

**MINUTES of the Planning Committee of Melksham Without Parish Council  
held on Monday, 29 April 2024 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 (Council Chair); David Pafford (Council Vice Chair); Mark Harris and Peter Richardson

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

**In attendance:** Councillor Martin Franks; Wiltshire Councillor Nick Holder (Bowerhill Ward) and 9 members of public

**In attendance via zoom:** 2 Members of public

**517/23 Welcome, Announcements & Housekeeping**

Councillor Wood welcomed everyone to the meeting and went through the evacuation procedures for the building in the event of a fire. He also reminded those present that the meeting was being recorded and would be published on YouTube but deleted once the minutes were approved.

**518/23 To receive Apologies and approval of reasons given**

Apologies were received from Councillor Baines who was feeling unwell.

It was noted Councillor Chivers was not present, but had been in and out of hospital recently.

**519/23 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 lodged with Wiltshire Council dealing with S106 agreements relating to planning applications within the parish.

**520/23** **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 agenda item 11(a)(i) as publicity would be prejudicial to the public interest because of the confidential nature of the business to be transacted.*

Councillor Wood advised item 11(a)(i) regarding an update on Neighbourhood Plan (NHP#2) be held in closed session.

**Resolved:** To hold item 11(a)(i) in closed session.

**521/23** **Public Participation**

Standing Orders were suspended to enable Wiltshire Councillor Holder and members of the public to address the Planning Committee.

The Developers for 178a Woodrow Road (PL/204/01559) informed the meeting they had submitted revised plans, reducing the number of proposed dwellings from 4 to 2, with discussion held with neighbours on the revised scheme.

**Pathfinder Way School (PL/2023/08049) and Pathfinder Place (16/01123/OUT)**

Wiltshire Councillor Nick Holder informed the meeting he had met with the architects, planners and school team regarding the proposed new primary school on Pathfinder Way in order to discuss objections received, including from Highways, and how these could be resolved in order to move the scheme forward. As a resident of Maitland Place was still objecting to proposals, the application would have to be considered at a Strategic Planning Committee for a decision as it was a Wiltshire Council application.

Highways had raised a concern regarding the vehicular access from Pathfinder Way and the safety of pedestrians crossing the entrance in order to access the school site from the A365 crossing direction. Therefore, discussions had taken place on how to alleviate these concerns and an approach was being made to Taylor Wimpey to apply for an easement on the piece of land adjacent to the school on the right-hand side, in order to have an access point off of the 'hoggin' footpath into the school site in order to avoid conflict with vehicles accessing the site.

A secondary access was requested north of the site and now the proposed development for 210 homes and a 70-bed care home (pl/2022/08504) had been approved, it was proposed to build into the design a secondary access from the site.

The application for the school was still not ready to come forward as a

final design due to the Easement required from Taylor Wimpey, if this was delivered satisfactorily, along with the secondary access north of the site, Wiltshire Councillor Holder explained he was prepared to withdraw his current 'call in'.

With regard planning enforcement, there is still an Enforcement Notice for the area around the school site related to landscaping, which is still outstanding. Therefore, Wiltshire Councillor Holder suggested the parish council may wish to include this on their Planning Committee agendas as a standing item until the matter was resolved, which was agreed.

It had been made clear the path in the public open space area adjacent to the school needs to be properly reinstated/cleared, so it can be used as an access point around the site. The land transfer from Taylor Wimpey to Wiltshire Council will not take place until this condition has been satisfied, along with the landscaping of the area. Once the transfer has taken place a 3m metal fence will be erected around the school to make it secure.

Councillor Glover noted the parish council had suggested an additional alternative entrance be installed on the left-hand side of the school site. Wiltshire Councillor Holder informed the meeting this had now been taken out, given the introduction of a new pedestrian access to the right-hand side of the school.

A meeting had taken place regarding outstanding highway works for the Pathfinder Place development, including a change to the directional signage on The Spa roundabout. An update on outstanding remedial works for both sides of Pathfinder Place had now been received with these works due to be completed by the end of May, with a request submitted for the drains to be jet washed to clear debris once the works had been completed. Wiltshire Council will then be in a position to adopt the highway and install the waiting restrictions requested by the parish council.

Councillor Wood sought clarification when the roundabout as part of the Hunters Wood/The Acorns development would be completed. Wiltshire Councillor Holder confirmed works were due to start the following day with traffic lights in operation for 2/3 days, and whilst one section of the road will be open to traffic, it was hoped works would be fully completed by 26 July.

Several residents of Chapel Lane, Beanacre were in attendance to voice their concerns at proposals for 3 dwellings on land to the rear of 52e Chapel Lane (PL/2023/05883) following a new Wiltshire Council consultation period being triggered by additional flood risk related documents being submitted by the applicant:

- Despite several documents recently being added to the planning

portal, there are still no answers to questions previously raised by residents, particularly about flooding issues in the area.

- Residents have still not been contacted by the applicant to ascertain where their septic tanks are located, particularly as it is understood there is a legal requirement for the distance between septic tanks.
- There is concern the proposed design will not mitigate against existing flooding issues. It is understood that due to major flooding issues recently experienced, one neighbour adjacent to the site is having to install a new septic tank.
- The impact additional vehicles will have on access/egress onto the lane which is a bridleway and is already dangerous for existing residents.
- Access onto the A350. Residents already have to wait several minutes in order to cross the road when turning right. The junction is contrary to highway policy with regard to perpendicular accesses on to trunk roads for new development as per resident's discussions with highways officers.
- The impact heavy construction traffic will have on the bridleway, which is very narrow.
- Whilst the local farmer used to use Chapel Lane to access their farm, they no longer do this, as it is too difficult to get vehicles up and down the lane.
- Given the distance to the nearest primary school (Shaw Primary) which is understood to be oversubscribed, it would be a difficult journey for any new residents wishing to walk children to school.
- Inappropriate location for development of this size.
- Drainage scheme inappropriate for location. There are inaccuracies within a drainage submission document which states the proposed hard standing will allow for the natural treatment of the seepage of oil into the watercourse and processing, which is contrary to Environment Agency Environmental Guidance Note PPG5 for pollution prevention and control guidance.
- There is no reference in the documentation submitted which addresses the impact the development will have on the mature hedgerow, which is currently full of wildlife.
- The sign for the bridleway seems to have disappeared which was only put up recently.

Standing Orders were reinstated.

Councillor Wood asked if Members were happy for agenda item 7 regarding revised plans be moved further up the agenda which was agreed.

**522/23 Revised Plans/Additional Information:** To comment on any revised plans or additional information on planning applications received within the required **timeframe (14 days)**.

**[PL/2023/05883](#):** Land rear of 52e Chapel Lane, Beanacre. Erection of 3

dwellings, with access, parking and associated works, including landscaping (outline application with all matters reserved – Resubmission of PL/2022/06389).

**Comments:** Having reviewed the additional information, the Parish Council still **STRONGLY OBJECT** to the proposals reiterating their previous comments and submit the following additional comments:

- Flooding/Drainage. The parish council are not convinced the latest reports alleviate concerns about the impact this development will have on existing flooding/drainage issues in the area and note inaccuracies in one of the reports, which states within the body of the report ground water flood risk is medium/high, however, in the conclusion, it states the risk is medium and therefore misleading.
- Impact on the bridleway. Attention is drawn to the comments of the Rights of Way Officer to proposals with regard to rights of vehicular access on the bridleway for residents of the proposed new development. It is noted current residents have recently paid for the bridleway to be resurfaced, with the approval of Wiltshire Council. Therefore, it will be down to residents to maintain the bridleway in future, however, there does not appear to be anything included in the planning documents which refers to the ongoing maintenance of the bridleway for residents of the proposed new development.
- Highway safety and access onto the A350. Existing residents already have to wait several minutes to access the A350. There is a concern, additional dwellings will exacerbate the situation. It is understood the junction on to the A350 is contrary to highway policy with regard to perpendicular accesses on to trunk roads for new developments.

The meeting was reminded the application had been 'called in' by Wiltshire Council Alford for consideration at a Wiltshire Council Planning meeting, if the Planning Officer were minded to recommend approval.

Wiltshire Councillor Holder and residents of Chapel Lane left the meeting at this point.

[PL/2024/01559](#): 178a Woodrow Road, Forest, Melksham. Proposed 4 dwellings after demolition of existing dwelling.

Members noted the number of dwellings proposed had

been reduced from 4 to 2 dwellings, in line with the pre application advice previously given, with proposals providing more amenity space to the rear of each dwelling, as well as 3 parking spaces for each dwelling, which was an improvement on previous proposals.

The Clerk informed the meeting that a resident of Woodrow Road had raised concern about where surface water would be drained to and queried if Wiltshire Council Drainage had been consulted on proposals, as the parish council had requested.

It was noted the parish council had previously raised a concern that the Wessex Water sewage pumping station on Woodrow Road had already failed a couple of times recently, which had caused sewage to back-up to the house on the opposite side of the road, resulting in the property having to be sandbagged in Storm Henk earlier in the year, with the parish council asking for Wessex Water to be consulted.

The Clerk informed the meeting there did not appear to be responses from Wessex Water or Drainage on the planning portal, however, noted this could be as a result of Wiltshire Council not consulting Wessex Water or Drainage on proposals for smaller developments.

The Clerk informed the meeting whilst Councillor Baines was not present, he had raised a concern whether the space between the two properties and around the sides of the properties was sufficient.

The applicant confirmed the property on the left-hand side was the same distance to the boundary as existing and the boundary between the two properties was 1.2m, with a 900mm space to the side of the property on the right, which was sufficient to install a gate and for wheelie bins to get through.

With regard to surface water, the applicant confirmed this ran into a land drainage ditch. Currently there was a manhole in front of the ditch which connected to it, with the ditch having recently been dredged, as it had been full of debris for some time and may have caused flooding issues further downstream.

The applicant noted a pipe ran down the whole of Woodrow Road which took away rain water and was currently going into the ditch on the site. However, noted there appeared to be a blockage somewhere

along the pipe that required further investigation to help prevent flooding further downstream.

The applicant explained with regard to rain water run-off whilst the proposals were larger than the existing house, the existing house and garage had tarmac between, with paving at the back with a non permeable driveway. However, it was proposed the majority of the new access would be permeable and now the ditch had been cleared, this would provide a better soakaway for rain water run-off.

The Clerk asked the applicants if they were happy for the parish council to forward their details to Highways in order to liaise with them on site regarding the drain, which the applicants agreed and informed the meeting they would also be contacting Wiltshire Council on this matter.

**Comments:** No Objection.

The applicants left the meeting at this point.

#### **523/23 To consider the following new Planning Applications**

**[PL/2024/02019](#)**: The Paddocks, 493a Semington Road, Melksham.  
Single storey pitched roof extension.

**Comments:** No objection.

**[PL/2024/03462](#)**: The Willows, Lower Woodrow, Forest, Melksham.  
Erection of single-storey side extension and associated works.

**Comments:** No objection.

#### **524/23 Lime Down Solar Farm Public Consultation – proposed battery storage facility north of Top, Lane**

The Clerk explained whilst the parish council had already submitted their comments to the public consultation she had placed this item on the agenda, in order for the Planning Committee to have sight of responses from others.

- Corsham Town Council were objecting to proposals and would be sending fuller comments, once they had held a pre app meeting with Lime Down Solar, they had also sent some useful information regarding their Batscape strategy which was part of Corsham's Neighbourhood Plan.

- Atworth Parish Council at a recent meeting had discussed proposals, however, the Chair felt they could not comment on it as they had not been consulted. Therefore, the Clerk had gone back to them to say they would not be consulted as it was not a planning application but a public consultation and would be speaking to their Clerk to encourage a response.
- Community Action Whitley & Shaw (CAWS) had provided a comprehension response to the consultation.

The meeting was informed if proposals were submitted and subsequently approved, the development was not subject to Community Infrastructure Levy charges (CIL).

The Clerk informed the meeting Melksham Town Council had not considered a response to the consultation and sought a steer from Members if they wish to request formally that the town council consider a response and for the parish council's response to the consultation to be sent to the landowners, Neston Estates.

Councillor Glover felt the Batscape report from Corsham Town Council was a really useful document and that perhaps it would be useful for Melksham's Neighbourhood Plan to have a similar document.

Councillor Pafford as Chair of the Neighbourhood Plan Steering Group felt it was worthwhile considering, as long as there was no impact on the timeline of the current neighbourhood plan review, noting it could be something which could be produced at a later stage.

Councillor Richardson informed the meeting a Wiltshire Council Tree Protection Officer had recently visited the site, having been contacted by local residents concerned at proposals and the impact on trees. The Tree Protection Officer had subsequently submitted a proposed Tree Protection Order for 13 trees and one woodland, which was supported by the community of Whitley, with Members of the Planning Committee also supporting the application.

**Resolved:** To forward the parish council's response to the consultation to Sir James Fuller, Neston Estate and their agents Savills and to make a formal request to the Town Council they consider proposals for a battery storage facility north of Top Lane, Whitley at their next appropriate meeting.

**525/23 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.**

No update to report.

- 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).**

Members noted the update earlier in the meeting from Wiltshire Councillor Holder.

- c) Longleaze Lane (PL2023/06725). Proposed 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.**

Whilst the application was not in the parish but in the town, Members noted with disappointment the application had been approved at a Strategic Planning Committee meeting on 17 April.

The Clerk informed the meeting the Planning Officer had recommended approval, with both Wiltshire Councillors Sankey and Holder having attended the meeting to object to proposals, particularly with regard to the lack of parking and had also raised the concerns of the parish council.

Frustration was expressed at the outcome of the meeting and the lack of funding to improve health services as only £37,000 was offered.

It was noted the development would be subject to Community Infrastructure Levy (CIL) charges, which would go to the Town Council, as it was in the town, however, there would be the 10% shared pot of CIL available between both councils as per the agreement made.

**526/23 Planning Enforcement:** To note any new planning enforcement queries raised and updates on previous enforcement queries.

- a) Battery Storage Facility, Land to the south west of Melksham Substation, Westlands Farm, Westlands Lane, Whitley (PL/2024/01377 & PL/2024/01378. Variation of conditions 1 (approved plans), 2 (soft landscaping) and 7 (Construction Traffic Management Plan) on PL/2022/02615 (17/04116/FUL).**

The Clerk informed the meeting a resident of Corsham Road, Whitley had contacted Public Protection at Wiltshire Council concerned at the

noise levels from the site, with Public Protection having visited the site on several occasions. The Clerk asked if the members wished to submit further comments to the variation in conditions applications, which were seeking to install additional battery storage containers to those that had recently been installed on both applications/sites.

The noise concerns that have been raised relate to both the 6-month delivery and installation period and now the noise from the cooling fans on the installed batteries.

Clarification was sought if this application was required to increase biodiversity on the site by 10%.

**Resolved:** To submit further comments to the variation in conditions applications, highlighting the concerns of a nearby resident at the noise levels during delivery and construction, and now the finished installation; with reference to the public protection interventions to date.

The parish council request a noise assessment be taken during the stages of application, construction and installation with a clear indication of the noise limits that will be put in place.

To query where the applicant can identify they can get a 10% increase in biodiversity net gain on the site, in addition to the 10% increase as part of the previous original application.

## **527/23 Planning Policy**

### **a) Neighbourhood Planning**

#### **i) To note the draft Steering Group minutes of 3 April 2024.**

Members noted the minutes of the meeting held on 3 April.

#### **ii) To receive update on NHP#2, approve invoices if received and consider additional budget requirements to get plan to Examination**

**THIS ITEM WAS HELD IN CLOSED SESSION.**

#### **iii) To reflect on responses to planning applications for monitoring of the Neighbourhood Plan**

As raised earlier in the meeting, it was suggested the Neighbourhood Plan Steering Group consider a Batscape report as part of the documentation to support the neighbourhood plan.

The Clerk informed the meeting it was understood Wiltshire Council had been successful in receiving grant funding for Active Travel in various areas including Melksham and therefore had contacted

Wiltshire Council to ascertain the specific schemes the funding would be used for in Melksham but was awaiting a response.

- b) To consider a response to the Government proposals on a series of measures aimed at ‘accelerating’ the planning service (closes 1 May).** [www.slcc.co.uk/an-accelerated-planning-system-consultation/](http://www.slcc.co.uk/an-accelerated-planning-system-consultation/)

The Clerk noted the Government were seeking changes to the planning processing in suggesting commercial planning applications, be determined within 10 weeks instead of 13 weeks and understood they were also asking whether this should also be applied to major housing/major infrastructure planning applications, which did not give a lot of time for people to respond.

**Resolved:** To respond to the consultation opposing proposals to shorten the length of time a major housing/infrastructure planning application should be determined.

- c) Local Plan and Gypsy and Traveller Development Plan.**

Members noted the Local Plan had been delayed and therefore, would now be considered by Wiltshire Council’s Cabinet on 8 October, followed by Full Council on 22 October, with the Gypsy and Traveller Development Plan being considered by Cabinet on 9 July.

**528/23 S106 Agreements and Developer meetings: (Standing Item)**

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

- i) Pathfinder Place:**

Following a site meeting several weeks ago to highlight the outstanding remedial works to be completed, an Estate Completion Programme had been provided by Clive Aveyard working on behalf of Taylor Wimpey listing the various works to be completed which had been forwarded to the Residents Association for their information.

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

The Clerk, Councillors Holt and Baines had met recently with Martin Rose, Highways Officer and undertaken a site visit to look at the new bus shelters recently installed outside the New Inn and adjacent to Telford Drive, as part of the Buckley Gardens and Bowood View planning applications respectively.

It was noted as part of their application for Buckley Gardens, that David Wilson Homes had installed a new bus shelter outside the New Inn, however, everyone at the meeting agreed the kerb stones were in the wrong place for buses to pull in and

drop off passengers, therefore this was being taken up, with whoever had signed it off at Wiltshire Council.

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

It was noted as part of the application that the developer had to provide a bus stop outside their site and a suitable location had been identified during a recent site visit, on the opposite side of the road near the Mobile Home Park (second entrance/exit), with the Highway Officer investigating whether there was sufficient verge available for a hard standing, in order people could get on/off the bus and into the mobile home park safely.

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

It was understood recent ground investigations had taken place.

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

It was noted the planning application for the footpath to the rear of Melksham Oak (PL/2023/10488) had recently been approved with several conditions.

The Clerk informed the meeting with regard to Bowood View's S106 public art contribution, Wiltshire Council were currently holding £3,000 for the maintenance of the artwork on the side of Berryfield Village Hall, along with £800 for contingency and for 18 months had been requesting this money in order to forward to the village hall for the upkeep of the artwork but so far had not received confirmation that this funding would be transferred.

As part of the S106 Agreement for Buckley Gardens, there had been a £200,000 highway contribution in order to improve the pedestrian crossing on the A350 on its Eastern Arm, which had subsequently been paid for under Active Travel, with the parish council asking that this funding be pooled in order to improve a pedestrian route to Pathfinder School. However, the approved planning application for 210 dwellings and a 70-bed care home (PL/2023/08504) on land south of Western Way included a footpath to the rear of the school.

Councillor Wood noted a small section of verge adjacent to the A365 may not include a footway and suggested the funding could go towards funding this.

It was noted the S106 highway funding also made reference to making the crossing on the Western arm less desirable.

**Resolved:** To place an item regarding the £200,000 Highway

Improvement funding on a future agenda for discussion.

To formally confirm that the parish council wish to progress that the outstanding £3,800 public art funding from Bowood View is transferred to the Berryfield Village Hall Trust as they are the ones maintaining it.

**c) Contact with developers**

The Clerk informed the meeting the agents for Bloor Homes for the New Road Farm site allocation in the Local Plan had been in touch seeking a meeting but had not heard back on a preferred date.

The meeting closed at 8.50pm

Signed:.....  
Chair, Annual Council, 13 May 2024