

**MINUTES of the Planning Committee of Melksham Without Parish Council
held on Monday 6 November 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); David Pafford (Vice Chair of Council); Alan Baines (Vice Chair of Planning); Mark Harris and Peter Richardson

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

In attendance: Wiltshire Councillor Nick Holder (Bowerhill) & 1 member of public

258/23 Welcome, Announcements & Housekeeping

Councillor Wood welcomed everyone to the meeting, noting those present were aware of the fire evacuation procedures for the building and that the meeting was being recorded to aid production of the minutes, with the recording being deleted once the minutes had been approved.

259/23 To receive Apologies and approval of reasons given

Apologies were received from Councillor Glover who was away. It was noted Councillor Chivers was not present but had been in hospital recently.

Resolved: To approve and accept the reasons for absence of both Councillor Glover and Councillor Chivers.

260/23 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.

b) To note standing Dispensations relating to planning applications

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

261/23 **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 where publicity would be prejudicial to the public interest because of the confidential nature of the business to be transacted.*

There were no items to considered in closed session.

262/23 Public Participation

Wiltshire Councillor Nick Holder updated the meeting on the Pathfinder Way School ([PL/2023/08046](#)) planning application, explaining that he had spoken with the Planning Officer regarding the comments made by the Parish Council which had been useful, particularly regarding concerns relating to the access and the request for a left turn only out of the school. It was understood the application would be considered at a Strategic Planning Committee in due course and therefore, there would be an opportunity to reiterate some of the comments raised.

With regard to a recent planning application at Woolmore Farm [PL/2023/07756](#), for a variation in condition 1, having discussed this with the planning officer, they had confirmed there was a material change to the application and therefore a request would be made to the applicant to issue a new planning application.

In relation to proposals for 210 dwellings and a 70 bed care home ([PL/2022/08504](#)) at Land South of Western Way, which was subject to a recent Appeal Hearing, the implications of proposed changes in the Levelling Up & Regeneration Bill to the National Planning Policy Framework (NPPF) with regard to a lack of 5 year land supply in relation to the application was raised by Wiltshire Councillor Nick Holder. It was understood if the proposed changes to the Framework were to come into force when the Inspector published their decision, Wiltshire Council could request the Planning Inspector to re-open the Hearing, in order to consider the change in legislation.

263/23 To consider the following new Planning Applications:

[PL/2023/09131](#): 61a Shaw Hill, Shaw. Reduce conifer hedge to approximately 2m above ground level (Consent under Tree Preservation Order).

Comments: No objection.

[PL/2023/08776](#): 399 The Spa, Bowerhill. Proposed refurbishment of existing garden to create new Garden Room and store. Housholder Application.

Comments: Members welcomed the application.

[PL/2023/09206](#): 399 The Spa, Bowerhill. Proposed refurbishment of existing garden to create new Garden Room and store. Listed Building Consent.

Comments: Members welcomed the application.

[PL/2023/08970](#): Wharf Cottage, 533 Canal Bridge, Semington. Removal of modern porch structure, new door joinery, removal of asbestos roofing on curtilage listed structures.

Comments: Members welcomed the application.

[PL/2023/09344](#): Wharf Cottage, 533 Canal Bridge, Semington. Removal of modern porch structure, new door joinery, removal of asbestos roofing on curtilage listed structures. Listed Building Consent.

Comments: Members welcomed the application.

264/23 Revised Plans: To comment on any revised plans on planning applications received within the required **timeframe (14 days):**

There were no revised plans for consideration.

265/23 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 informed the meeting whilst there was no update she had written to Nick Thomas, Director of Planning explaining that the Parish Council wished to get involved in elements of the Section 106 Agreement, highlighting that a draft Section 106 Agreement had been presented at a recent Appeal Hearing (planning application PL/2022/08504), which the Parish Council had not been party to, despite their numerous requests.

b) 32 Lancaster Road, Bowerhill (former Christie Miller site) (Planning Application PL/2023/01008). New Highways Depot, including the installation of modular buildings for office block, portacabins for operative welfare, works vehicles parking, material storage, external lighting and car parking.

The Clerk explained that at the site visit last week, she had raised the concerns of Wiltshire Air Ambulance at the number of seagulls on Bowerhill within their flight path and therefore the conditions that had

been requested on this planning application. Information was forwarded to their Operations Manager who confirmed that this was now with Milestone's Environment Team.

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

The Clerk explained whilst there was no update, as per the recommendation from the Planning Committee meeting on 23 October (Min 239(c)/23), she had forwarded information to the Planning Officer relating to an Appeal in the Malmesbury area, where the Planning Inspector considered two adjoining sites and applications had to be considered in the round, as was the situation for this site.

- d) Land to rear of 52e Chapel Lane, Beanacre (PL/2023/05883). Erection of 3 dwellings, with access, parking and associated works, including landscaping (outline application with all matters reserved – Resubmission of PL/2022/06389)**

The Clerk confirmed she had informed the Planning Officer of the very recent flooding in Beanacre which had lasted for at least 10 days and affected traffic on the A350 and had also informed them of recent incidences where sewerage had entered properties in Beanacre. Whilst Wiltshire Council's Drainage Team had already provided comments, they were being chased for additional comments following the most recent flooding.

266/23 Planning Enforcement: To note any new planning enforcement queries raised and updates on previous enforcement queries.

Buckley Gardens, Semington Road (PL/2022/02749)

The Clerk explained whilst Planning Enforcement had stated there were no conditions in the Planning Decision for the applicant to install signage on Shails Lane, to stop construction traffic using it, she had subsequently contacted David Wilson Homes, who had agreed to install such signage, which was currently on order.

It was noted concerns had been raised by residents at the recent appearance of markings on the road surface in Shails Lane, however, following investigation it had been clarified this related to existing BT infrastructure and not related to work taking place at the above development.

267/23 Planning Appeals:

- a) Land South of Western Way (PL/2022/08504) for 210 dwellings and 70 bed care home.**

The Clerk explained that following the Appeal Hearing on 24 October,

a comment had been requested by Melksham News, with Councillor Wood, as Chair of the Parish Council's Planning Committee expressing dismay at the lack of defence by Wiltshire Council's legal team at the Hearing and sought a steer from Members if they wished to add anything further.

Recommendation: To inform Wiltshire Council of the Council's dismay at the lack of defence by their Legal Team at the Appeal Hearing on 24 October.

b) Land adjacent to 6 Guinea Cottage, Forest Road, Melksham (PL/2022/02675).

The Committee noted the Planning Inspectorate had dismissed the Appeal lodged by the applicant against Wiltshire Council's refusal to approve the above planning application and noted that there was now a new application submitted, which would be considered at the next Planning Committee meeting.

c) Kays Cottage, 489 Semington Road (PL/2022/02893).

The Committee noted the applicant had appealed the decision of Wiltshire Council to refuse planning permission relating to a Certificate of Lawfulness for an existing separate annex (Resubmission of PL/2022/08476).

It was noted the Parish Council had raised no objection to this application.

268/23 Planning Policy

a) Neighbourhood Planning

i) To note the Neighbourhood Plan minutes of 27 September 2023

Members noted the minutes of the Neighbourhood Plan meeting held on 27 September 2023.

The Clerk explained work was being undertaken regarding the viability of the Cooper Tires site, with discussions taking place with Wiltshire Council's Economic Regeneration Team. An application for Technical Support for a Viability Assessment had been approved for all the brownfield sites allocated in the Neighbourhood Plan and the specialist consultants were being briefed the following week.

b) Wiltshire Council Local Plan. To review the emerging response to the draft Local Plan consultation

The meeting reviewed the proposed responses to various aspects of the Local Plan, produced by planning consultants. The Clerk explained a document with all the collated responses would be put before Full Council on 13 November for approval.

The Clerk advised the Centre for Sustainable Energy, in supporting Wiltshire Climate Alliance, had looked at all the climate policies in the Local Plan and given their thoughts which she had received earlier in the day. The Clerk stated their responses would be included in the proposed overall response to the Local Plan, which was being considered at Full Council on 13 November for approval. Therefore, there would be an opportunity at the meeting to decide whether to include some or all of their comments in the Council's response to the Local Plan Consultation.

Members welcomed the excellent responses provided by the planning consultants being included as part of the Council's overall response to the Local Plan consultation for approval at Full Council on 13 November 2023.

c) Levelling Up Bill and Regeneration Bill

Members noted the Bill had received Royal Assent on 26 October 2023. The Clerk highlighted some of the main changes noted in the Bill and the impact on Neighbourhood Plans in particular. However, with regard to the proposed changes to the National Planning Policy Framework (NPPF), there was no update on when these would be approved and implemented.

269/23 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.**

The Clerk explained she had written to Wiltshire Council seeking an update on the project and requested a meeting to review proposals, prior to a planning application being submitted.

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

Wiltshire Councillor Nick Holder explained he had chased an

update on this project on a regular basis and understood a planning application was due to be submitted shortly.

Standing Orders were reinstated.

ii) Pathfinder Place:

Whilst there was no update on the transfer of the play area to the Parish Council, Members noted the update on highway matters relating to the development.

iii) Buckley Gardens (144 dwellings on Semington Road)

Members noted the update earlier in the meeting with regard to signage on the entrance to Shails Lane.

Councillor Wood noted whilst the Parish Council had received complaints regarding construction work starting on site earlier than stated, he had not witnessed this himself.

It was noted construction vehicles were accessing the site from Hampton Park end and turning right into the site, which Members felt was the best route and avoided the congestion of the roundabout North of Semington Road.

The Clerk informed the meeting whilst a complaint had been received from a resident of construction vehicles using this route, it had been noted, there was nothing within the Construction Method Statement to say they could not use this route.

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

It was noted Heras fencing had been installed at the entrance to the site, and the shrub land cleared, to indicate work may be starting on site shortly.

b) To note any S106 decisions made under delegated powers

None to note.

c) Contact with developers

The Clerk reminded Members, of the Pre-App meeting taking place on Tuesday, 14 November at 3.30pm with Bloor Homes in relation to their site at New Farm, Sandridge Road, which had been allocated in the Local Plan.

Meeting closed at 7.40pm

Signed:.....
Chair, Full Council, 13 November 2023