

**MINUTES of the Planning Committee of Melksham Without Parish Council  
held on Monday 5 June 2023 at Melksham Without Parish Council Offices  
(First Floor), Melksham Community Campus, Market Place,  
Melksham, SN12 6ES at 7.00pm**

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

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

**In attendance:** Wiltshire Councillors Nick Holder (Bowerhill Ward) and Mike Sankey (Melksham East) and 3 members of public

**23/23 To Appoint a new Chair and Vice Chair of Planning Committee**

Following the Annual Council meeting held on 22 May 2023, when the committee was appointed, the Clerk sought nominations for Chair of the Planning Committee.

Councillor Baines nominated Councillor Wood, which was seconded by Councillor Glover.

There were no further nominations.

**Resolved 1:** Councillor Wood be duly elected as Chair of the Planning Committee for the ensuing year.

Councillor Wood duly took the Chair and sought nominations for Vice Chair of the Planning Committee, proposing Councillor Baines, which was seconded by Councillor Pafford.

There were no further nominations.

**Resolved 2:** Councillor Baines be duly elected as Vice Chair of the Planning Committee for the ensuing year.

**24/23 Welcome, Announcements & Housekeeping**

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

**25/23 To receive Apologies and approval of reasons given**

Apologies were received from Councillor Chivers who had a medical appointment out of County and was unlikely to make the meeting in time.

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

**26/23      Declarations of Interest**

**a) To receive Declarations of Interest**

Councillor Baines declared a non-pecuniary interest in planning application PL/2023/03858: Conversion of rural building to form a single, two bed dwelling, New Road Farm, 240 New Road, as the applicant was known to him.

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

None received.

**c) To note standing Dispensations relating to planning Applications**

To note the Parish Council have a dispensation lodged with Wiltshire Council dealing with Section 106 agreements relating to planning applications within the parish.

**27/23      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 where publicity would be prejudicial to the public interest because of the confidential nature of the business to be transacted.*

The Clerk advised that some agenda items be held in closed session.

**Resolved:** For the following agenda items to be held in closed session for the reasons given.

10(b)(ii), 10(b)(iii) and 11(d) relating to site selection work for the Neighbourhood Plan, as still a work in progress, and related contact with developers.

11(b)(ii) as part of contractual/legal negotiations relating to Whitworth play area.

**28/23      Public Participation**

Standing Orders were suspended.

Councillor Holder informed the meeting that a Pathfinder Place Residents' Association meeting was due to take place later in the week, to which he had been invited. Unfortunately, there were still a few issues to be rectified on site, such as emptying of bins, particularly near the play area, and issues with gardens, as the development is built on Oxford

Clay, which were currently being investigated by Taylor Wimpey.

Councillor Glover noted most of Melksham was built on Oxford Clay and whether this was basis for an objection to new development.

Councillor Holder felt that whilst this might not be a basis for objecting to a planning application, that perhaps the Parish Council may wish to comment on this when responding to planning applications and the need to mitigate against any issues which could arise.

Standing Orders were reinstated.

**29/23 To consider the following new Planning Applications:**

**PL/2023/03797**: Modification of Planning Obligation Address: Land at Verbena Court, Melksham, SN12 7GS. Application to modify obligations contained within the S106 agreement relating to marketing land within the Local Centre pursuant to consented outline planning permission 04/01895/OUT.

Whilst this application is not in the parish, but in the town, it had been placed on the agenda for comment, given the site was in the parish originally when the planning application was submitted and subsequently approved.

**Comments:** The Parish Council do not approve of this modification to the planning obligation for the following reasons:

- The obligation to provide a community centre has not been fulfilled. There is no appropriate community facility East of Melksham, even though one was originally included in the Section 106 Agreement.
- Neither the Parish Council, the community, or the Wiltshire Councillor at the time were consulted by Wiltshire Council on proposals to take the community facility contribution out of the Section 106 Agreement and use to make the school bigger. There was no opportunity to raise concerns and objections at the time, as the parish council were only made aware retrospectively.

Whilst a community facility has been provided at Forest & Sandridge School, this is inadequate as most of the day it is not available to be used.

- Melksham Town Council had previously sought to acquire this site for a community facility and were rebuffed, as they had been informed that the land was in multiple ownership, which made it too difficult to

pursue. However, this does not seem to be the case, given a planning application for a care home is now intended to be submitted.

- It was noted in objecting to the provision of a 70-bed care home on Land South off Western Way, as part of proposals for 210 dwellings (planning application 20/08400), the CCG (Clinical Commissioning Group) had stated they could not cope with the impact on their services that a 70-bed care home would bring, due to the complex needs of the residents. Members felt that this would still be applicable, as more development had been approved and occupied since that comment had been made.

It was agreed to also forward these comments to the Town Council.

**PL/2023/01275**: 16 Halifax Road, Bowerhill. Installation of new feather fence to side and front of house, 2 no. garden gates and installation of black steel chimney to side of house.

It was noted this application was retrospective and had previously been raised with Planning Enforcement by the Parish Council. Since then, new structures seemed to have had been built within the fencing, such as a shed.

It was noted the neighbouring property (14 Halifax Road) also had similar height fencing; however, it was unclear if a structure had been built in front of the building line, similar to the shed within the application site.

It was noted in commenting on the application that Highways had suggested that new plans be submitted with better pedestrian visibility splays, inviting the applicant to submit plans accordingly.

Councillor Baines noted as similar fencing was installed at the neighbouring property, albeit it, not to the same height, that the fence across the frontage of the property be similar height to that in front of the shed and not the full height as constructed.

Concern was also raised that the fence to the rear between the two properties would effectively shade the neighbour's garden completely and whether the neighbour would be concerned about this.

Councillor Glover noted the height of the fencing was not in line with the overall Bowerhill Village setting and

understood properties were not supposed to have front walls in gardens on most of the old estate.

**Comments:** The Parish Council do not support this application, for the following reasons:

- The excessive height of the fence, which needs to be lowered.
- Not in accordance with the overall original Bowerhill Village setting.
- Concern at new structures being installed in front of the established building line.

**PL/2023/03437:** Sandridge Tower. Sandridge Hill, Bromham. Erection of Replacement Outbuilding (Retrospective).

**Comments:** No objection.

**PL/2023/03858:** New Road Farm, 240 New Road, Melksham. Conversion of rural building to form single, two bed dwelling.

**Comments:** Whilst having no objection to this application, Members asked that a planning condition be included, if approved, that the new dwelling forms part of the footprint of the host dwelling and therefore, cannot be sold as a separate dwelling in the future.

The Parish Council ask as the roof is South facing and will be replaced, that solar panels are installed at the same time.

**30/23 Revised Plans:** To comment on any revised plans on planning applications received within the required **timeframe (14 days)**

None received.

**31/23 Planning Enforcement:** To note any new planning enforcement queries raised and updates on previous enforcement queries.

The Clerk explained that residents were still reporting HGVs accessing the site on Westlands Lane from the A350 in contravention of the site management plan, and this wider HGV use of the Lane was an agenda item on the following Highways & Streetscene Committee.

## 32/23 Planning Policy

### a) **To note dates the draft Local Plan will be considered by Wiltshire Council**

The Clerk informed the meeting that it was understood that the draft Local Plan will be on the agenda for the Wiltshire Council Cabinet on 11 July 2023 and Full Council on 18 July 2023. It was understood agenda papers would be published in early July and therefore the Parish Council would have sight of the draft Local Plan and its proposals with regard to Melksham and surrounding villages.

### b) **Neighbourhood Planning**

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

Members noted the Neighbourhood Plan Steering Group minutes of 3 May 2023.

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

This item was held in closed session.

The Clerk provided an update on the Neighbourhood Plan Review.

#### iii)C **Update on Neighbourhood Plan Site Selection and to note Confidential Notes to accompany the Steering Group Meeting held on 3 May 2023.**

This item was held in Closed Session.

Members noted the Confidential Notes to accompany the Neighbourhood Plan minutes of 3 May 2023, which included information on site selection, with the Clerk providing an update.

The Clerk explained as the draft Local Plan was due to be released shortly, the plan was to wait, to see what was included in the plan with regard to sites and the housing allocation numbers. Therefore, at the Neighbourhood Plan Steering Group meeting later in the week, not everything would be approved. It was proposed to have a Housing Task Group meeting after the Full Council meeting of Wiltshire Council on 18 July, as the housing number would be known, in order to review the sites again.

The Clerk noted the Parish Council's Full Council meeting proposed for 24 July may have to be forward a week, in order to approve the

plan prior to going to Regulation 14. Having reviewed the programme timetable, it was anticipated the plan would not be submitted to Wiltshire Council, until the first week in November.

With regard to the changes to the National Planning Policy Framework (NPPF), the Clerk explained she had spoken to one of the aides of Michelle Donelan MP, earlier in the day and enquired when the proposed changes would be implemented, with an agreement it would be chased up. However, it was understood these changes may not be implemented until the Autumn.

With regard to upcoming Housing Task Group Meetings, Steering Group Meetings and Full Council meetings, both Councillor Pafford and Glover explained they may not be available for some of the meetings and therefore two substitutes may be required for the proposed Steering Group meeting on 26 July to sign off on the sites and Neighbourhood Plan, unless it could be moved back to the week before on 19 July.

**c) To note feedback on Planning Peer Review meeting held on 23 May 2023**

The Clerk explained it had been a useful meeting, with several people present raising questions regarding Section 106 Agreements. The review was run by Council Leaders from other authorities who suggested the Scrutiny Committee at Wiltshire Council was a useful tool if councils felt they were not getting answers to concerns being raised.

**33/23 S106 Agreements and Developer meetings: (Standing Item)**

It was noted in a recent press release that the development East of Semington Road for 144 dwellings (PL/2022/02749) was being marketed as Buckley Gardens and it was unclear where this name had come from. The article also mentioned the development address was Shails Lane and in Semington village, which was a concern, particularly as Shails Lane is a private road.

Councillor Harris had researched the name Buckley and found one of the locks at Semington was called Buckley Lock, which maybe where the name had come from.

**Resolved:** To write to the developers, informing them the development was not in Shails Lane, reiterating it is a private road with no access to this development, it is also not in Semington. To seek clarification where the name Buckley came from. To reiterate the Parish Council wished street naming to continue the theme of canal engineers as with Bowood View.

**a) To note response from Kenny Green, Development Management Area Team Leader, Wiltshire Council, regarding requests for Section 106 planning obligations from this Council**

The Clerk had highlighted to Wiltshire Council's planning team the current planning applications that they had requested to be considered for adopting the play areas if they were approved. The reply highlighted this to the relevant Planning Officers requesting that this was discussed with the developers and a separate point be made in the Officer report should the application be supported.

**b) 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 matter.

**ii) Bowood View:**

- **To consider latest correspondence on play area**

**This item was held in closed session.**

The Clerk explained that the Parish Council had queried with Wiltshire Council why they had signed off on the play area.

Correspondence had been received from the Play Area Officer stating they were happy to contact the developer to query the substandard work as highlighted by the Parish Council's contractor.

- **To note latest correspondence with Bowood View residents' group.**

Members noted the latest correspondence from the Clerk to residents of Bowood View Residents Group providing an update on the following: the village hall and installation of a patio to the rear; play area; new footbridge to link with adjacent site for 144 dwellings Local Green Space allocation in the Neighbourhood Plan and a query on the Wilts & Berks Canal information boards. This was taken to their meeting on Monday 22<sup>nd</sup> May, with no response to date.

**ii) Pathfinder Place:**

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

Members noted Councillor Holder had provided an update earlier in the meeting.

- **To consider latest correspondence from Pathfinder Place Residents Group**

It was noted the Residents' Meeting was later in the week and therefore there was no correspondence for consideration yet.

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

None to report.

**d)C Contact with developers.**

**This item was held in closed session**

The Clerk informed the meeting a pre app meeting had been arranged with Bloor Homes regarding a site East of Melksham, adjacent to existing development, on Tuesday, 27 June at 2.00pm.

The Clerk explained Gladman had also been in touch regarding 2 sites between the former railway line and the canal in the south of Bowerhill. Gladman had been informed the Neighbourhood Plan Steering Group were still considering site allocations and therefore they were not in a position to talk to developers at this stage and therefore the Parish Council would only talk to them if they were at pre app stage whilst the other site allocation work was taking place.

Meeting closed at 7.41pm

Signed .....  
Chair, Full Council, 19 June 2023