

**MINUTES of the Planning Committee of Melksham Without Parish Council
held on Monday 2 October 2023 at Melksham Without Parish Council Offices
(First Floor), Melksham Community Campus, Market Place,
Melksham, SN12 6ES at 7.00pm**

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

Officer: Teresa Strange, Clerk & Lorraine McRandle, Parish Officer

In attendance: Wiltshire Councillors Nick Holder (Bowerhill); Mike Sankey (Melksham East); Councillor Graham Ellis, Melksham Town Council and 2 members of public

Via Zoom: The planning consultant for the Land south of Snarlton Farm planning application attended via zoom to observe the discussions.

205/23 Welcome, Announcements & Housekeeping

As all attendees regularly attend council meetings, it was agreed that the housekeeping messages recording and publication of the meeting video and fire evacuation procedures did not have to be read out.

The meeting was updated on the following:

- Proposals for an extension at 89 Corsham Road, Whitley (planning application PL/2023/03257) had been recently refused by Wiltshire Council, mainly due to scale, setting and flooding concerns. This Council had objected to the application.
- A planning application had been lodged for the new Pathfinder Primary School and will be considered at the next Planning Committee meeting.
- A reminder of the Wiltshire Council Local Plan Consultation drop-in session will take place on Wednesday, at the Campus between 3pm-7pm.

206/23 To receive Apologies and approval of reasons given

It was noted Councillor Chivers was not present, however he had been in hospital recently.

POST MEETING NOTE: Officers were informed the following day by Councillor Chivers that he was still in hospital.

207/23 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, has a dispensation dealing with Section 106 agreements relating to planning applications within the parish, lodged with Wiltshire Council.

208/23 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 (14ai), where publicity would be prejudicial to the public interest because of the confidential nature of the business to be transacted.*

Resolved: For agenda item 14(a)(i) to be held in closed session, if necessary, as it related to ongoing confidential site selection work for the Neighbourhood Plan and related contact with developers.

209/23 Public Participation

Standing Orders were suspended.

Wiltshire Councillor Mike Sankey informed the meeting he had 'called in' planning applications for the construction of elderly care homes at Longleaze Lane (PL/2023/06725) and Verbena Court (PL/2023/06976), for consideration at a Wiltshire Council Planning Committee meeting.

Wiltshire Councillor Nick Holder expressed disappointment, despite widely being advertised on social media, that no members of public were present regarding proposals for 300 homes on land at Snarlton Farm (PL/2023/07107). He had also 'called in' the application for consideration at a Wiltshire Council Planning Committee.

He had also written to Catesby Estate, explaining the reasons for his objections to proposals, such as development taking place on land not earmarked for development and plans being submitted ahead of the draft Local Plan being released, which was currently out for consultation.

Councillor Holder also expressed disappointment another 'predatory' developer had come forward with proposals for development in

Melksham, despite an adopted Neighbourhood Plan (NHP#1) and the emerging reviewed Plan (NHP#2), or emerging Design Guides. There was also no reference to Wiltshire Council increasing its provision of affordable housing on new developments from 30% to 40% in the draft Local Plan, currently out for consultation.

Standing Orders were reinstated.

210/23 To consider the following new Planning Applications:

[PL/2023/06976](#): Land at Verbena Court, Melksham. Construction of care home (within Class C2), parking access, hard and soft landscaping and other associated works.

Comments: Whilst noting this application is in the Town, the Parish Council wish to **OBJECT** to this application on the following grounds:

- Overdevelopment of the site.
- The Travel plan refers to employees travelling to the site via public transport or cycling and therefore makes an assumption nearly everyone working at the care home will come from the Melksham area. The area is not well served by bus routes, particularly in the evening, therefore, as the care home is a 24 hour facility, most people will travel by car. It is also noted bus stops are at Cranesbill Road, which is some distance away from the proposed facility.
- Lack of parking provision for both staff and visitors, which in turn could result in people using the adjacent car park serving the local shops/businesses which is already often congested.
- Lack of recreational/amenity space for residents.
- Not enough information has been provided on net zero climate provision for the site.
- This site has been previously earmarked for a community centre which is the parish council's preferred use of this land.
- The impact on residents from noise generated by traffic on Eastern Way, given its close proximity to the facility; especially due to the planning applications and Local Plan allocation for the other side of Eastern Way. Namely 650 dwellings at Blackmore Farm PL/2023/01949, Local Plan allocation Policy 18 Land east of Melksham for 425 dwellings, a primary school, local centre land and 5ha of employment land; and 300 dwellings (Phase 1) at Land south of

Snarlton Farm PL/2023/07107; and increased traffic if an A350 eastern bypass does not proceed.

- It was noted in supporting documentation (HPC Care Home Assessment Page 6) for a care home at Longleaze Lane (PL/2023/06725) that 626 extra elderly care beds are required in Wiltshire and 112 in the Melksham locality. If all 3 current planning applications for elderly care homes are approved, this would result in 227 care home beds being built in Melksham alone, a third of the entire Wiltshire requirement. In the planning statement from David Jarvis Associates for the Longleaze Lane application they state there is a need for 626 for the county and 100 for the Melksham locality.
- Highway safety concerns and the impact on existing roads in the area. Access is proposed via Cranesbill Road, which is extremely busy, as it serves various shops and a pub at Verbena Court, as well as Forest & Sandridge Primary School, and is often congested, due to vehicles parked on the side of the road.
- Concern was raised at the impact on GP/medical facilities in Melksham, which are currently struggling, particularly if all 3 planning applications* in the pipeline for elderly care homes in the Melksham area are approved.

* PL/2023/06976 Land at Verbena Court 71 beds
PL/2023/06725 Land at Longleaze Lane 86 beds
PL/2022/08504 Land south of Western Way 70 beds – refused and appeal hearing commences 24/10/23

TOTAL: 227 beds

It was noted the NHS in commenting on proposals for 210 dwellings and a 70-bed care home on Land at Western Way (PL/2022/08504) had raised concerns at being able to support a 70-bed care home, given the enhanced services required.

At a recent Area Board meeting on 12 September 2023, a partner report from the Melksham & Bradford on Avon Primary Care Network by Dr Amy Gately, Clinical Director (Agenda Supplement 2) had been submitted in which concerns at the number of planning

applications for elderly care homes in Melksham had been raised with the report highlighting that often developers stated that new care homes do not put additional strain on local health services but reduce it, however, in their experience this was not the case, as this often led to additional care home visits, medicine queries and significant communication between the home and doctor surgeries.

They also requested earlier communication between developers and to be able to access S106 funds, which would allow them to consider ways to expand their buildings and staffing to deliver more local GP services.

The report and Minutes of the Area Board Meeting, which includes discussion/questions on health provision in Melksham can be accessed using the following link:

<https://cms.wiltshire.gov.uk/ieListDocuments.aspx?CId=166&MId=14924&Ver=4>

PL/2023/06806: The Manager's House, Beanacre Manor, Beanacre. Install new metal bifold (double glazed) doors to existing car ports and replace existing doors and window to match to the rest of the South Elevations; installation of solid fuel stove with stainless steel flue outlet.

Comment: No objection.

PL/2023/07107: Land South of Snarlton Farm, Snarlton Lane. Outline planning application with all matters reserved except for two pedestrian and vehicle accesses (excluding internal estates roads) from Eastern Way, for the erection of up to 300 dwellings (Class C3); land for local community use or building (incorporating Classes E(b), E(g) and F2(b) and (c); open space and dedicated play space and service infrastructure and associated works.

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

- Loss of Greenfield site.
- The development is in the open countryside, outside the Settlement Boundary of Melksham & Bowerhill, isolated and therefore unsustainable.

- This site equates to piecemeal development and is not plan led. Wiltshire Council's Local Plan is currently out for Regulation 19 consultation and does not include this site as a strategic allocation. Melksham also has a made Neighbourhood Plan which has been reviewed, with NHP#2 going out to Regulation 14 consultation later this month which also does not include this site as a housing allocation.
- Within their Planning Statement, the applicant refers to the Core Strategy and argues there is a lack of 5 year land supply and a deficit of housing for the Melksham area. However, they do not reference the draft Local Plan, which highlights Melksham has exceeded its housing allocation during the Core Strategy period 2006-2026 and therefore Melksham would benefit from a period of consolidation. (Planning for Melksham page 5 which has a graph showing the additional actual house building vs the Planned rate in the Wiltshire Core Strategy.)

In addition, the Wiltshire Housing Site Allocations Plan (adopted 25th February 2020) states that the Indicative Requirement for the Melksham Community Area for 2020-2026 is 2,370 with 2,240 for Melksham & Bowerhill and 130 for the remainder community area. The Melksham & Bowerhill area has 14% deliverable commitments above the indicative requirement, and 22% above for the remaining Community area and therefore there was no requirement for allocating land in the Melksham Community Area in this Plan.

- Members expressed disappointment that concerns raised at pre app stage regarding the need for strategic thinking with regard to housing and infrastructure requirements, such as a community centre, highway improvements, local centre, medical facilities etc for Melksham had not been adhered to, particularly as the applicant had not waited for the draft Local Plan to be issued, noting if they had waited, they could have argued that this site could have been included as part of a larger

strategic site, given land at Blackmore Farm, north of this site has been allocated in the draft Local Plan, with a housing allocation of 425 dwellings, primary school and other community facilities, and therefore, brought additional infrastructure requirements that Melksham requires.

- Concern was raised at the lack of connectivity with the adjacent site at Blackmore Farm (PL2023/01949 and Local Plan Site Allocation Policy 18) and how people from this development would access the proposed primary school and local centre etc.
- There is the possibility of an Eastern Bypass and if the bigger highway scheme could not be afforded, Eastern Way could potentially be the Eastern route for the A350 bypass, therefore, isolating the site even further.
- Proposals do not include 40% affordable housing as per the draft Local Plan requirement.
- Highway Safety Concerns:

The impact this development will have on New Road, which is a single-track road and used as a 'rat run' to access Chippenham and the M4 via the National Trust village of Lacock including its medieval bridge which again is single track.

Consideration needs to be given to how this site could impact the new roundabout under construction in Spa Road as part of the East of Melksham extension. This route may potentially be the preferred route by drivers to access road infrastructures North and South.

Consideration needs to be given to the provision of a roundabout on the Southern entrance to the proposed site, as opposed to traffic lights, particularly as this entrance serves the larger part of the site.

It was noted the Travel plan refers to bus stops along Eastern Way. However, Eastern Way is not well served by bus routes. It also refers to

footways on both sides of Eastern Way, however, there is only one footway running along Eastern Way on its Western side and not adjacent to this development. Therefore, children wishing to access the proposed primary school North of this site at Blackmore Farm, will have to cross Eastern Way and cross back again.

As part of the review of the Neighbourhood Plan, AECOM undertook an independent Site Assessment and assessed SHELAA¹ site 3525, which includes this site, with the following comments:

- Impact on non-statutory environmental designations: The site is adjacent to public open space (playing field), Primrose Drive Nature Area and located along indicative green infrastructure corridor.
- The central part of the site along Clackers Brook is in Flood Zone 2 and 3. The site is proposed for more vulnerable uses (residential). The sequential test and a site level exception test would need to be applied before these parts of the site could be developed.
- Over 15% of the wider SHELAA site is affected by high risk of surface water flooding.
- The site is Grade 3 Good to Moderate Quality Agricultural Land. More detailed site surveys would be required to assess whether the site is Grade 3a Good Quality Agricultural Land. (The Parish Council note in terms of potential changes to the National Planning Policy Framework (NPPF), the land has been used for food production until recently, which is planned to carry more weight in the new NPPF amendments).
- The site includes Public Rights of Way MELW23 and MELW22.

¹ Strategic Housing & Employment Land Availability Assessment
<https://www.wiltshire.gov.uk/planning-policy-monitoring-evidence>

- The site has several mature and semi mature trees within its boundary. Further arboricultural assessment would be required to understand their significance.
- Accessibility of the site in relation to facilities being within a 5-minute walk (400m). The following areas are over a 5-minute walk away:

Town/Local Centre/Shop:	>1200m
Train Station:	>1200m
Secondary School:	>1600-3900m
Cycle Route:	>800m

- The site falls within the Open Clay Vale Landscape Character Area of the Melksham Neighbourhood Plan Local Landscape Character Report 2020 and the West Wiltshire Landscape Character Area Report 2006. This area has a strong sense of openness with occasional deciduous copses and ancient woods to the east. The management objectives of this Landscape Character Area are to conserve and enhance the landscape setting of Melksham, screen visually intrusive urban edge of Melksham, conserve open views across the clay vale to distant down land ridges and conserve and enhance the existing hedgerow network.

The site contains some valued features including the Clackers Brook, continuous tree line along the Brook which provides an intimate setting and boundary vegetation. The site makes a significant contribution to the rural and tranquil landscape character of the area. Development on the site would represent a significant advancement into open countryside, beyond the current defined settlement edge formed by the Eastern Way.

- The site is visually open and has high intervisibility with the surrounding landscape. Development may adversely impact views of the surrounding open clay vale landscape, as well as from the Public Rights of Way crossing the site.

- The site strongly relates to the rural character and sense of openness of the area. Development of the site would contribute to a substantial urban expansion into open countryside.

Whilst objecting to the planning application, if the development were to go ahead, the Parish Council welcome the opportunity to discuss aspects of the application and be party to the S106 agreement. In addition, they would like to see:

- Adherence to Melksham's Neighbourhood Plan policies and emerging Neighbourhood Plan (NHP#2) and evidence documents.
- Circular pedestrian routes around the site.
- The Parish Council seek the provision of play equipment above that required by the West Wiltshire District Council saved Policy in the Core Strategy and wish to enter into discussions being the nominated party for any proposed LEAPs (Local Equipped Area of Play)/Play area and seek the following:
 - A maintenance sum in the s106 agreement
 - Safety Surfacing extended beyond the play area fence line (by at least 30 cm) and for the whole area to be surfaced as such, with no joins to prevent future expansion gaps, and no grass that will require maintenance
 - Tarmac paths provided not hoggin.
 - No wooden equipment provided.
 - Dark Green Metal bow top fencing provided.
 - Clean margins around the edges, no planting.
 - Bins provided outside the play area.
 - Easy access provided for maintenance vehicles.
 - Public access gates painted red.
 - No inset symbols provided in the safety surfacing, which should be one solid surface.

- Equipment installed for teenagers, such as a teen shelter/MUGA and somewhere to kick a ball around.
- A Contribution towards playing fields.
- The provision of benches and bins where there are circular pedestrian routes and public open space and the regular emptying of bins to be reflected in any future maintenance contribution.
- Connectivity with existing housing development so not isolated.
- There are practical art contributions and the Parish Council are involved in public art discussions.
- Contribution towards improved bus services, which serve the area.
- Any bus shelters provided include side panels and benches (rather than perched seating) and are suitable in providing Real Time Information (RTI) i.e., access to an electricity supply, WiFi connectivity and are an appropriate height or provided with RTI already included.
- Speed limit within the site is 20mph and self-enforcing.
- Proposed trees are not planted on boundaries of new/existing housing, but further into public open spaces.
- The development is tenant blind.
- If adjacent to existing dwellings the design is such that the layout is garden to existing garden.
- The road layout is such that there are no dead ends in order that residents and refuse lorries do not need to reverse out of roads.
- Contribution to educational and medical facilities within the Melksham area.
- There is visible delineation between pavement and roads so they are easily identifiable.
- The provision of bird (swift boxes), bat and bee bricks, reptile refugia and hibernacula within the development, in order to increase biodiversity.
- There are various Rights of Way in the vicinity, which could be improved/upgraded, including the provision of lighting via Section 106 contributions from this application if approved. It was noted the footpath to the rear of Melksham Oak School, which was to be upgraded to a pedestrian/cycleway, as part of the Section 106 Agreement associated with the extension to East of

Melksham (450 houses) has yet to be upgraded and was also nearby and will provide a safe, direct pedestrian/cycle route from the east of Melksham to the only secondary school in Melksham.

The provision of a footpath to access Prater's Lane from Sandridge Common (MELW40); MELW30 becoming a bridleway to connect up bridleways at MELW40 & 41. Provision of kissing gates on the various bridleways between East of Melksham and Redstocks.

- Provision of allotments with access to parking and water supply.
- Ground source heat pumps to be included in proposals.
- To include capacity for hydrogen heating in the future within proposals.
- Provision of solar panels and storage batteries for every house or group of houses/block of flats.
- Provision of convenience store with free access cash point.
- Inclusion of lifebuoys, noticeboards, and defibrillators. The maintenance of these items to be undertaken by the management company, unless the council decides that they would like to take on the asset.

As part of any community facilities for the development, the Parish Council ask for a community centre large enough to include additional health facilities (with room for GP clinics as well as complimentary services like physio, chiroprapist, osteopath etc), as well as associated facilities to service and provide a 3G pitch be provided.

Due to the piecemeal nature of development currently proposed East of Melksham, the Parish Council have also requested the same for proposals for 650 dwellings (PL/2023/01949) on land at Blackmore Farm north of this site.

PL/2023/07344: 181 Woodrow Road. Demolition of existing detached garage and extension to form garage, therapy and carers accommodation.

Comment: Whilst having no objection, Members seek a condition on any planning consent, that the extension cannot be converted into a separate

dwelling in the future.

[PL/2023/06725](#): Land at Longleaze Lane, Melksham. Construction of elderly care home (Use Class C2) with associated access works, landscaping and drainage. Improvements to site access and Longleaze Lane/Snowberry Lane junction.

Standing Orders were suspended to enable Wiltshire Councillor Nick Holder to speak to this item.

Councillor Holder noted the level of elderly care beds required in Melksham and Wiltshire as highlighted in documentation to support the application, noting if all 3 planning applications currently submitted for elderly care facilities in Melksham were approved, the number of beds available would far exceed those required for Melksham. He also expressed a concern at the commercial viability of 3 elderly care home facilities being provided at the same time and the possibility of no care home provider coming forward and the potential for developers to subsequently submit plans for housing on some or all of these sites instead.

Standing Orders were reinstated.

Comments: Whilst noting this application is in the Town, the Parish Council wish to **OBJECT** to this application on the following grounds:

- Highway safety concerns and the impact on Longleaze Lane, which is unadopted. It is noted within documentation submitted to support the application it states access will be off of Snowberry Lane. Therefore, vehicles accessing and egressing the lane, which is understood to be single track, would be required to give way to traffic in and out of the care home, however the junction has not been modified to make this a safe option. Therefore, Longleaze Lane needs to be realigned, such that the junction with the proposed route into the care home is a 'T junction'.
- The lack of parking proposed on site for both staff and visitors.
- Over development of the site, due to its scale,

mass, height (3 storey) and density and therefore out of keeping with its location.

- Within the Travel Plan it states the site will be highly accessible and that the new A350 by-pass is currently in the planning process and therefore to some extent will reduce the impact of traffic passing through Snowberry Lane. However, there is no guarantee the by-pass will be built and therefore alleviate traffic on Snowberry Lane.
- With regard to bus services, serving this area, the Travel Plan refers to the X34 Frome-Chippenham bus stopping on Snowberry Lane, which it does not, with the nearest stop being the Market Place.
- Within the Travel Plan it also states 'both sides of Snowberry Lane are marked by double yellow line carriageway restrictions, stipulating that parking or waiting is prohibited at all times, but enabling kerbside loading activity to take place for up to a maximum duration of 40 minutes in the absence of any specified loading restrictions'. However, it would be very difficult to unload on this road and would lead to traffic chaos, given the number of vehicles using Snowberry Lane.
- Lack of breakout/amenity space for residents.
- Impact on heritage assets and their setting in the area, such as the Grade II Listed Bowerhill Lodge Farm.
- It was noted in supporting documentation (HPC Care Home Assessment Page 6) for a care home at Longleaze Lane (PL/2023/06725) that 626 extra elderly care beds are required in Wiltshire and 112 in the Melksham Locality. If all 3 current planning applications for elderly care homes are approved, this would result in 227 care home beds being built in Melksham alone, a third of the entire Wiltshire requirement. In the planning statement for David Jarvis Associates for the Longleaze Lane application they state there is a need for 626 for the county and 100 for the Melksham Locality.
- Concern was raised at the impact on GP/medical facilities in Melksham, which are currently

struggling, particularly if all 3 planning applications* in the pipeline for elderly care homes in the Melksham area are approved.

- * PL/2023/06976 Land at Verbena Court 71 beds
- PL/2023/06725 Land at Longleaze Lane 86 beds
- PL/2022/08504 Land south of Western Way 70 beds – refused and appeal hearing commences 24/10/23
- TOTAL 227 beds

It was noted the NHS in commenting on proposals for 210 dwellings and a 70 bed care home on Land at Western Way (PL/2022/08504) had raised concerns at being able to support a 70 bed care home, given the enhanced services required.

At a recent Area Board meeting on 12 September 2023, a partner report from the Melksham & Bradford on Avon Primary Care Network by Dr Amy Gately, Clinical Director (Agenda Supplement 2) had been submitted in which concerns at the number of planning applications for elderly care homes in Melksham had been raised with the report highlighting that often developers stated that new care homes do not put additional strain on local health services but reduce it, however, in their experience this was not the case, as this often led to additional care home visits, medicine queries and significant communication between the home and doctor surgeries.

They also requested earlier communication between developers and to be able to access S106 funds, which would allow them to consider ways to expand their buildings and staffing to deliver more local GP services.

The report and Minutes of the Area Board Meeting, which includes discussion/questions on health provision in Melksham can be accessed using the following link:
<https://cms.wiltshire.gov.uk/ieListDocuments.aspx?CId=166&MId=14924&Ver=4>

Councillor Holders and Sankey left the meeting at 7.55pm.

applications received within the required **timeframe (14 days)**:

[PL/2022/08155](#): Land to the West of Semington Road. Outline application for up to 53 dwellings including formation of access and associated works, with all other matters reserved.

Comments: To reiterate the previous objections raised and to add the following:

- It is noted within the draft Local Plan, that Wiltshire Council have not brought this site forward as a strategic site and in assessing the site (728), state this site may contribute to coalescence between Melksham and the village of Berryfield
- Given this proposal (Phase 2) and the one adjacent (PL/2023/00808 – Phase 1) are for a total of 103, 100% affordable houses, concern was expressed this could result in a stigma being attached to these developments and as previously stated is against Wiltshire Council planning policy, which seeks a mix of housing tenures on developments. Concern is also expressed residents may not have access to a vehicle and therefore have to walk into town, in order to access facilities, including schools without a safe walking route, via a busy trunk road.
- It is noted within the Core Strategy, there is a requirement for 650 affordable houses to be delivered in Wiltshire each year. With the approved site adjacent for 50 affordable dwellings (PL/2023/00808) and the 30%affordable housing on new developments already built and in the pipeline in Melksham Without the Melksham area has demonstrable large amounts of affordable housing element already.
- It was noted when the Parish Council had previously discussed the adjacent site (PL/2023/00808 ie Phase 1), the social housing provider had stated the site represented a maximum sized site they would run. Therefore, concern was raised if another affordable housing provided would be interested in managing the adjacent site at Phase 2.
- Concern is expressed at the lack of public open space proposed and the lack of a play area, particularly given two smaller applications have been submitted for the site, rather than one large application, therefore, this

has not triggered the requirement for a play area or large areas of public open space for people to enjoy.

Disappointment was expressed at the number of inaccuracies within the Design and Access Statement, particularly as similar inaccuracies were included in the Design and Access Statement submitted for planning application PL/2023/00808 for the adjacent site, which is owned by the same applicant and were highlighted by this Council when commenting on that planning application. Therefore, concern was expressed at what other inaccuracies had been made with other documentation provided to support the planning application.

Some of the inaccuracies spotted within the Design and Access Statement included:

- Reference to a cinema in Melksham, when there has not been one for several decades.
- The railway station being approximately 1 mile away from the application site and taking 10 minutes to walk. Whilst the railway station might be 1 mile away if using the A350 via a vehicle, there is no footpath along this route. People will have to walk via the town centre, making the walk to the railway station more than 1 mile away.
- Bowerhill being listed as within a Conservation Area, as well as the whole of the town centre. However, Bowerhill is not within a conservation area and only parts of the town centre are within a Conservation area.
- The location of King George V playing fields.
- Reference to Worcester station and access via Upton Road, which is obviously copied and pasted from another document.

Since submitting our previous comments, the Parish Council have updated their list of requests for new developments and conditions to be included in the Heads of Terms for the S106 agreement:

- Adherence to Melksham Neighbourhood Plan policies, including those in the revised plan (NHP#2) and evidence documents, which will be out for Regulation 14 consultation shortly.

- A contribution towards playing fields.
- Any bus shelters provided should include seats rather than perches, as well as sides.
- Speed limit within the site is 20mph and self-enforcing.
- Proposed trees are not planted on boundaries of new/existing housing, but further into public open spaces. Contribution to educational and medical facilities within the Melksham area.
- A practical art contribution, with the Parish Council being involved in discussions.
- Ground source heat pumps to be included in proposals.
- To include capacity for hydrogen heating in the future within proposals.
- Provision of solar panels and storage batteries for every house or group of houses/block of flats.
- Inclusion of lifebuoys, noticeboards, and defibrillators. The maintenance of these items to be undertaken by the management company, unless the council decides that they would like to take on the asset.

We understand the application has been called in by Wiltshire Councillor Jonathon Seed several times, however, has not yet received confirmation from Planning, despite being asked several times.

PL/2023/06374: Raynescroft, 68C Shaw Hill. Revised scheme to PL/2022/03686 'detached double garage with a room above' to add ground floor window in the northern elevation and dormer window in the eastern roof slope.

Comments: Whilst noting the minor changes, the Parish Council has no objection to proposals and seek a condition on any planning consent, that the room above the garage is 'tied' to the house and cannot be converted into a separate dwelling.

212/23 **Current planning applications:** Standing item for issues/queries arising during period of applications awaiting decision.

a) Blackmore Farm (Planning Application PL/2023/01949) – Outline permission with some matters reserved for demolition of agricultural outbuildings and development of up to 650 dwellings; land for primary school; land for mixed use.

The Clerk explained having recently met with Nick Thomas, Director of Planning, Wiltshire Council, had sought clarification how this application would work, given the site, albeit only for 425 dwellings had been allocated in the draft Local Plan to be informed the developer had agreed to an extension to enable them to work on this.

The Clerk also stated she had asked how the Parish Council could get involved with S106 negotiations for this application, particularly as the Parish Council had previously raised how they could get involved with S106 discussion in general for large applications, with the Cabinet Member for Planning and Nick Thomas. Nick Thomas explained there was a process being put in place for this but was happy to discuss anything in particular regarding this site in the meantime, with the Clerk seeking a steer from Members if they wished to be involved in discussions, particularly in relation to how this site would be accessed, given the planning application submitted referred to access off of the A3102, but in the Local Plan access was proposed off Eastern Way, when it was understood the land in order to enable this was not available.

Recommendation: For the Council to get involved in discussions regarding this application, as well as discussions on Section 106s in general.

b) PL/2023/05883: 52e Chapel Lane.

The Clerk explained residents when attending recent meetings regarding proposals for 3 dwellings to the rear of the above property, had stated Highways had objected to previous proposals submitted in 2022 and therefore could not understand why Highways had no objection to the current proposals; the parish council had agreed to support these comments. On investigation, it appeared no Highway comments had been submitted. It transpires residents had been talking about pre app advice received by another resident for one dwelling the other side of the lane, received from a different Highways Officer who had objected to proposals and therefore the application had not been perused.

The Clerk explained she had therefore forwarded the pre app advice to the Planning Officer for their information and photographs of the wheelie bins lined up on the pavement of the A350 on collection day, forcing pedestrians out into the busy road

It was noted whilst Councillor Alford had 'called in' this application, it was understood that this had not yet been agreed with the planning officer.

213/23 To reflect on responses to planning applications for monitoring of the Neighbourhood Plan.

The Clerk explained this item was on the agenda to remind Members of things that could be included in a future Neighbourhood Plan whilst commenting on planning applications received; either as part of the Reg 14 consultation stage or even a review in future years

214/23 Planning Appeal: Land South of Western Way. Outline application (No: PL/2022/08504) for the erection of up to 210 residential dwellings and a 70 bed care home with associated access, landscaping and open space (resubmission of 20/08400/OUT).

Members noted the hearing would be held on 24 October at 10.00am at Melksham Town Hall, which Councillor Wood, as the Chair of the council's Planning Committee would be speaking on behalf of the parish council.

It was noted this application had not been included as a strategic site in the Local Plan nor allocated in the reviewed Neighbourhood Plan (NHP#2), which was due to go out for Regulation 14 consultation shortly, should be highlighted at the Inquiry.

It was noted since submitting comments on this application, 2 further applications for care homes had been submitted for the Melksham area and the concerns the impact this would have, particularly on the local primary care network.

The care home is located furthest away from the proposed access and therefore all the traffic associated with this application would have to go through Maitland Place.

214/23 New Premises Licence Application. Whitley Stores, The Pear Tree Inn, Top Lane, Whitley. For off sales of alcohol Monday-Saturday: 08:00-18.00 and Sunday 10:00-16:00. To consider submitting a representation.

It was noted this application replicated the same offering at Whitley Stores previous site at the opposite side of the road at Spindles.

Recommendation: To make no comment.

215/23 Tree Preservation Order.

Members noted the Tree Preservation Order made on 29 August 2023, relating to a wooded area on land adjacent to the A350, North of Dunch Lane.

216/23 Planning Enforcement: To note any new planning enforcement queries raised and updates on previous enforcement queries.

- **PL/2022/02749: Land at Semington Road and proposals for 144 dwellings (Buckley Gardens).**

Members noted Planning Enforcement had been contacted regarding alleged breaches of planning conditions, such as no site security installed at Shails Lane and work taking place on site at 7.00am prior to the stated

start time of 8.00am in the Construction and Environment Management Plan.

The Clerk stated whilst it was not a planning condition and not included in the Construction and Environment Management Plan, felt some form of signage on Shails Lane, warning construction traffic not to use it, as it is a private lane should be installed and therefore had raised this with Planning Enforcement.

Recommendation: To reiterate concerns to Planning Enforcement and to ask for some form of signage to be installed on Shails Lane to stop construction traffic using it.

- **183 Top Lane, Whitley.** Members noted Planning Enforcement had asked for a new planning application to be submitted, following a complaint at the increase in solar panels installed and their positioning contrary to planning application: PL/2023/00651.
- **1 Lancaster House, Bowerhill.** Members noted that the Planning Enforcement Officer had advised that a planning application was due to be submitted for the fencing recently erected in front of their premises adjacent to the footpath.

217/23 Planning Policy

a) Neighbourhood Planning

- To note the Neighbourhood Plan minutes of 6 and 27 September 2023 (if received) and Confidential Notes to accompany the minutes.**

Members noted the Neighbourhood Plan minutes of 6 September and Confidential Notes to accompany the minutes.

The minutes of 27 September were not yet available.

- To formally recommend to Full Council the approval of the draft reviewed Neighbourhood Plan (NHP#2) for Regulation 14 Consultation.**

Recommendation: For Full Council, as a 'Qualifying Body' to formally approve the draft Neighbourhood Plan (NHP#2) prior to Regulation 14 consultation at their meeting on 9 October 2023.

b) Wiltshire Council Local Plan

Discussion ensued on how best to respond to the consultation, given the numerous documents, with the Clerk starting to formulate a list of queries/questions, in order to help formulate a response to the draft Local Plan and to ask Wiltshire Council at their Local Plan drop-in session later in the week.

Recommendation: For the Clerk to start formulating a response to the consultation and forward to the Neighbourhood Plan consultants to review, prior to being submitted to Wiltshire Council, and to make a recommendation to Full Council that the Neighbourhood Plan consultants draw up a response relating to the housing numbers strategically, for Melksham & Bowerhill, for Shaw & Whitley, the rest of Melksham Without and the 10% allocation to the Neighbourhood Plan.

c) Permitted development Rights.

The Clerk explained this item had been placed on the agenda, in order to ratify the Council's response to the consultation. However, as no Members came forward with comments, no response had been submitted.

d) Empty Homes in Wiltshire

Members noted the response from Wiltshire Councillor Phil Alford, Cabinet Member for Housing, Strategic Assets and Asset Transfer, confirming there were only 28 empty homes in Melksham Without and the options available to discourage homes being left empty for long periods of time.

218/23 S106 Agreements and Developer meetings: (Standing Item)

a) Updates on ongoing and new S106 Agreements

i) Hunters Wood/The Acorns:

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

Members noted the installation of the footpath was already behind schedule, due to a delay in submitting the planning application.

Councillor Richardson raised a concern at the proposed £450,000 costs for the construction of the footpath.

Standing Orders were suspended to allow a representative from Melksham News to speak to this item, who confirmed he had been reassured this figure was the maximum they could spend, with the project going out for tenders in due course.

Standing Orders were reinstated.

Recommendation: To request Wiltshire Council, share and discuss plans for the proposed footpath with the parish council.

ii) Pathfinder Place:

The Clerk explained following concerns the Management Company (Remus), were not undertaking some of their obligations satisfactorily, a site meeting had been arranged earlier in the day with the Chair of the Residents Association and Wiltshire Councillor Nick Holder in order to highlight the various issues with them, such as landscape maintenance, emptying bins etc. A long list of what was agreed was their responsibility had been drawn up with photographs taken. Some elements were also for areas to be adopted so some were currently Taylor Wimpey responsibility with that moving across to Wiltshire Council eventually.

The Clerk explained it was discovered during the site visit, that several residents had closed in their car ports, which may be against planning conditions and was causing issues with people not being able to turn into their drives, as people were parked on the side of the road due to the loss of their parking space.

The Clerk highlighted, as far as the Council were aware only one resident had applied for planning permission to enclose their car port, which had subsequently been approved by Wiltshire Council. Therefore, had taken several photos and with the Council's permission would forward these to Planning Enforcement and/or include as part of the response to the Local Plan, highlighting if car ports are being counted as a parking space, but subsequently blocked in, they cannot be used for parking and therefore subsequently cause issues.

With regard to the play area, investigations were still ongoing with the Council's solicitors with regard to access for maintenance vehicles.

The Clerk explained following concerns raised by Councillor Harris of vehicles parking across dropped kerbs, Taylor Wimpey were being asked to install white lines across them in order to discourage people parking across them.

Recommendation: For the Clerk to submit evidence to Planning Enforcement of the various car ports erected without planning permission and to highlight to Wiltshire Council in the response to the Local Plan consultation, that if car ports are allowed to be subsequently enclosed, these cannot be counted as parking spaces and therefore consideration needs to be given to adequate parking provision of new developments.

iii) Buckley Gardens (144 dwellings on Semington Road)

Members noted the Wilts & Berks Canal Trust were 'drawing down' S106 funding for progression of the planning application for the Melksham Link.

iv) Land to rear of Townsend Farm for 50 dwellings (PL/2023/00808)

No updates to report.

b) To note any S106 decisions made under delegated powers

None to note.

c) Contact with developers

The Clerk explained Rhiannon Jones of Neame Sutton was the planning agent for Catesby Estates and had informed that she would be attending the meeting by zoom to listen to the debate and comments. The Clerk explained that she had not invited them to attend as the proposal for 300 dwellings at Snarlton Farm (PL/2023/07107), was no different to that at the pre-application consultation, with the developers already meeting the parish council twice in person.

Meeting closed at 21.40pm

Signed:.....
Chair, Full Council, 9 October 2023