

**MINUTES of the Planning Committee of Melksham Without Parish Council  
held on Monday 15 May 2023 at Melksham Without Parish Council Offices  
(First Floor), Melksham Community Campus, Market Place,  
Melksham, SN12 6ES at 7.30pm**

**Present:** Councillors Richard Wood (Chair of Planning); John Glover (Chair of Council); David Pafford (Vice Chair of Council); Alan Baines (Vice Chair of Planning); Terry Chivers; Mark Harris and Peter Richardson

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

**In attendance:** Wiltshire Councillor Nick Holder (Bowerhill Ward) and 2 members of public

**In attendance via Zoom:** One Member of Public

**509/22 Welcome, Announcements & Housekeeping**

Councillor Wood welcomed everyone to the meeting, noting everyone present had already been made aware of the fire evacuation procedures and recording and publication of the meeting on YouTube following an earlier meeting.

**510/22 To receive Apologies and approval of reasons given**

There were no apologies.

**511/22 Declarations of Interest**

**a) To receive Declarations of Interest**

As Councillor Patacchiola was the applicant for planning application, PL-2023-02304: Installation of photovoltaic panels to both roof slopes of existing garage, Shaw Court, all Members declared a non pecuniary interest.

**b) To consider for approval any Dispensation Requests received by the Clerk and not previously considered**

The Clerk explained as all Members present had declared an interest in planning application PL-2023-02304, a dispensation would have to be granted in accordance with standing order 13(e), as without the dispensation, the number of persons prohibited from participating in the particular business would be so great a proportion of the meeting transacting the business, as to impede the transaction of the business. Although it was non-pecuniary interests declared, for transparency it was best to use the same process.

**Resolved:** To approve the dispensation request, in order Members

present could speak to planning application PL-2023-02304 relating to Shaw Court.

**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.

**512/22 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 item 12(a)(iii), where publicity would be prejudicial to the public interest because of the confidential nature of the business to be transacted.*

The Clerk advised agenda items 12(a)(iii) be held in closed session as it related to site selection for the Neighbourhood Plan which was still a work in progress, and not the final published version.

**Resolved:** For agenda item 12(a)(iii) to be held in closed session.

**513/22 Public Participation**

Standing Orders were suspended to allow Members of public and Councillor Holder to speak to various planning items.

Councillor Holder provided an update on the Pathfinder Place development at Bowerhill, having met with the Site Manager. It was understood Taylor Wimpey are expected to be on site for a further 3 months, to undertake some remedial works, such as:

- Providing a bridge over the drainage ditch on Maitland Place
- Install final road surface on Maitland Place
- Tidy up the footpath from the estate to existing development

With regard to the new footpath from Newall Road into Birch Grove, no new dropped kerbs will be provided in Birch Grove, as this is outside their site. Damage to street signage was on a Wiltshire Council Highway's list to be fixed.

Councillor Holder explained the quality of work undertaken by the Management Company, Remus, was unsatisfactory. Regular bin emptying was not taking place, with some bins being missed altogether, such as the one near the play area. However, they have been reminded of the various locations of the bins on site for emptying and hopefully there will be an improvement.

Regular grass cutting had also not taken place in some areas, with

Remus stating that they will get this done.

Regarding soil which had been left on site, most of it has been removed, however, some has been left at the request of Wiltshire Council's School Team, to be used as part of the school build. The School Team have also asked if the heras fencing and cabins could to be left on site, as these will be used for those working on the school site.

Councillor Holder explained he had been approached by residents of Pathfinder Place requesting double yellow lines on both sides of Pathfinder Place (i.e., Maitland Place and Newall Road), in order to stop vehicles parking at the entrances, in order to make it more accessible.

Councillor Baines reminded the meeting a request for double yellow lines on Pathfinder Way, on the entrances to Newall Road and Maitland Place, and outside the proposed new primary school had already been sent to the Local Highway Footpath Improvement Group (LHFIG) for consideration.

Councillor Glover asked if the remedial works included the footpath on the Eastern side of Pathfinder Way down to the main road, as various parts were sub-standard.

Councillor Holder explained this was something to clarify with Highways and expressed disappointment a site meeting had taken place between representatives of Taylor Wimpey and Highways, regarding outstanding highway remedial works, with neither he or the Clerk being aware.

Councillor Holder explained with regard to proposals for 210 homes and a 70-bed care home on land South of Western Way (PL/2022/08504), which had recently been refused by Wiltshire Council, he had spoken to the Planning Officer to ascertain if the applicant would appeal the decision and was awaiting a response.

Councillor Holder explained he had attended the recent public consultation event held by Catesby Estates, regarding proposals for c300 homes on land at Snarilton Farm. They had stated they had an 'option', on adjacent sites, which would eventually link up with the Blackmore Farm site for 650 dwellings (PL/2023/01949). They felt this was a natural extension of East of Melksham and could accommodate c1200-1400 dwellings.

The applicant for 489 Semington Road was in attendance and expressed his concerns at what was happening in Melksham with regard to house building and the impact this was having and noted the endeavours of the Parish Council in trying to oppose additional housing.

Councillor Wood reminded the applicant, it was national planning policy which fuelled house building, in order to meet Government housing targets, with the Parish Council making sure they got the best outcome

for residents if developments were approved.

A resident of Townsend Farm attended the meeting with regard to revised plans for 50 dwellings on Semington Road (PL-2023-00808), noting there only appeared to be minor changes to proposals.

Councillor Baines stated he had mentioned proposals for this site at a recent Flood Operations Group meeting and they had asked if any photographs of flooding or water collating on the ground were available, to send these through. The resident confirmed photographs had been forwarded to the Parish Council, as well as Living Spaces and Sovereign.

Councillor Baines stated he understood proposals to pump away surface water would now incorporate 2 pumps, in case the first one failed. Concern was raised if there was a power failure as both pumps would fail.

Both the resident and Councillors Baines noted it was still not clear where any excess water from the site would be pumped to.

It was agreed the Parish Council would forward the photos to the Drainage Team, as well as provide details of the Drainage Officer to the resident, in order they could also send the photos direct to them.

Standing Orders were reinstated.

**514/22 To consider the following new Planning Applications:**

**[PL/2022/08893](#)**: Land Rear of 523 Semington Road. Certificate of lawfulness for material start made for implementation of W/10/03428/S73 (Erection of detached dwelling).

**Comments:** No comment.

**[PL/2023/02752](#)**: 1 & 2 Sunderland Close, Bowerhill. Proposed Front Extension.

**Comments:** No objection.

**[PL/2023/02741](#)**: 41 Lysander Road, Bowerhill. Detached freezer/storage Unit

**Comments:** The Parish Council **OBJECT** to this application on the following grounds:

- Loss of on-site parking. Given the size of the storage unit, Members raised a concern at the displacement of existing vehicles who use the site currently, onto

nearby roads, which will exacerbate existing parking problems.

- Due to the size of proposed new building, a concern was raised at the circulation of vehicles servicing the 2 buildings.
- There were no diagrams available to show how parking will be managed on site. It is unclear how the existing 8 parking spaces can be accommodated on the site.
- Whilst it is noted in a letter submitted by the applicant's agent, it states space will be released, as the existing outside freezer container units will be replaced with a new freezer/cold storage unit. From the proposed plans, it would appear the freezer unit is larger than the current containers and therefore, will remove space available for parking.
- It was noted on the Planning Portal there were superseded plans for 'Proposed Plans, Elevations and Section and Existing and Proposed Site Plans, however, there were no original plans available to look at.

[PL/2023/02304](#): Shaw Court, Bath Road, Shaw. Installation of photovoltaic panels to both roof slopes of existing garage. Applicant Stefano Patacchiola

**Comments:** No objection.

[PL/2023/02689](#): 40 Newall Road, Bowerhill. Modifying half of existing carport into home office.

It was noted within the Decision Notice for Reserved Matters application 18/04477/REM relating to Land South of Western Way (Pathfinder Place) for 213 dwellings, point 2 states:

'Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any Order revoking or re-enacting or amending that Order with or without modification), the garages and car ports hereby permitted shall not be converted to habitable accommodation, in order to secure the retention of adequate parking provision, in the interests of highway safety.'

**Comments:** The Parish Council **OBJECT** to this application, given the loss of a parking space, which is against condition 2 of the Decision Notice relating to the Reserved Matters application (18/04477/REM) for Pathfinder Place.

[PL/2023/03257](#): 89 Corsham Road, Whitley. Proposed side extension.

**Comments:** The Parish Council **OBJECT** to this application on the following grounds:

- The proposed side extension is out of scale with the host property.
- Proposals are not sympathetic to the design, nor reflect features of the host property and therefore are incongruous.
- Proposals are in front of a row of cottages, including No 88 Corsham Road at the Northern end, adjacent to the site.
- Impact on the streetscene.
- It is unclear what the proposals are for the first storey of the extension.
- The impact the extension will have on neighbours at 88 Corsham Road, due to the loss of privacy, given proposals for windows to both the side and rear elevations.
- Concern at the impact proposals will have on existing flooding experienced in the area and to adjacent properties.
- It is unclear if the proposals will result in the removal of mature trees.

[PL/2023/02893](#): Kays Cottage, 489 Semington Road. Certificate of Lawfulness for existing separate annex (Resubmission of PL/2022/08476).

Standing Orders were suspended to allow the applicant to speak to this application, who stated that he had spoken to the highways department who had no concerns.

Standing Orders were reinstated.

Members noted Semington Road formed part of the National Cycleway, was on a bus route and had several traffic calming measures. It was often congested with vehicles parking on the side of the road. Concern was raised at the level of traffic using Semington Road, particularly from Bowood View and with proposals for further development along Semington Road, the volume of traffic would get worse.

It was felt from a planning point of view there needed to be sufficient parking on the site, in order to provide off

road parking to serve all the properties at 489 Semington Road.

**Comments:** No objection.

## 515/22 Planning Decisions

**a) To note Wiltshire Council have refused proposals for 210 dwellings and 70 bed care home on land South of Western Way (PL/2022/08504).**

Members noted the information contained within the Decision Notice refusing proposals for 210 dwellings and a 70-bed care home, on land South of Western Way. The Decision Notice referenced proposals were unsustainable and not plan led and therefore against various policies, including those in the Neighbourhood Plan.

**b) Reserved Matters application for 144 dwellings on land at Semington Road (PL/2022/02749). To note outcome of Western Area Planning Committee meeting held on 10 May.**

Councillor Wood explained that both himself and the Clerk attended the Western Area Planning Committee meeting held on 10 May to speak to proposals for 144 dwellings on Land at Semington Road (PL/2022/02749).

Councillor Wood explained the Parish Council had asked for the application for various reasons, including the proposal for a gate onto Shails Lane, which is a private road. At the meeting, developers had been very helpful and provided a description which was included in the final decision.

With regard to the £200,000 highway contribution, it had been agreed this would be used towards route enhancements to improve connectivity between the development, the town centre to the North and education facilities to the East, inclusive of Local Cycling Walking Infrastructure Plan routes and measures to reduce the attractiveness to pedestrians of the pedestrian route on the Western side of the roundabout between Old Semington Road and Melksham.

Councillor Wood explained the ideas the Parish Council had, with regard to a footpath along Western Way in order for children to get to both Pathfinder Place school and Melksham Oak School safely had been put before Highways, who felt whilst it was feasible, would be expensive.

With regard to concerns of construction traffic using Shails Lane, an informative to the applicant had been added:

‘Condition 17 of Outline Application 20/01938/OUT stipulates the

requirement for the erection and maintenance of security hoarding and for the avoidance of doubt, such hoarding shall be erected to prevent any vehicular construction usage of the private road known as Shails Lane.'

With regard to the footbridge to connect this site with Bowood View, it had been agreed an informative to the applicant would be added as follows:

'Notwithstanding the submitted detail, prior to first occupation revised details of a new footbridge to link the development site with the 'Village Hall' shall be submitted to and approved in writing by the Local Planning Authority. Prior to occupation of the 50th dwelling, or as otherwise agreed, the bridge shall be completed in all respects in accordance with the approved details and maintained as such thereafter.'

With regard to the Council's concern there was no provision for people to kick a football around, an informative had been added with regard to Condition 9 relating to landscaping as follows:

'Defer and delegate to officers, approval and completion of soft landscaping in the approved details of landscaping for each plot post approval of the application'

Wiltshire Councillor Mike Sankey was in attendance at the meeting and had raised the concerns of the Parish Council that no bungalows were being provided as stated in the Section 106 Agreement. However, it was noted proposals included 4 ground floor flats.

At the meeting it had also been highlighted the Parish Council felt the play area was located in the wrong place. However, there was no change to the location.

At the meeting Wiltshire Council had queried if the Parish Council wished to take on the play area why this had not been raised previously, with both Councillor Wood and the Clerk highlighting the Parish Council had raised this on various occasions when commenting on the application, with the Clerk the following day contacting the Senior Planning Officer highlighting the various times this had been raised by the Parish Council.

The Senior Planning Officer had acknowledged the Council's responses and proposed changes going forward where town/parish councils have indicated a wish to be party to Section 106 Agreements.

It was noted with disappointment the Parish Council had raised the issue of town/parish councils being engaged in Section 106 Agreements and the planning process in general with both



Councillor Nick Botterill, Cabinet Member for Finance, Development Management & Strategic Planning and Nic Thomas, Director of Planning some time ago, with no changes being implemented at the time.

Councillor Wood felt attending the meeting did help provide an element of local knowledge which Members of the Western Area Planning Committee did not have which helped with debate.

The Clerk expressed frustration, that without the Parish Council having asked for the application to be 'called in', the Parish Council would not have had sight of the final report until after a decision had been made and therefore would not have been able to comment on it. She expressed thanks to Councillor Seed for articulating what the Council wanted to see and talking to Planning Officers and developers to produce some mutually agreed conditions and informatives to reflect the parish council's requests.

**Recommendation 1:** To thank both the Clerk and Councillor Wood for representing the Council.

**Recommendation 2:** To thank Councillor Seed for 'calling in' the application and for his considerable assistance in articulating the Council's requests at the Western Area Planning Meeting in the form of amendments, which were subsequently approved unanimously at the meeting.

**516/22 Revised Plans:** To comment on any revised plans on planning applications received within the required **timeframe (14 days):**

**[PL-2023-00808](#):** Approval of reserved matters following Outline application 20/07334/OUT approved under Appeal ref APP/Y3940/W/21/3285428 for up to 50 dwellings, (appearance, scale, layout and landscaping)

Members noted the minor changes proposed, such as 2 new footpaths to link to a possible Phase 2, landscape amendments and extending the frontages to some of the properties to the rear of Townsend Farm.

It was asked, given discussions earlier in the meeting regarding the Parish Council not having sight of the Planning Officer's report until a decision is made, whether Members wished to ask for the 'call in' of the application for consideration at a Western Area Committee to enable the Parish Council to speak to any concerns.

Councillor Glover asked if the Parish Council could

ask the Planning Officer for sight of their report prior to it being published.

The Clerk explained given recent experiences, Wiltshire Council were beginning to understand the difficulties parish/town councils had, in not having sight of the officer's report and therefore not being able to comment and try and resolve any issues, prior to the Decision Notice being published.

It was confirmed there was no provision for a play area within the site, as the site was not large enough to trigger one. There were also no proposals for a play area for the adjacent site (Phase 2) for the same reason.

It was noted there were several things which could be discussed at a meeting, if the application were to be 'called in', such as inaccuracies within some of the reports provided i.e., distance to local facilities, concerns raised around the drainage, such as if there was a power failure and both pumps failed, if coming from the same supply. It was also unclear where water would be pumped to.

It was noted the Parish Council had previously requested a trim trail be provided in the Local Area of Play, however, this did not appear to be included in the revised plans and this could also be raised if the application were to go to Committee for consideration.

Residents of Townsend Farm had previously raised a concern at who would have access to the proposed 'green lane' to the rear of their properties. It was felt this could be another issue which could be raised at Committee, in order to make sure a lockable gate was provided.

**Comments:** To **OBJECT** to this application on the following grounds:

- Drainage/Flooding concerns. This site is known to flood and whilst it is understood the site will now incorporate 2 pumps, concern was raised if there was a power failure both pumps would fail. It was also unclear where water would be pumped to.
- Highway safety. Concern was raised people will try and use the Western Arm, (desire line) of Western Way, in order to access Aloeric

School and the town centre. Therefore, people should be encouraged to use the traffic light controlled crossing on the Eastern side.

Therefore, any highway contribution from this site, should be used to top-up the highway contribution of £200,000 already held by Wiltshire Council from planning application PL/2022/02749 for 144 dwellings on Semington Road in order for highway improvements to be undertaken to provide safety walking routes to schools.

- A presumption Phase 2 will be built. It was noted there are proposals for two footpaths linking to a potential Phase 2. The Parish Council ask that provision is made for a circular path around the site.
- As commented previously, the Parish Council have concerns at some of the inaccuracies within some of the reports supporting this application.
- Lack of play space. Whilst noting this site was not large enough to trigger a play area, nor the potential Phase 2 site, the Parish Council had requested a trim trail be included in the Local Area of Play (LAP) however, this was not included in the plans.
- Any highway contribution from this site, should be used to top-up the highway contribution of £200,000 already held by Wiltshire Council from planning application PL/2022/02749 for 144 dwellings on Semington Road in order for highway improvements to be undertaken.
- If Wiltshire Council are minded to approve this application, please refer to the published Housing Needs Assessment undertaken for the review of the Melksham Neighbourhood Plan to give a steer on the mix of type and tenure that are needed in the Neighbourhood Plan area, and in fact broken down into smaller settlement areas within the NHP area  
[https://www.melkshamneighbourhoodplan.org/files/uqd/c4c117\\_4c8411b64439472fbfcf8e856799e2c9.pdf](https://www.melkshamneighbourhoodplan.org/files/uqd/c4c117_4c8411b64439472fbfcf8e856799e2c9.pdf)
- In commenting previously, the Parish Council had asked for the installation of a gate at the access to the 'green lane' to the rear of Townsend Farm to stop residents of the development from accessing it but allow access for residents of Townsend Farm in order to maintain the rear of their properties as was offered at a pre-application meeting with the applicants. The Parish Council sought assurances

only residents of Townsend Farm would have access to this lane.

Members asked that Councillor Seed 'call in' this application for consideration at a Planning Committee of Wiltshire Council.

**517/22 Planning Enforcement: To note any new planning enforcement queries raised and updates on previous enforcement queries.**

**a) To note Planning Enforcement contacted following concerns by a resident of HGVs using Westlands Lane to access the Battery Storage Facility (17/04110) on Westlands Lane.**

The Clerk stated a resident had complained that HGVs were still using Westlands Lane from the A350, in order to access the battery storage facility further along Westlands Lane, therefore, Planning Enforcement had been contacted again and were investigating.

Concern had also been raised by the resident, as well as Councillor Alford that some drivers had suggested the road signage on the entrance to Westlands Lane from the A350 was ambiguous and therefore were using it as an excuse to access Westlands Lane. These concerns would be placed on the Highway agenda of 5 June for consideration.

**b) New Inn, Semington Road. To note update from Public Protection following concerns raised by a resident.**

The Clerk informed the meeting Public Protection had checked the various concerns raised.

It was noted there was a new wooden construction, believed to be a 'pooches parlour' in the garden and queried whether it needed planning permission.

Several Members felt, given it was replacing a previous construction, its size and wooden construction, this building probably fell under Permitted Development.

**518/22 Pre-Application, Whitley Store in car park of The Pear Tree, Top Lane, Whitley. To note response from Wiltshire Council following the parish council submitting the application on Whitley Hub's behalf and consider next steps.**

The Clerk explained that unfortunately Wiltshire Council's Planning department would not accept the pre application submitted by the Parish Council on behalf of Whitley Hub, as they noted the Parish Council were not involved in the project. The costs associated with submitting a pre application would be £745 and this information had been forwarded to

Whitley Hub.

Whilst acknowledging the reasoning for not accepting the application on Whitley Hub's behalf, Members expressed disappointment in the response from Wiltshire Council.

**Recommendation:** For the Clerk to speak to Councillor Alford on this matter to try and ascertain a way forward.

**519/22 Application for Goods Vehicle Operator's Licence. To consider making a representation to the Traffic Commissioner to proposals by Broughton Transport Solutions, Norrington Lane, Broughton Gifford to apply to use Hangar 7, Lancaster Road, Bowerhill as an operating centre for 15 goods vehicles and 30 trailers.**

It was noted, following an advert in Melksham News on 27 April 2023, that Broughton Transport were applying to use Hangar 7, Lancaster Road, Bowerhill as an operating Centre for 15 goods vehicles and 30 trailers.

The Clerk reminded the meeting, the Parish Council had previously submitted a representation regarding a previous application for 5 goods vehicles and 20 trailers in February 2022 as an adjacent landowner i.e., Bowerhill Sports Field.

Given concerns of trailers and HGVs parking in and around Bowerhill Industrial Estate, the Clerk highlighted Broughton Transport were doing the right thing in applying for a Goods Vehicle Operators licence.

It was noted the Parish Council, in their previous representation, had stated as long as safe access and egress to/from the site for HGVs and trailers was maintained at all times and vehicles and trailers did not overspill onto the highway and park, the Parish Council had no objection. At the same time, the Parish Council had also drawn attention to the on-going issue with trailers parked not just on Lancaster Road but elsewhere on Bowerhill Industrial Estate.

**Recommendation:** To write to the Traffic Commissioner repeating the view, as a neighbouring site, as per the previous response. In addition, stating the Parish Council welcomed this transport operator, who is doing the right thing and applying for the correct licence and have every confidence they will abide by the regulations. Unfortunately, other transport operators are not adhering to the regulations and are consistently parking and leaving unlit trailers on the industrial estate roads causing congestion. Therefore, this could present a difficulty to this operator in safely accessing and egressing their premises.

Councillor Pafford left the meeting briefly during this item.

**a) Neighbourhood Planning**

**i) To note minutes of Steering Group Meeting held on 3 May 2023**

The Clerk explained the notes of the meeting were not yet available.

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

The Clerk informed the meeting that the Steering Group were still progressing with the plan and at their next meeting on 7 June would be approving the draft NHP#2. The Plan would then go to both the Parish Council and Town Council, as qualifying bodies, for approval and then out to Regulation 14 for consultation in July. It was anticipated the consultation period would be for 8 weeks, rather than the standard 6 due to the summer holiday period. The Plan would then be submitted to Wiltshire Council in September/October, to go through the formal processes, including examination.

It was noted as the Neighbourhood Plan progressed through the various stages, more weight would be added to it, in terms of the policies.

The Clerk explained at the Steering Group meeting on 3 May, it had been resolved if the proposed changes to the National Planning Policy Framework were to be implemented or the Local Plan Review was published, then the Group would take pause and review the timetable in light of the changed circumstances.

**iii) Update on Neighbourhood Plan Site Selection following Steering Group meeting held on 3 May 2023.**

**HELD IN CLOSED SESSION.**

The Clerk provided an update on site selection following the Neighbourhood Plan Steering Group meeting on 3 May 2023.

**iv) To note Guidance for Neighbourhood Planning within Wiltshire: Integrating High Quality Design**

The Clerk explained Wiltshire Council had provided guidance on how to have a Design Guide in a Neighbourhood Plan, but had

not yet issued one for Wiltshire. The Melksham NHP was already at the finishing stages of its own Design Guide.

**v) To approve listing of Pathfinder Way Public Art as Heritage Asset in the revised Melksham Neighbourhood Plan.**

The Clerk explained the Parish Council had previously nominated the Pathfinder Way public art as a heritage asset in the review of the Melksham Neighbourhood Plan and therefore were formally being asked for approval of the listing as the owner of the asset.

**Recommendation:** To approve Pathfinder Way public art being listed as a Heritage Asset in the revised Melksham Neighbourhood Plan.

Councillor Pafford returned to the meeting.

**b) Infrastructure Levy. To consider submitting comments on the consultation**

The Clerk explained the Infrastructure Levy was a reform to the existing system of developer contributions i.e., Section 106 planning obligations and the Community Infrastructure Levy and was currently being consulted on, with the consultation closing on 9 June.

The National Association of Local Council (NALC) had stated they would provide a response and invited councils to send their comments to help form their view.

The Clerk explained that NALC felt it was very important that Councils should be given a voice on what financial benefits there should be, to enable them to deliver more for their local communities.

It was noted that currently, with a made Neighbourhood Plan, local councils receive 10% extra Community Infrastructure Levy (CIL) i.e., 25%, however, there was a proposal all local councils should receive 25%, regardless of having a made Neighbourhood Plan, which could disincentivise local town/parish councils having a neighbourhood plan, which was a concern.

The Clerk highlighted the issue of the different planning classes which qualified for Community Infrastructure Levy (CIL), noting the Dick Lovett applications for car showrooms came under the Sui Generis class, which did not qualify for CIL. Whereas, the planning application for Travelodge and Greggs qualified for CIL and were understood to have paid significant amounts in CIL payments.

It was noted there were proposals to take away Section 106 contributions, however, the Clerk explained that these were specific to

mitigate against the impact of an application, whereas Community Infrastructure Levy (CIL) payments could be collected and used by the Local Authority elsewhere in the County. Members felt any financial contributions relating to mitigating against the impact of a development, should relate to the vicinity or parish the development is in.

**Recommendation:** To forward the above comments/examples to the National Association of Local Councils (NALC), in order to forward as part of their response to the consultation.

**c) Permitted Development Rights consultation. To note submission from the National Association of Local Councils (NALC)**

The Clerk explained that she had not been aware of this consultation, in order for the Parish Council to make a response. However, the National Association of Local Councils (NALC) had provided a response which had been circulated in the agenda packs for information. It was noted most of the proposed changes related to matters not applicable to the Parish Council apart from installation of solar panels.

Councillor Richardson noted that previously Salisbury Council had provided a good response to another consultation and therefore, it may be worth seeking their views on both consultations.

**d) To consider and approve including the following in the List of Requests to Developers:**

The Clerk explained the following suggestions had been made for inclusion on the list of requests to developers at pre app stage:

- Provision of convenience store with free access cash point.
- Ground source heat pumps to be included in proposals
- To include capacity for hydrogen heating in the future within proposals.

The Clerk explained that the provision of ground source heat pumps and capacity for hydrogen heating had been raised at a recent Neighbourhood Plan Steering Group meeting. However, the request for the provision of a convenience store with free access to cash point on developments had come from the Access to Cash Group (representing banks) and would be included on the Annual Council agenda on 22 May for consideration.

The Clerk explained some cashpoints did not provide free access to cash, also there was no free access to somewhere to make cash deposits or change etc, which was particularly difficult for businesses.



From a security point of view, it was felt any machine which enable people to deposit cash needed to be provided inside, rather than outside.

**Recommendation:** To include the above in the list of requests to developers, as well as the provision of solar panels and battery storage facilities on new developments.

**e) To note Planning Advisory Service led Planning Peer Review will be held on Tuesday 23 May and consider submitting response (Clerk booked to attend).**

The Clerk explained she would be attending the Wiltshire Council Planning Advisory Service led Peer Review on Tuesday 23 May as felt that the Parish Council were heavily involved in the planning process that they could provide good feedback.

Semington Parish Council had already provided feedback to Wiltshire Council, which had been included in the agenda packs for information. The Clerk noted they had commented whilst individual planning officers were very helpful, bureaucracy or the policy process often made things difficult, which she felt the Parish Council would agree with.

**521/22 S106 Agreements and Developer meetings: (Standing Item)**

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

**i) Hunters Wood/The Acorns:**

- To note any updates on footpath to rear of Melksham Oak School.

The Clerk explained there was no update on this issue.

**ii) Bowood View:**

- Update on play area adoption and works to be undertaken

The Clerk explained work on tarmacking the footpath in the play area had started. However, during works to remove the hoggin path the contractor had discovered there was nothing tamped down, with only a sprinkling of Type 1 sub base; effectively the footpath had been laid on wet clay. Therefore, given the Parish Council had approved quotations of c£13,000 previously, but had subsequently gone with a contractor who quoted c£6,000, approval had been given by officers for the contractor to install Type 1, prior to the tarmac being installed. The contractor was due to return later in the week to

undertake work to the footpath edging. The safety surfacing under the teen shelter had already been installed and the grass cut.

The Clerk explained that a complaint had been received from a resident that contractors had used her land to gain access. Upon investigation, it would appear the Council's access is not via adopted land as previously understood but via a private access. The Council's solicitors had been contacted in order to clarify legal access.

The Clerk informed the meeting that whilst researching the land ownership issue she had had found satellite photos of the play area, which clearly showed two halves of the play area. One half with the play equipment installed and the other half, where the teen shelter is located unfinished. Therefore, had queried this with the contractor who had installed the play area.

It was understood, the contractor whilst quoting to undertake all the work in the play area, had been asked by Bellway to only install the play equipment on one half, with Bellway subsequently installing the fencing themselves after the safety surfacing had gone in, as well as installing the footpath and teen shelter (with no safety surfacing underneath).

Councillor Baines noted in a recent article in the Wiltshire Times, residents of a site in Hilperton were upset at the same developer ripping out an ancient hedge and suggested highlighting the problems the Parish Council had experienced with Hilperton Parish Council.

**iii) Pathfinder Place:**

- To note latest update from Wiltshire Councillor Nick Holder/Taylor Wimpey on outstanding issues following site visit.

Noting the update by Councillor Holder earlier in the meeting, the Clerk explained the play area had yet to be transferred to the Parish Council and was currently chasing this up with Taylor Wimpey.

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

The Clerk explained no new Section 106 decisions had been made under delegated powers.

**c) Contact with developers**

**i) Public Consultation Re: Proposals for c300 dwellings on land at Snarlton Farm. To consider response to the consultation**

The Clerk asked if Members wished to submit comments as part of the consultation on proposals for c300 dwellings on land at Snarlton Farm, having previously commented as part of pre app discussions.

The Clerk asked Members if they wanted to include in their response comments from the recent AECOM Site Assessment Report for the Neighbourhood Plan.

**Resolved:** To send the Council's previous comments and highlight points raised in the AECOM report. To send the comments to Members prior to submitting to Catesby Estates.

Meeting closed 9.53pm

Signed .....  
Chair, Annual Council, 22 May 2023