: To approve and accept the reasons for apology.

151/22 Declarations of Interest

a) To receive Declarations of Interest

The Clerk suggested in order to be transparent, Members may wish to declare an interest in planning application PL/2022/05827: Ivy Lodge, Woodrow for a proposed two storey extension as Phil Rigg, the Director of Rigg Construction, as the Council have entered into a contract with Rigg Construction to build the new Berryfield Village Hall and he is the partner of the applicant.

Resolved: That those Members present declare a non-pecuniary interest in planning application PL/2022/05827 for Ivy Lodge, Woodrow for the reasons highlighted by the Clerk.

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.

152/22 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.

There were no items for consideration in closed session.

153/22 Public Participation

Two residents of Pathfinder Place, Bowerhill were in attendance to voice their concerns at various aspects of the Pathfinder Place build and the lack of a response from Taylor Wimpey:

- Public Art: Whilst welcoming the public art located within the development, he stated that the art on Pathfinder Way felt industrial and stark. Whilst a request had been made by a resident to relocate the public art, he felt this was not a good use of public money and therefore suggested it was filled in or some planting be provided behind it. It was stated this would also stop people climbing over it and people looking into a neighbouring property.
- Street lights and pedestrian crossing not working. In response Councillor Wood explained this had been a long-standing issue, which had been highlighted to Taylor Wimpey on many occasions and an updated would be provided later in the meeting.

Wiltshire Councillor Holder arrived at 7.06pm.

- Attenuation Pond: Would like some form of safety equipment provided. Recently, there had been an instance of a dog walker being dragged into the pond as their dog had been distracted by another animal the other side of the pond and unfortunately, they had not let go of the lead.
- Drains being blocked. One property has recently been flooded. Drains in particular near the exit/entrance onto the main road seem to

over flow on a regular basis with sewage.

Sewage has spilled into the attenuation pond and the open spaces also due to blocked drains. At times, the sewage system cannot cope with demand.

Taylor Wimpey had been informed but nothing done. On contacting Wessex Water, it would appear the site has not been connected to the mains and not adopted by Wessex Water.

Councillor Wood explained he certainly was not aware of the issue regarding the drains and explained the residents may wish to voice their concerns with their local ward member, Councillor Holder who was in attendance.

Councillor Glover suggested it would be useful to also contact the Environment Agency who may be able to help.

A resident explained they had already approached someone from the Environment Agency regarding the SUDs (Sustainable Drainage Systems) and attenuation pond.

- Anti-Social Behavior: There appears to be a lot of anti-social behaviour problems and a high Police presence on a regular basis. There have been several thefts from driveways and people on motor bikes using the cut through with no helmets or number plates. The Police have been informed of concerns.

Councillor Wood explained the matter of anti-social behaviour had not been raised with the Parish Council previously and the local Police had not mentioned the issue in one of their regular updates to the Council.

Councillor Pafford suggested contacting the Police directly to see if any issues had been raised with them and what action had been taken.

Councillor Holder stated it was the first time he was hearing about some of the issues raised. He was aware someone had posted on a Facebook page to get in touch with him following a post regarding the sewage, but he had not heard from anyone. Having recently undertaken a leaflet drop, as well as knocking on people's doors, with the local MP no one had raised these issues with him.

Councillor Holder explained Taylor Wimpey were still under scrutiny with Wiltshire Council, as they had not yet completed the build and Wiltshire Council held a bond in order to hold developers to account, in order to make sure the build was completed.

Councillor Holder also found it hard to understand there was no drainage plan for the site, as these are usually submitted as part of the planning application.

Councillor Holder explained there was only so much a parish council could do and as previously mentioned, suggested the residents set up a residents' group, properly constituted to liaise more effectively with the developer/management company on issues, which the parish council could be a representative on, and provided examples where other new estates had done something similar and been very effective, which he and the Parish Council could help with setting up.

Both the Council and Councillor Holder expressed frustration with Taylor Wimpey, with Councillor Holder explaining he had met with their senior management, along with the Chair of the Parish Council to raise several concerns and would provide an update later in the meeting.

Councillor Wood was sympathetic to the concerns raised, suggesting the Parish Council could assist in setting up a residents' association as a collective voice to liaise with the management company and reminded the residents they may wish to discuss their concerns with Councillor Holder following his update to the Parish Council.

It was noted there was already a residents' group in Bowerhill i.e. Bowerhill Residents Action Group (BRAG), which would be worth contacting, but unfortunately they would not necessarily be able to help with the concerns raised.

At this point Councillor Wood invited Councillor Holder to provide an update on the Pathfinder Place development.

Councillor Holder explained there had been significant correspondence between himself and Taylor Wimpey regarding the pedestrian crossings and lighting. Taylor Wimpey had been in touch with Wiltshire Council two weeks ago to say they wished to turn the lights on, however, Highways had responded to say they could not as the remote monitoring system they had installed was now obsolete. Taylor Wimpey had responded to say they did not know anything about a remote monitoring system, to which Highways had responded to say it was included in their original planning application and the specification discussed at the time, unfortunately as it had taken two years to get the lights installed, the equipment was out of date and would not match Wiltshire Council's Highways remote monitoring system specification.

On hearing this information, Councillor Holder had sought an indication of when the lights would be switched on and was informed 12-14 weeks to get the correct monitoring system and then install and commission the lights. Therefore, he had met with a representative of Wiltshire Council, who said they would allow the lights to be commissioned without the remote monitoring system on the proviso Taylor Wimpey would install a compatible monitoring system in due course.

Councillor Holder explained that earlier in the day he had contacted the

same representative to say this was a good way forward, but as the schools go back at the beginning of September, they needed to be working by the 1st September, but had not received a response.

Councillor Holder explained he had arranged a meeting for that evening with a consultant for Taylor Wimpey, with representatives of the Parish Council also invited, to talk about the street lighting because as far as Taylor Wimpey were concerned the lights were working, but this was not the case. It was noted 4 of the lights, near The Spa would not be working, as they were part of the new Bloor development near Snowberry Lane.

The committee was reminded the lights and crossings should have been installed by Taylor Wimpey before first occupation.

Councillor Holder felt it was important to get the lights working and then contact the CEO of Taylor Wimpey expressing frustration at how long it had taken to get the issue resolved.

Councillor Holder explained there had been an email exchange regarding tree planting and landscape issues and Taylor Wimpey were aware elements of this needed to be completed and would be undertaken in the Autumn, including replacing those trees which have died.

Councillor Harris sought an update on the school.

Councillor Holder explained a meeting was being held the following day where an update would be given and was aware people had been told the school was not happening. This was not the case; the plan had always been for the extension to Forest & Sandridge School to be built first and the plans for this have already been approved and Section 106 money set aside for this.

It was understood it was the intention to go out to architects in September/October with a view to submit plans after Christmas, with the school being brought on stream as soon as there is demand. Initially it will be a one-form entry school and move to a two-form entry school when there is demand as original planned.

Councillor Glover asked how it would be made sure the land set aside for the school would not revert back to Taylor Wimpey, without the two-form entry school. Councillor Holder explained he had this on his list of questions to ask at the meeting the following day.

Recommendation: To contact the local Police to see if they are aware of anti-social behaviour issues on the estate and if so, what action had been taken to try and resolve the issue.

A member of the public had joined the meeting via Zoom to talk to revised plans for 489a Semington Road, for the erection of a detached double

garage and home office (PL/2021/06824). Unfortunately, due to technical issues, he was unable to be heard and therefore it was agreed they would drive to the venue, as they were close by, in order to address the Committee prior to Members commenting on the application later in the meeting.

Once the member of public had joined the meeting, they raised their objections to this application, explaining nothing of note had changed since the previous plans, expressing concern the development was overdevelopment of the site.

The member of public also stated it was not clear for which location the garage was intended for. The parking spaces identified on the plans did not exist and the one proposed outside 489a parallel to the road would be impossible as there was a wall in the way, unless it was proposed to remove the wall in which case the remaining space would not be large enough for a vehicle.

Concern was also expressed regarding highway safety and parked vehicles. The site is on a slight bend and the concern was the impact this would have on vehicles travelling along Semington Road with regard to visibility. This would be compounded by proposals for additional dwellings adjacent to the site, yet to be developed, which would also have parked vehicles on the road next to a bend.

The member of public also expressed concern this development would be used as a stepping stone in getting the garage converted to living accommodation at a later date and asked the Council to reiterate their previous comments regarding this application, in that if planning permission were granted, a covenant be placed on the development to prevent it being subsequently converted to living accommodation in the future.

154/22 To consider the following Planning Applications:

[PL/2022/05827](#): Ivy Lodge, Lower Woodrow, Forest. Proposed two storey extension to Ivy Lodge. Applicant Ms J Ayliffe

Comments: No objection subject to the 'equine tie' being maintained on the property.

[PL/2022/05361](#): Land adjacent 1 Eden Grove, Whitley. Outline application with some matters reserved for erection of a dwelling (access only). Applicant Mr Hiscocks

Comments: No objection to one dwelling. However, Members noted within the Design & Access Statement reference is made at point 2.5 to two dwellings which would be unacceptable, as this would be over development of the site.

Members wished to comment on various quotes within the Design & Access Statement:

At point 2.6 it stated the Housing Land Availability Statement of 2017 quoted a figure of 130 new homes were still to be delivered in the Melksham area.

However, whilst the Core Strategy adopted in January 2015 stated 'the remainder of the Melksham Community Area (including Shaw & Whitley) had a requirement of 130 homes, given housing completions and allocations only 51 dwellings remained to be identified in the remainder of the Melksham Community Area up to 2026.'

According to the Wiltshire Housing Site Allocations Plan adopted in February 2020, whilst it stated 130 dwellings were required in the Melksham Community Area (including Shaw & Whitley), given completions and commitments from 2017-2026, 159 dwellings were anticipated.

As highlighted in Melksham's Neighbourhood Plan adopted by Wiltshire Council in July 2021, 'development over the plan period up to 2026 had exceeded the indicative housing numbers set out in the Wiltshire Core Strategy. Therefore, there is no outstanding housing requirement for housing in the Melksham Community Area as stated in Wiltshire Council's Housing Land Supply Statement 2020'.

Also, within the Design & Access Statement it stated 'Wiltshire cannot demonstrate a five-year housing land supply as confirmed by the Housing Land Supply Statement published in April 2022, which stated Wiltshire can only demonstrate a 4.72-year supply, therefore housing proposals brought forward to the council should be reviewed favourably.'

However, as Melksham's Neighbourhood Plan was adopted in July 2021 Melksham has according to the National Planning Policy Framework (NPPF) satisfied Paragraph 14 protection against speculative development.

[PL/2022/05549](#): Snarlton Farm, Snarlton Lane. Removal of existing agricultural building and erection of new commercial building falling within use class B8, E(gi) & E(giii), associated works and associated parking. Applicant T

& J Stainer (c/o Woolley & Wallis) (Comments by 25 August)

Comments: No objection and welcome the diversification.

155/22 Revised Plans To comment on any revised plans received within the required timeframe (14 days)

PL/2021/06824: 489a Semington Road, Melksham. Erection of detached double garage and home office. Applicant Mrs G Willis, Willis & Co

Comments: To reiterate the Council's previous comments below and to add a concern at the lack of information and detail in the plans provided, which members felt was deliberately vague:

Whilst not objecting to this application, Members commented the proposal was out of scale for such a development.

In addition, they request that if this application were approved, that a covenant/condition be put in place that the garage and office cannot be turned into a separate dwelling in the future.

Members also commented that it was unclear to which property the garage was to serve, as whilst the application was for 489a Semington Road, the plans submitted referred to 489 Semington Road; can clarity be sought please and the covenant/condition be applied to the correct dwelling.

Members also queried where the 2nd parking space would be for the application, as where it is shown on a drawing, there is actually a wall.

POST MEETING: To add a comment if the wall is to be removed to provide parking, a dropped kerb also be provided to allow easy access to the driveway and protect the integrity of the kerb.

156/22 Planning Enforcement: To note any new planning enforcement queries raised and updates on previous enforcement queries.

The Clerk noted the New Inn on Semington Road was due to open that evening. Planning Enforcement had been made aware no planning application had been submitted regarding recent extensions, however, to date a response had not been received.

With regard to Pathfinder Place, Planning Enforcement had been made aware trees had been removed on Pathfinder Way contrary to the agreed plan. When this had been investigated, it had actually been subsequently agreed by the Tree Officer but the planning application had not been updated online. The Clerk was bringing this to the members attention now as it had been agreed that Taylor Wimpey were due to replant some of these trees and had recently reminded Wiltshire Councillor Holder who had correspondence on a list of outstanding tasks with Taylor Wimpey.

157/22 Premises Licence Application: The Good Loaf Café, 13 Avonside Enterprise Park, Melksham (deadline for comments 1 September)

The Clerk explained the Parish Council had been asked to comment on this application, despite it being in the town and asked if Members wished to comment.

It was noted there was an instruction to tick box J regarding the supply of alcohol on page 7, which was missing from the form, however, the applicant had completed box J later in the application (on page 17) as requested on page 7.

Resolved: To inform the Wiltshire Council Licensing Officer that the Parish Council have no objection to this application and to highlight the missing information on the application form.

158/22 Melksham House Project.

Members noted correspondence from Paula Smith, Capital Projects Team informing the parish council the project to develop Melksham House into a flexible workspace and multi-purpose facility would begin in early September with work expected to be completed by Winter 2023.

159/22 Planning Policy

a) Neighbourhood Planning

i) To note minutes of Steering Group meeting held on 29 June (if available)

The Clerk explained these had recently been completed but required proof reading and would be circulated as soon as possible.

ii) Update on the Neighbourhood Plan Review

The Clerk explained the following information would be circulated to the various Neighbourhood Plan task groups to keep them updated as lots of activity had taken place recently.

The Housing Needs assessment has been completed and various amendments made following feedback from the Housing Task Group. A question was being asked of the Neighbourhood Plan consultants whether the document could be shared with others, as there was some useful information contained within the document.

The site assessment work was currently being undertaken, with some 90 sites to be assessed. The Clerk explained when this work was undertaken for Neighbourhood Plan #1 the group had used Wiltshire Council's criteria, such as those sites within the settlement boundaries, those next to the settlement boundary, those which were next to a site which had permission within the settlement boundary.

The Clerk explained a meeting had taken place with David Way, Wiltshire Council Link Officer and Vaughan Thompson from the Neighbourhood Planning consultants and AECOM, where a similar methodology for site selection was discussed. There is already a policy for brownfield first, then within the settlement boundary or touching it.

The meeting was reminded that Wiltshire Council, as part of the Local Plan review, were looking at big strategic sites in Melksham which would contribute infrastructure, whereas the neighbourhood plan was looking to allocate smaller site(s) and therefore they have to be close to existing infrastructure to be sustainable.

With regard to Design Guides the Clerk explained this work was currently being undertaken by AECOM and would be a useful document when commenting on future planning applications as badly designed sites could be turned down referencing the design code policies in the Neighbourhood Plan. The Clerk explained examples what the parish council thought were well designed (Bowood View) and not so well designed (Pathfinder Place) developments had been provided to AECOM as a reference, and they had visited these.

The Town Centre Master Plan was also currently being undertaken by AECOM and on a walk around the town it was noted there were a few empty shops which had regeneration potential and therefore, they had been added to the list of sites to be assessed by AECOM as part of the Site Assessment work. All of the vacant sites noted had been contacted to make them aware of the call for sites, as they may have missed it and asked whether they wished their site to be included as part of the site assessment work.

Concern had been raised that the Town Council and AECOM were looking at a town centre masterplan, as well as looking at Wiltshire Council assets and all these pieces of work needed to be drawn together somehow.

The Clerk explained the Local Green Spaces Task Group were to meet later in the week to look at the various sites which had been put forward for consideration.

The meeting was informed that Councillor Hubbard had stepped down as one of the Town Council representatives on the steering group, with Councillor Graham Ellis representing the Town Council, along with Councillor Pat Aves.

The Steering Group had been successful in receiving technical support to undertake the Strategic Environmental Assessment (SEA), which was not usually done until the end of the process, but AECOM have agreed to do this as the plan progresses given the deadline to get the review completed.

The Clerk provided an update on the progress of the Local Plan Review and the frustration of the Neighbourhood Plan Steering Group in needing sight of what was in the plan, in order that the Neighbourhood Plan conformed to it.

As much work as possible will be done on the Neighbourhood Plan in order it can be tweaked in order to conform to the Local Plan once it has been approved by Wiltshire Council Cabinet.

The Clerk explained a canal task group meeting was due to take place in September, with the next steering group meeting due to be held on 28th September.

b) Townsend Farm, Semington Road Planning Appeal (APP/Y3940/W/21/3285428). To note correspondence from the Planning Inspector, in response to a letter from a resident of Semington Road to Michael Gove MP

Following the Townsend Farm Residents Association writing to Michael Gove MP unhappy at the outcome of the appeal in allowing the development to go ahead, a response had been received from the Planning Inspectorate which Members noted.

c) To note RTPI report on Rural Planning in the 2020s. Deferred from previous meeting on 18 July <https://www.rtpi.org.uk/ruralplanning>

The Clerk explained that unfortunately she had not had an opportunity to read this document yet and would place on a future agenda for discussion.

d) Future Chippenham Update. To note update from Wiltshire Council

Members noted Wiltshire Council had re-affirmed its decision made on 21st July to proceed with a road route and housing development only to the south of Chippenham which would deliver 4,050 new homes (down from 7,000) and associated infrastructure over the next 20 years subject to the Local Plan Review and the Housing Infrastructure funding (HIF) for Homes England.

Members expressed concern if the monies from HIF were not forthcoming the programme may not be so attractive which would have implications for Melksham.

The Clerk explained she had highlighted to the Neighbourhood Plan consultants the housing figure for Chippenham had been reduced which may impact the housing numbers for Melksham.

e) First Homes Policy. To note Wiltshire Council's interim approach to the implementation of the Government's First Homes policy.

Members noted the information contained within the document including the proposed requirement for prospective purchasers of a 'First Home' having a 'local tie' to the area.

The Clerk explained having the Housing Needs document recently undertaken by AECOM would be useful, as it would inform what people can afford and therefore in commenting on large planning applications could reference the document in requesting a higher percentage of 'First Home' or particular mix of affordable housing.

160/22 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

Members noted correspondence from the Senior Transport Planner, stating several assessments were required prior to a path being installed and would take until around November to be completed with further assessments and mitigation measures possibly being required and therefore, the project remained at a preliminary stage.

Both the Clerk and Councillor Mike Sankey Ward Member for Melksham East had responded expressing disappointment progress was taking so long, despite contact being made in June 2019 to try and get the design work and programme ready for

when the new development East of Melksham was nearing completion.

Members expressed disappointment in the response and suggested forwarding the responses to Councillor Nick Holder as Ward Member for Bowerhill for his information.

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

Members noted correspondence from Bellway in response to comments made by the Technical Officer at Wiltshire Council regarding the remedial works required to the play area on Bowood View prior to being handed over to the Parish Council:

The Clerk explained that unfortunately Bellway had emailed residents saying the parish council would not take on the play area as they had changed their mind on the specification and would not adopt it, which was not the case at all, in that the parish council were awaiting the play area to be signed off by Wiltshire Council, who were not happy with aspects of the work undertaken and would only do so after works had been completed to the agreed standard.

The Clerk explained coincidentally earlier that day she had received a 'phonecall from a member of customer care at Bellway wishing to help with the various issues the parish council were experiencing, with the Clerk explaining about the play area and explained she would be sending Bellway a list of all the various issues relating to the site in due course.

The Clerk explained Marilyn Trew, community artist for the Wilts & Berks Canal Trust had visited the office earlier that day and mentioned the Trust had managed to secure funding for some interpretation boards to mark the historic line of the Wilts & Berks Canal. The Clerk sought a steer from Members if they felt it was worth asking the developers for the adjacent site at the meeting the following day for two more interpretation boards for their development, which Members agreed. Members also agreed that the Clerk contact Bellway to ask permission for two interpretation boards to be installed at Bowood View, to be provided by the Wilts & Berks Canal Trust. Images and details of the boards had been provided in late papers.

iii) Pathfinder Way:

- **To receive update on Play Area, Street works, Public Art, School, replanting**

Various updates on Pathfinder Place had been provided by Councillor Holder earlier in the meeting.

- **To consider a request from a resident of Pathfinder Place to relocate the public art**

Following a request from a Member of Public to relocate the public art on Pathfinder Way, as stated earlier in the meeting they felt this was not a good use of tax payers' money and therefore had suggested some form of backing or planting.

The Clerk suggested it might be worth persuading Taylor Wimpey to provide some form of evergreen planting to the rear of the public art in order to make it stand out more and to provide some form of screening.

Recommendation: To request Taylor Wimpey install some form of ever green planting behind the public art on Pathfinder Way in order to provide some screening and a dark backdrop.

b) To note any S106 decisions made under delegated powers

None to note.

c) Contact with developers

Members were reminded a meeting was taking place the following day at 4.30pm with the developers for the 144 houses on Semington Road [PL/2022/02749](#) (David Wilson) who were looking to submit revised plans for the scheme.

Meeting closed at 8.31pm

Singed:
Chair, Full Council 3 October 2022