

**MINUTES of the Planning Committee of Melksham Without Parish Council held on Monday 28 February 2022 at 1 Swift Way, Westinghouse Way, Bowerhill, Melksham, SN12 6QX at 7.00pm**

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

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

**Via Zoom:** Lorraine McRandle Parish Officer, Wiltshire Councillor Nick Holder (Bowerhill)

**436/21 Welcome, Announcements & Housekeeping**

Councillor Wood welcomed everyone to the meeting.

The Clerk informed the meeting that due to Covid several windows had been left open for ventilation purposes,

**437/21 To receive Apologies and approval of reasons given**

Apologies for absence were received from Councillor Glover who was on holiday. It was noted that Councillor Pile had a leave of absence.

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

**438/21 Declarations of Interest**

**a) To receive Declarations of Interest**

The Clerk advised Members that with regard to planning applications for 2 Hawkinge Close and 1 Portal Road (Herman Miller), the Parish Council are adjacent landowners i.e., Hornchurch Road play area and Bowerhill Jubilee Sport field respectively and therefore for complete transparency it would be good practice to record in the minutes and include in the comments against the planning applications.

**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 that the Parish Council have a dispensation lodged with Wiltshire Council dealing with Section 106 agreements relating to

planning applications within the parish.

- 439/21 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.

As item 12 related to legal proceedings at a Planning Appeal hearing, Councillor Wood asked that this item be held in closed session.

**Resolved:** Item 12 be held in closed session for the reasons given.

**440/21 Public Participation**

No members of public were present.

**441/21 To consider the following Planning Applications:**

**PL/2022/00946:** 1 Portal Road, Bowerhill. Erection of 46-unit bike shelter.  
**Comments:** Welcome and no objection.

Councillor Nick Holder, Wiltshire Councillor for Bowerhill Ward joined the meeting via Zoom at 7.02pm.

**PL/2022/00900:** Land to Rear of 46 Belvedere Road, Bowerhill. T1 - Oak tree (TPO W/92/00006/IND) – fell.

The Parish Council had originally requested the Tree Preservation Order in 1992.

Councillor Baines stated the tree was an established mature oak and therefore saw no justification for felling it on the suggestion that it was causing the subsidence of a building which was further from the tree than other properties, such as 46 Belvedere Road and garages and suggested if works were required a root barrier be installed.

It was suggested the roots found in trial ditches, adjacent to 44 Belvedere Road, given the distance from the Oak tree to the property affected, may even be roots from sapling oak trees in the hedgerow, which were cleared to make way for the development.

**Comments:** The Parish Council strongly oppose proposals for the Oak to be felled, particularly as the Parish Council had originally requested the TPO in 1992,

in order to protect the Oak, given its maturity, condition, attractiveness and shape.

The Parish Council suggest a more appropriate way forward would be to install root barriers between the oak, driveway and garages.

**PL/2022/00805:** 32 Wellington Square, Bowerhill. Two storey side and single storey rear extensions to house.

**Comments:** No Objection.

**PL/2022/01116:** 2 Hawkinge Close Bowerhill. Single storey kitchen & sun room extension.

**Comments:** No Objection.

**442/21 Revised Plans** To comment on any revised plans received within the required **timeframe (14 days)**

None received.

**443/21 Tree Preservation Order**

Members noted Wiltshire Council had made a Tree Preservation Order relating to the Oak tree adjacent to the access track for Queensfield Farm, Lower Woodrow which took effect on 9th February 2022.

**444/21 Planning Enforcement: To note any new planning enforcement queries raised and updates on previous enforcement queries.**

The Clerk explained that she had noted several external changes to the New Inn, Semington Road, such as blocked-in windows, new seating area and entrance but was not aware of any planning application being submitted and had therefore contacted Planning Enforcement in order they could make investigations.

**445/21 Planning Policy**

**a) WALPA (Wiltshire Area Local Planning Alliance) Update from meeting 22 February**

The Clerk explained WALPA had discussed various questions (circulated in the agenda pack) which they wished to ask Wiltshire Council. These were related to the lack of 5-year land supply and more importantly what action was to be taken in adopting a strategy to demonstrate to Planning Inspectors up to date information regarding housing numbers. It was particularly frustrating that there seemed to be inconsistencies with regard to Planning Appeals and decisions made by Inspectors. WALPA were also seeking a

commitment from Wiltshire Council to work with Neighbourhood Plans.

It was noted that Wiltshire Council were supposed to produce their 5-year land supply figure annually but had not been produced for 2021. It was understood that up to date figures were due shortly, however, there is a shortage of Planning Officers which is exacerbating delays. At the meeting it was suggested that Neighbourhood Plan Groups could be utilized to provide up to date housing numbers in their areas as it was something that they keep a keen eye one.

The Clerk explained that it would appear that the WALPA campaign is now gaining some traction with Wiltshire MPs, such as Devizes MP Danny Kruger and North Wiltshire MP James Gray who asked questions in Parliament recently.

The Clerk sought a steer from Members as to if they were happy with what WALPA were proposing and if there were any letters from WALPA to sign that the Parish Council were part of any joint statement.

The Clerk explained it had been agreed at the meeting to put together a working group to prepare for a meeting with Wiltshire Council and asked if Members wished for the Parish Council to be part of that group.

**Recommendation:** The Parish Council be included in any joint statement issued by WALPA and that a Parish Council representative be part of the small working group of WALPA preparing for the meeting with Wiltshire Council.

**b) Priority for People Update from Workshop 9 February (if received)**

The Clerk explained there was no written update, however a verbal update had been given to the Neighbourhood Plan Steering Group meeting on 9 February 2021, the minutes of which had been circulated as part of the agenda pack.

**c) Neighbourhood Planning**

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

The Clerk had provided a copy of the relevant Neighbourhood Plan policy for review against PL/2022/00946 1 Portal Road, Bowerhill and highlighted that whilst it supported active travel measures being brought in for new development, it didn't support any such proposals for existing development and this

would be something to highlight for the review as the reasons for the policy were relevant, just not the policy detail.

**Recommendation:** To recommend that the Neighbourhood Plan Steering Group review this policy to ensure relevant to existing development and not just new development.

**ii) To note minutes of Steering Group meeting held on 9 February 2022**

Members noted the minutes of the Steering Group meeting held on 9 February 2022.

**iii) To note proposals for Devizes Neighbourhood Plan area to be re-designated**

Members noted the Devizes Neighbourhood Plan area had been redesignated to include Rowde.

Councillor Nick Holder left the meeting at 7.25pm

**d) To note Wiltshire Council adopted their Climate Strategy at a Full Council meeting on 15th February**

Members noted that the Climate Strategy had been adopted at a Full Council meeting of Wiltshire Council on 15th February. The strategy document was also accompanied by a consultation report and progress update on the changes made by the Council to achieve its own Carbon Neutral 2030 target.

**e) To note Wiltshire Council correspondence on electric car charging points in Melksham**

The Clerk explained she felt it would be useful for Members to note a response from Dr Mark McClelland, Cabinet Member, Wiltshire Council – Transport, Waste, Street Scene & Flooding to concerns raised by the Town Council regarding electric charging points in Melksham; as this currently was a hot topic, and a policy in the Neighbourhood Plan.

It was understood that Melksham Town Council had raised concerns at the lack of electric charging points in Melksham, following the removal and lengthy replacement of the charging point in King Street car park, but also that Wiltshire Council were not prepared to upgrade the electric substation adjacent to the Campus, in order to provide higher wattage for the proposed three electric charging points, meaning only 7kwh would be available to charge 6 vehicles, which was the very minimum.

Councillor Wood explained it would be useful to have a list of where

charging points were available locally. The Clerk explained she understood the Town Council were in the process of creating a list, however, this information was already available online and a link could be put on the parish council's website.

**446/21 S106 Agreements and Developer meetings: (Standing Item)**

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

**i) Update on Footpath to rear of Melksham Oak School**

The Clerk informed Members she was pushing for the Council to be involved in discussions regarding the footpath, which were taking place with the school and Wiltshire Council.

It was understood the school were reticent for the footpath to be lit, but it was unclear why. It was noted that the path would be available for all to use, not just school children.

**ii) Bowood View. To receive update on Play Area**

The Clerk explained that concerns raised by Councillor Wood, who regularly visits the site, had been raised with the Wiltshire Council officer to pursue with the developer directly.

**iv) Pathfinder Way. Update on Play Area, Street works and Public Art**

The Clerk explained both the parish council and Councillor Holder had raised concerns at the lack of street lighting on Pathfinder Way/A365 roundabout, as well as the lack of progress at the signing off of the play area, unfortunately there was no update other than SSE were due on site shortly to install cable for the lighting.

**v) Berryfield Village Hall Public Art. To note, notes of meeting held on 17th February**

The Clerk explained a meeting had taken place the previous week, the minutes of which had been circulated in the agenda packs. The meeting had also considered proposals for an interpretation panel for inside the village hall which was currently being reviewed by members of the group prior to the work going ahead.

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

The Clerk explained she had attended the Area Board Health & Wellbeing meeting on 22nd February at which Dr Rigby, representing

the 3 doctors surgeries serving Melksham had also been in attendance. Following a question on whether the surgeries would be able to cope with the influx of patients from new housing, Dr Rigby had stated that staff from Spa Medical Centre were already having to work from home as there was not enough room; and they had no room to expand their current premises.

The Clerk explained that the proposed site of the new community centre adjacent to Spa Medical Centre would appear to be too small and had fundamental access issues off of the roundabout, and wondered whether it was worth pursuing the potential for this site being used to enable the surgery to expand into and moving the community centre site to land adjacent to the Water Meadow Pub, Verbena Court which had originally been proposed as a site for a doctors surgery, as part of the East of Melksham development for 800 houses.

The Clerk explained she had discussed this with an officer at the Town Council, as both sites are within the town, and was informed the Town Council had already raised the site at Verbena Court as an option with the developers, but to no avail.

The Clerk explained it was understood the NHS CCG (Clinical Commissioning Group) were presenting to the Area Board Health & Wellbeing Group their strategy for their land/estates and asked if it was worth pursuing this suggestion with them, in order to try and convince the developers to change their mind. It was noted that this was time sensitive as the CCG were currently working on their Estates Strategy.

Members welcomed this suggestion and felt it was worth pursuing.

**Recommendation:** To seek support in pursuing this suggestion from the Town Council, Councillor Nick Holder, as Chair of the Area Board Health & Wellbeing Group and Councillor Mike Sankey, as Wiltshire Councillor for Melksham East.

### **c) Contact with developers**

The Clerk informed the meeting there had been no contact with developers to report.

**447/21 Appeal: APP/Y3940/W/21/3285428: Semington Road.** To consider any new information/requests ahead of Appeal start date on 1 March

This item was held in closed session.

Councillor Wood explained that it was agreed that he would be attending the Appeal hearing taking place later in the week, as a community representative, as a resident of Semington Road, a member of Berryfield

and Semington Road Action Group (BASRAG), Chair of the Parish Council's Planning Committee, Chair of the Neighbourhood Plan Steering Group, former Chair of the Council, and Berryfield Ward member in order to get across the importance of the Neighbourhood Plan and the effort put in by the community in creating it, only for it to be potentially overturned at an Appeal.

The meeting closed at 7.36pm

Signed .....  
By the Chair, Full Council 14 March 2022