

**MINUTES of the Planning Committee of Melksham Without Parish Council  
held on Monday, 19 August 2024 at Melksham Without Parish Council Offices  
(First Floor), Melksham Community Campus, Market Place,  
Melksham, SN12 6ES at 7.00pm**

**Present:** Alan Baines (Vice Chair of Planning); John Glover (Chair of Council); David Pafford (Vice Chair of Council); Martin Franks, Mark Harris and Peter Richardson

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

**Via Zoom:** Councillor Richard Wood

**Also in attendance:** Wiltshire Councillor Nick Holder (Bowerhill Ward) and 11 members of public

Prior to the meeting starting 4 members of public left the meeting who had indicated they wished to speak to revised plans regarding 17 Park Road, Bowerhill (PL/2024/05437).

**155/24 Welcome, Announcements & Housekeeping**

Councillor Baines as Vice Chair of Planning chaired the meeting in the absence of Councillor Wood and read out the fire evacuation procedures for the building. He also informed those present the meeting was being recorded to aid the production of the minutes and would be uploaded to YouTube, then deleted once the minutes had been approved.

Councillor Baines informed the meeting that Gompels, Bowerhill had started work on their warehouse extension and had written to adjacent neighbours to inform them.

**156/24 To receive Apologies and approval of reasons given**

Apologies were received from Councillor Wood who was unwell and Councillor Chivers who was in hospital. Councillor Franks was in attendance as substitute for Councillor Chivers. Councillor Wood was in attendance via zoom at the beginning of the meeting, and understood he was not classed as “present” at the meeting.

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

**157/24 Declarations of Interest**

**a) To receive Declarations of Interest**

Councillor Pafford declared an interest in planning application PL/2024/05437 relating to 17 Park Road, Bowerhill, as he had been contacted by neighbours on how to lodge an objection.

**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 lodged with Wiltshire Council dealing with S106 agreements relating to planning applications within the parish.

**158/24 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 agenda items as publicity would be prejudicial to the public interest because of the confidential nature of the business to be transacted.*

The Clerk advised there were no items for consideration in closed session.

**159/24 Public Participation**

Standing Orders were suspended to allow both Members of public and Wiltshire Councillor Nick Holder to speak to items on the agenda.

Several residents of Chapel Lane, Beanacre were in attendance to speak to their concerns regarding revised plans for planning application PL/2023/05883 and proposals for 3 dwellings to the rear of 52e Chapel Lane, Beanacre:

- Residents had not been aware of proposals for a turning head until informed by the Parish Council.
- How will vehicles, particularly larger ones, be able to turn around?
- Proposals take away an established hedgerow with its own ecosystem.
- The turning head will be adjacent to an existing property.
- The impact on Chapel Lane, which is a bridleway and already hazardous for vehicles.
- The impact on the storm drain, which runs down the lane. There is no acknowledgement in proposals of its existence and future maintenance.
- Impact on existing residents.
- Concern at the extra vehicles using the bridleway with dangerous exit/entrance onto the A350.
- If this application is approved it will set a precedent for further development off of the lane and to the rear of Westlands Lane.
- As residents have previously contributed towards the costs of re-surfacing the lane and the owner of the site has an interest in Chapel Lane, they should also contribute towards the maintenance of the

bridleway, particularly if there is any damage to it during construction.

Councillor Baines informed the meeting he had raised these proposals at a recent meeting of the Northern Area Flood Operations Working Group, including the previous revised plans which made 3 separate entrances where there is currently only one which would create 3 locations where the watercourse would be covered over and potentially cause flooding.

Residents were reminded to send their concerns relating to comments raised by various departments at Wiltshire Council to Planning and to include evidence which could challenge comments made.

**Wiltshire Councillor Nick Holder** provided the following update:

### **17 Park Road, Bowerhill**

Having had a conversation with the Planning Officer, they were of a similar mind the original application would have been refused. The Planning Officer had met with the applicant's architect regarding the revised plans and understood these would be allowed under the rules of permitted development.

Councillor Glover informed the meeting the single storey extension did not fall within permitted development rights. Therefore, this aspect of the plan still required approval, noting the Planning Officer had written to the Parish Council earlier in the day confirming the two-storey extension on the rear of the elevation was within permitted development rights, with a 0.5m single storey extension to the rear and therefore, was heading to approve on this basis.

Wiltshire Councillor Holder explained he had not received this correspondence, with the Clerk agreeing to forward to him for information.

With regard to the 'Call in' Members noted as the two-storey extension was within permitted development rights a 'Call in' on this aspect could not remain, however, it needed to be borne in mind if a 'Call in' was required just for the single storey aspect of the proposals.

Councillor Baines felt there was no issue with the single storey aspect, as the Parish Council had previously commented they had no concerns with this aspect in the original plans.

### **Proposed Primary School, Land at Pathfinder Way, Bowerhill**

As a neighbour had raised an objection to an application that Wiltshire Council was an applicant for, this would have to be considered by a Wiltshire Council Planning Committee, with it now confirmed to be at the Western Area Committee on 4 September.

### **Pathfinder Way Development**

A meeting regarding an update on the public open space was arranged for Friday, 23 August at 10.00am, with the Senior Director of Taylor Wimpey and their Senior Contract Manager.

It was understood the parish council wished to have a conversation regarding the play area and Councillor Glover would be attending to represent the Parish Council.

### **Land South of Western Way**

No detailed planning application had been submitted as yet.

### **Snarltan Farm Development (300 dwellings)**

Wiltshire Councillor Holder explained a meeting had been arranged the following day with the Planning Officer regarding proposals for the site and therefore would attend the Planning Committee meeting of Melksham Without Parish Council on 2 September, in order to provide an update on discussions held.

Councillor Baines noted the application could not come forward until the Local Plan allocations had come forward, due to the lack of school places. Particularly as both the Blackmore Farm site and East of Melksham Oak sites in the Local Plan were providing a means of getting additional school places (one for primary and one for secondary) and if this application were to go ahead, there would be no school places available.

Wiltshire Councillor Holder explained the primary schools in Melksham, as well as Melksham Oak were not full at present, with places available.

Councillor Wood left the zoom at this point (7.47pm).

### **160/24 To consider the following new Planning Applications:**

**[PL/2024/06557](#)**: 4 Elm Close, Bowerhill. Side extension, works to front parking area and alter garage to accommodation.

**Comments:** No objection.

**[PL/2024/06422](#)**: 38 Hornchurch Road, Bowerhill. Proposed garden shed (retrospective). Applicant Marcia Cox.

**Comments:** No objection.

**[PL/2024/06272](#)**: 48-54 Blenheim Park, Bowerhill (Tesco). Proposed

modular extension.

**Comments:** Whilst the Parish Council have no objection to the application, they note there is an error in the application form. The applicant has ticked there is no addition/loss of parking spaces, however, parking spaces will be removed to accommodate the extension.

**161/24 Revised/Amended Plans/Additional Information:** To comment on any revised/amended plans/additional information on planning applications received within the required **timeframe (14 days)**.

**PL/2024/05437: 17 Park Road, Bowerhill.** Proposed Two Storey Rear Extension.

Correspondence had been received from the Planning Officer confirming the revised plans relating to the two-storey extension now fell within permitted development, with the applicant wishing to add a 0.5m single storey rear extension.

**Comments:** Members ask that the roof design on the two-storey extension at the gable end be altered to be at the same angle as the existing roof, in order to provide more light to neighbouring properties. If this proposal is not accepted, the Parish Council request the application be 'called in'.

The parish council also sought clarification on the accuracy of the measurements referred to in correspondence with the Planning Officer. Noting reference made to a 3ft extension being within permitted development rights, which should be 3m. Also, the single storey extension when looking at the scale included in the drawings is actually 2.5m and not 0.5m as stated.

**PL/2023/05883:** Land to the rear of 52e Chapel Lane, Beanacre. Erection of three dwellings, with access, parking and associated works

Given the concerns of drainage in Beanacre, particularly as Chapel Lane's existing septic tanks have their outfalls in various parts of the field and the consequences of adding a further 3 would have in creating further run-off which needed to be addressed properly. Councillor Baines informed the meeting as no further comments could be seen from Wiltshire Council's Drainage Team regarding the latest proposals, officers were chasing a response.

**Comments:** The Parish Council were only made aware of revised plans, which include a proposed turning head, after being contacted by a resident of Chapel Lane who had noted reference to a turning head in comments from Highways on the Planning Portal and contacted Wiltshire Council querying why the plans did not appear on the Planning Portal.

Having considered the revised plans, the Parish Council object to proposals and wish to reiterate their previous concerns, particularly regarding drainage, highway safety concerns and the removal of an established hedgerow, which will reduce the biodiversity for the area.

The Parish Council believe the introduction of a turning head does not alleviate concerns previously raised and will not accommodate larger vehicles, such as septic tankers turning around. They also suspect there is nothing preventing the proposed turning head from being an additional parking space and raise a concern who will make sure it is kept free. Members also raise a concern regarding who will ensure the boundary treatment does not exceed 900mm, in order to ensure visibility across the frontage, as suggested by Highways in their comments.

Given the Council's concern at the impact this development will have on drainage of the area, it was agreed to contact Wessex Water and the Environment Agency directly to make them aware of proposals and to ask they provide a response, as it does not look like Wiltshire Council took up the parish council's suggestion to consult them. To also contact Wiltshire Council Drainage team to chase a response to revised plans.

It was agreed to keep the current 'call-in' for the application, in order it is considered at a Wiltshire Council Planning Committee meeting.

Those members of public remaining left the meeting at this point.

**162/24 Lime Down Solar Farm**

**a) To note response from Nic Thomas, Director of Planning regarding Wiltshire Council's response to the scope of the Environmental Impact Assessment.**

Members noted Wiltshire Council would be providing a response to the scope of the Environment Impact Assessment (EIA). The Clerk explained hopefully their response would be available to view on the Planning Inspectorate website, now the deadline of 14 August had passed.

Councillor Richardson explained he understood Wiltshire Council were looking for an extension beyond the 14 August, in order to submit their response.

Councillor Baines informed the meeting as Community Action Whitley and Shaw (CAWS) were not considered a statutory consultee by the Planning Inspectorate they did not accept the CAWS submission and therefore their comments had been incorporated into the response from the Parish Council, which had been submitted prior to the 14 August deadline.

Both the Clerk and Community Action Wiltshire (CAWS) were commended for putting together a comprehensive response, including highlighting the various inaccuracies within the document.

The Clerk informed the meeting the Parish Council's response had been submitted to Wiltshire Council by Wiltshire Councillor Alford for their information and hopefully they would take on board the comments raised.

Councillor Glover queried if run off from the Battery Energy Storage System (BESS) had been included in the Council's response, if not, if it was too late to send this as an additional comment.

The Clerk informed the meeting unfortunately the deadline had passed but would check the response to see if this had been included.

**163/24 Current planning applications:** Standing item for issues/queries arising during period of applications awaiting decision.

- a) Blackmore Farm (Planning Application PL/2023/11188):** Outline permission for demolition of agricultural outbuildings and development of up to 500 dwellings; up to 5,000m<sup>2</sup> of employment (class E(g)(i) & class E(g)(ii)); land for primary school (class F1); land for mixed use hub (class E/class F); open space; provision of access infrastructure from Sandridge Common; and provision of all associated infrastructure necessary to facilitate the development of the site.

The Clerk informed the meeting in the Wiltshire Council Education response to proposals it had stated the development could not go ahead until Melksham Oak had been expanded, as there were not enough places and therefore, would locate these comments for consideration of the Snarlton Farm planning application at the next Planning Committee meeting; as this was in contradiction to the information from Wiltshire Councillor Nick Holder earlier in the meeting.

**i) To consider objections from Wiltshire Council Ecology on proposals.**

Members noted the objections from Wiltshire Council's Ecology Officer, which highlighted the disadvantages of the application, including a concern that the compression of the wildlife corridor, such as it is, from two sides would make it more or less ineffectual.

**Resolved:** To support the objections of Wiltshire Council's Ecology Officer.

**b) Proposed Primary School, Land at Pathfinder Way, Bowerhill. Reserved Matters application (PL/2023/08046)** pursuant to outline permission 16/01123/OUT relating to the appearance, landscaping, layout and scale of the proposed primary school (including Nursery and SEN provision).

The Clerk asked if anyone wished to attend the Planning Committee meeting on 4 September to speak to the application.

**Resolved:** Not to attend the Planning Committee meeting on 4 September as no objections raised by the parish council at this point.

**165/24 Planning Enforcement:** To note any new planning enforcement queries raised and updates on previous enforcement queries.

**a) Pathfinder Way Development (16/01123/OUT), Pathfinder Way, Bowerhill.** To receive update on public open space.

As Wiltshire Councillor Holder explained earlier in the meeting, a site visit was due to take place on Friday, 23 August to discuss the public open space adjacent to the proposed new primary school.

**b) 489 Semington Road (PL/2021/06824 – garage with office above)**

The meeting was informed officers had contacted Planning Enforcement for an update, as the applicant had been given 14 days, which had now passed, to submit a decision on submitting a new planning application or move out of the garage.

Members noted Planning Enforcement were currently liaising with the applicant's agent, who had queried legislation regarding possible breaches of planning conditions in relation to the garage being used as a dwelling.

**c) Buckley Gardens, Semington Road (PL/2022/02749: 144 dwellings)**

Members were informed Planning Enforcement had been contacted following concerns from a nearby resident at construction work starting on site at 6.45am in the morning, which was against the conditions included in the Decision Notice regarding hours of construction.

**d) Townsend Farm (PL/2023/00808 – for 50 dwellings)**

Whilst not on the agenda, Members were informed Planning Enforcement had been contacted regarding potential breaches of planning conditions, relating to construction vehicles accessing the site from Berryfield Lane via the A350, as opposed to Semington Road as per planning consent, with Members raising concerns how dangerous this was.

The Clerk explained Planning Enforcement had responded to say there had been no breach of planning consent, however this may be due to the wrong planning number being given for the site and instead the planning number for 53 dwellings adjacent to the site being given in error, which had not received planning permission as yet, hence there was no breach of planning conditions, as consent had not been given as yet. Therefore, Planning Enforcement had been contacted in order to seek clarification why they felt there had been no breach of planning consent and to explain why.

Concern was expressed a hedgerow had been removed on Berryfield Lane, in order for construction lorries to gain access to the site.

The Clerk reminded the meeting that previously the Parish Council had not been allowed to use Berryfield Lane to access Briansfield Allotments with plainings from the A350 resurfacing because it was deemed not safe, and that was when the A350 had traffic management in place.

**166/24 Planning Policy**

**a) Melksham Neighbourhood Plan.**

The Clerk reminded the meeting the Regulation 14 consultation on Version B: June 2024 ended at midnight on 22 August.

Councillor Richardson asked if the various drop-in events had been well attended.

As Chair of the Neighbourhood Plan Steering Group, Councillor Pafford explained whilst the various drop in events were not as well attended as previously, this could have been due to the fact the Steering Group were only reconsulting on the major changes within the draft plan.

**b) Proposed changes to the National Planning Policy Framework (NPPF)**

**i) To consider feedback from the webinar on 14 August on initial thoughts**

Members who watched the webinar noted how important it was to provide feedback on proposed changes to the NPPF and the potential impact locally with regard to sustainable development, particularly as it was proposed Wiltshire would see an uplift of 81% in proposed new homes to be built to that already proposed in the draft Local Plan.

**ii) New Government Housing Targets**

Members noted concern raised by Councillor Clewer, Leader of Wiltshire Council on the proposed new Government housing targets.

**iii) To consider how to respond to the consultation**

Councillor Baines informed the meeting the deadline for commenting on the consultation was 24 September, therefore, there was an opportunity for the Planning Committee to consider a response at the 2 September and 23 September meetings and hopefully by then the Council would have sight of Wiltshire Council's response, in order to reinforce it or add a local feel to the response.

Councillor Glover felt some of the questions were outside the knowledge of the parish council and queried whether it would be worth asking the Neighbourhood Plan consultants for an appraisal of the more technical aspects of the proposals and on how it would impact the parish council area.

It was highlighted there should be a response to the consultation from both the Parish Council, Town Council and Neighbourhood Plan Steering Group and that it would be helpful to engage with the planning consultants in order they could be briefed prior to responding to the consultation and make an informed response.

Councillor Pafford sought clarification how proposed changes would impact the Neighbourhood Plan, which was currently out for Regulation 14.

It was explained this was still unclear, with it understood when referring to plans in the consultation, this related to Local Plans. With it understood if Wiltshire's draft Local Plan were to be submitted for examination within the publication date of the changes to the NPPF, plus one month, Wiltshire Council could continue with the review. However, if the number of houses in it were materially different to the target, there was a requirement as soon as the Local Plan was made, for it be reviewed again in respect of the housing numbers.

The Clerk explained that given the NPPF consultation, production of the Neighbourhood Plan (JMNP2) needed to be as quick as possible as it needed to conform to the current NPPF as there did not appear to be any transitional arrangements for Neighbourhood plans. This was a query that needed to be raised in response to the consultation. The next Steering Group meeting had been arranged for 25 September which would be to approve the final version of the Plan following the collation and assessment of the responses from the current consultation.

**Resolved:** For the Clerk to approach Place, Neighbourhood Plan consultants with a view to obtaining costs/suggestions on how to review the proposed changes to the NPPF and liaise with the Town Council, with a view to sharing costs 50/50 as opposed to the normal 70/30 split.

To hold a dedicated Planning Committee meeting on 16 September, in order to consider a response to the NPPF changes, if needed.

### **c) South East Strategic Reservoir Option (SESRO)**

Correspondence had been received from Ken Oliver, Projects & Canal Officer regarding the South East Strategic Reservoir Option consultation and whilst the Wilts & Berks Canal Partnership had a neutral view about the reservoir, noted if constructed the opportunity to restore the Wilts & Berks canal on its historic route would be lost and invited a response to the consultation.

Councillor Harris explained the proposal was to build a reservoir between Swindon and Abingdon and pipe overflow from the reservoir to the River Thames, which meant it could not be used as part of the Wilts & Berks canal restoration project. However, if an open channel were installed, this could be part of the canal. The proposal would

have no impact on the canal link for Melksham, which was the first part of the link with the Kennet & Avon Canal.

**Recommendation:** Not to provide a response to the consultation.

**d) Semington Neighbourhood Plan**

The Parish Council had received notification the Regulation 16 consultation was currently taking place on Semington's Neighbourhood Plan, and that this would be an agenda item at the next Planning meeting to respond.

**167/24 S106 Agreements and Developer meetings: (Standing Item)**

**a) Updates on ongoing and new S106 Agreements**

**i) Pathfinder Place:**

As discussed earlier in the meeting by Wiltshire Councillor Holder, a site meeting had been arranged between himself and a Director of Taylor Wimpey and their contract manager on Friday, 23 August at 10.00am to discuss outstanding issues relating to Pathfinder Way development.

Councillor Glover informed the meeting he would be representing the parish council at the meeting.

The Clerk explained the Parish Council's solicitors had been made aware that in September the council would be considering whether to take on the play area or not, due to the several years delay in the transfer of ownership.

**ii) Buckley Gardens, Semington Road (PL/2022/02749: 144 dwellings)**

Councillor Baines informed the meeting there had been a recent article in Wiltshire Times which referred to a 187 dwelling development at Semington where houses were being snapped up. This was incorrect, noting they appeared to have added the 43 affordable homes to be built on the site to the overall 144 dwellings proposed for the site. They had also omitted the site was on Semington Road, Berryfield and referred to the site being located in Semington.

The Clerk suggested she contact Wiltshire Times regarding this article.

**iii) Land to rear of Townsend Farm for 50 dwellings  
(20/07334/OUT)**

Members were reminded earlier in the meeting it had been noted Planning Enforcement had been contacted regarding access to the site from Berryfield Lane via the A350 contrary to planning conditions.

The Clerk noted in the Appeal the Planning Inspector had set a condition that a bus stop be installed North bound. However, the Parish Council having met with a Highways Officer and as reported to a recent Highways meeting, were seeking a bus stop on the South bound carriageway near the Mobile Home Park, with an extra piece of pavement built to accommodate this, with the Highway Officer confirming there was available carriageway width to do this.

Having approached Highways regarding this, they had stated the planning condition would need to be changed and to contact Planning. However, having contacted Planning, the Planning Officer had left a message for the Clerk saying Planning could not change the planning condition without the agreement and request of the applicant. However, they would only do it, if Highways said it could be done. Therefore, the Clerk sought a steer from the Committee that they were happy for her to contact the developer to request the condition be changed, in order to provide a bus stop on the south bound side of Semington Road.

**Resolved:** For the Clerk to contact the developer seeking a change to the planning condition, in order to provide a bus stop on the South bound carriageway.

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

The meeting was reminded an update on this site had been provided earlier in the meeting by Wiltshire Councillor Nick Holder.

**The Clerk informed the meeting as the site had now been included in the draft Neighbourhood Plan (JMNP#2) a response had been received from the developer as part of the Regulation 14B consultation and a meeting was being arranged to discuss proposals against Neighbourhood Plan policy.**

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

The Clerk advised there were no S106 decisions made under delegated powers.

**c) Contact with developers**

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

Meeting closed at 21.08pm

Signed:.....  
Chair, Full Council, 9 September 2024