

**MINUTES of the Planning Committee of Melksham Without Parish Council
held on Monday, 5 February 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 (Chair of Council); David Pafford (Vice Chair of Council); Alan Baines (Vice Chair of Planning); Mark Harris and Peter Richardson

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

In attendance: Wiltshire Councillor Nick Holder (Bowerhill); Wiltshire Councillor Phil Alford (Melksham Without North & Shurnhold) and Councillor Martin Franks

396/23 Welcome, Announcements & Housekeeping

Councillor Wood welcomed everyone to the meeting having provided those members of public present with the fire evacuation procedures for the building. He also made them aware the meeting was being recorded to aid the production of the minutes and would be uploaded to YouTube and deleted in due course once the minutes had been approved.

397/23 To receive Apologies and approval of reasons given

Councillor Chivers had tendered his apologies as he was back in hospital.

Resolved: To accept and approve the reasons for absence.

398/23 Declarations of Interest

a) To receive Declarations of Interest

The Clerk whilst not a voting Member, declared an interest in planning application PL/2024/00569: proposed conversion of the existing barn attached to 54 Newlands Farm House, as the applicant was known to her.

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.

399/23 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.*

The Clerk advised items 10(a)(ii) regarding the update on the Neighbourhood Plan and item 11(c)(i) contact with developers be held in closed session as negotiations were still ongoing

Resolved: To hold items 10(a)(ii) and 11(c)(i) in closed session for the reasons given.

400/23 Public Participation

Standing Orders were suspended to allow Wiltshire Councillors Nick Holder and Phil Alford to speak to the council.

Wiltshire Councillor Phil Alford (Melksham Without North & Shurnhold)

Wiltshire Councillor Alford explained concerning proposals for a new dwelling at Mavern House, Shaw (PL/2024/00631) that discussions had been held with the planning officer and whilst he still have reservations regarding proposals, he would await what the parish council had to say regarding proposals before making a decision on whether to 'call in' the application for consideration at a Wiltshire Council Planning Committee meeting.

With regard to proposals for 500 dwellings at Blackmore Farm (PL/2023/11188), the Town Council had objected to proposals at a recent Planning Committee meeting.

Given recent changes to the National Planning Policy Framework (NPPF), an officer of Melksham Town Council was currently looking into their recent comments on large applications, in order to submit additional comments to Wiltshire Council.

Wiltshire Councill Nick Holder (Bowerhill)

Blackmore Farm (PL/2023/11188) proposals for 500 dwellings

Given recent speculation this application was in addition to planning application (PL/2023/01949) for 650 dwellings, which had previously been submitted. Wiltshire Councillor Holder explained the developers had been given significant feedback on the original planning application (PL/2023/01949) following concerns expressed by statutory consultees on various aspects of the development and had advised they amend their proposal.

However, the developers have let it continue and await a decision from the Planning Department and subsequently submitted a new planning application for 500 dwellings (PL/2023/11188), which was a slight modification on the previous plans in terms of size and location.

With regard to the original planning application for 650 dwellings (PL/2023/01949), it was understood whilst the decision had not yet been formally communicated, the developer's agent had been informed the application had been recommended for refusal and would be formally confirmed next month.

Wiltshire Councillor Holder explained as the new application for 500 dwellings (PL/2023/11188) currently stood he was minded to 'call in' the application for consideration by Wiltshire Council's Strategic Planning Committee, as the application was fundamentally flawed in terms of size and location and did not take account of the emerging Neighbourhood Plan, draft Local Plan, and Wiltshire Design Guide.

Land at Pathfinder Way, Bowerhill. Reserved Matters application (PL/2023/08046) for proposed new primary school

Wiltshire Councillor Holder, explained unfortunately, there was still a lack of progress on providing a secondary access to the school, which had been asked for during discussions with the Design Team at Wiltshire Council.

Following planning enforcement issuing a notice with regard to the public open space area to the north of the school site not being landscaped as per planning application 16/01123/OUT, it was understood Taylor Wimpey were due to landscape this area in March. Therefore, this would mean a route could be cut from the crossing on the A365 to the rear of the school with the School Design Team being asked to 'design in' a rear entrance to the school, for it to be 'futureproofed'.

It had been confirmed this application would have to go to a Strategic Planning Committee at Wiltshire Council for consideration and it was hoped any concerns raised by statutory consultees, including the parish council, could be mitigated before going to a Strategic Planning Committee for consideration.

Pathfinder Place Development (16/01123/OUT & 18/04477 Reserved Matters)

As raised earlier, a Planning Enforcement Notice has been taken out against Taylor Wimpey to complete landscaping to the north of the school site, penalties will be applied if they fail to adhere to their S106 Agreement and undertake this work, with it understood this work will start in March.

Stephen Hawkins, Wiltshire Council had also forwarded Taylor Wimpey a list of remedial works to be completed on the Pathfinder Place development which included the landscaping of the area to the north of the school.

Standing Orders were reinstated.

401/23 To consider the following new Planning Applications:

[PL/2023/11188](#): Land at Blackmore Farm, Sandridge Common. Demolition of agricultural buildings and development of up to 500 dwellings; up to 5,000 square metres 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 (A3102); and provision of all associated infrastructure necessary to facilitate the development of the site (Outline application relating to access). Applicant Gleeson Land Ltd

Comments: Melksham Without Parish Council **STRONGLY OBJECT** to this planning application for the following reasons:

- The proposals do not answer the strategic needs of the Melksham Neighbourhood Plan area and in fact distinctly hinder any future strategic plans for Melksham in terms of master planning via the draft Local Plan policies.
- This is speculative and not plan-led development, its piecemeal and not in line with the allocation in the draft Local Plan (Policy 18); despite the statement in the Preface of the Design & Access Statement that this new application has been prepared in response to this emerging allocation. This gives an unco-ordinated, disjointed approach, without the means to properly address the infrastructure needs that the impact this number of houses to the area will bring.

Attention is drawn to the comments of the Urban Design Officer in the Statement of Community Involvement, which the parish council agrees with.

“The site in question is just one piece of a wider area; an area which looks to become a new urban extension (UE) for Melksham and which will need to

be master-planned in a holistic way, with input from a range of stakeholders as well as adjacent landowners. The applicant's seemingly self-serving masterplan references adjacent land promoted by other developers, but does not show what is proposed or how those land uses would integrate with the applicant's masterplan."

- The application does not adhere with Policy 18 in the draft Local Plan, with regard to the housing allocation for Blackmore Farm:
 - The local plan allocates 425 dwellings on this site.
 - The Local Plan seeks an allocation of 5ha employment land. However, proposals only show 0.93ha of land for employment use, as office space. It is unclear where the requirement for additional office space in Melksham has been evidenced, particularly as there is currently a shortage of warehouse/manufacturing space within Melksham, with businesses and agents reporting significant demand for expansion space in the area against a shortage of available sites and premises, as highlighted in the Wiltshire Employment Land Review Update dated September 2023.
 - The Local Plan seeks a much lower density of housing to the east of the site, in order to prevent coalescence with the rural character of the area. However, there is no reference within documentation supporting the application of the level of density proposed in this area, just a general note of "500 dwellings at 36dph average" on the Illustrative Masterplan legend.
 - There does not appear to be provision for a mobility hub, including bus and cycle infrastructure provision.
- The development is in the open countryside, outside the Settlement Boundary of Melksham & Bowerhill, isolated and therefore unsustainable and in conflict with Melksham Neighbourhood Plan policy 6: Housing in Defined Settlements

It is stated within the Design & Access Statement the development is adjacent to the settlement boundary,

this is not the case, as it is next to a 'ransom strip' adjacent to Eastern Way.

- It is noted in the Design and Access Statement it states Core Policy 2 of the Core Strategy is out of date by virtue of a lack of 5-year land supply. However, this is irrelevant given recent changes to the National Planning Policy Framework (NPPF), as Wiltshire Council now have "Paragraph 77" protection.
- The Melksham Neighbourhood Plan was made on 8 July 2021 and therefore meets the National Planning Policy Framework (NPPF) "Paragraph 14" criteria following recent changes to the NPPF. Whilst their documentation states that they have submitted this application to reflect the draft Local Plan, they have made no reference to the Regulation 14 consultation on the reviewed Melksham Neighbourhood Plan that took place in October and November 2023, despite making representations.
- The proposals are not part of any housing allocation in the current Melksham Neighbourhood Plan. The Steering Group are looking to allocate a meaningful number of houses (200-250) as part of the Neighbourhood Plan Review.
- The proposals do not adhere to policies within the adopted Neighbourhood Plan, particularly policies 1, 6, 8, 11 and 18 with regard to sustainable design and construction, housing in defined settlements, infrastructure phasing and priorities, sustainable transport & active travel and local distinctive, high-quality design, respectively.
- There has been no adherence to either the emerging Wiltshire Design Guide or Melksham Design Guide within the development design.
- There is a lack of connectivity with the surrounding area and lack of connection to the distributor road Eastern Way. The only vehicle access proposed is off the A3102; and only one access. It was noted in response to a Scoping Document request, that the Planning Officer had stated 'despite the large size of potential development it is not proposed to include land to the East of the development at Eastern Way

as a means of access, Eastern Way is effectively a by-pass that has been presumably designed to accommodate future growth of the Eastern side of Melksham and included a roundabout with anticipated access to go further east towards your site.'

- It is noted within the Design & Access Statement it refers to Sandridge Common having sufficient capacity to accommodate access points and traffic arising from the proposed development. The parish council would like to see the evidence to support this claim, particularly as they have a concern the only entrance/exit will be at the bottom of a steep hill and on a bend, with several accidents having taken place along this stretch of road over the years.
- Whilst it is noted the only proposed entrance/exit will be served by a roundabout, some of the arrangements for pedestrians around the roundabout are unsatisfactory, particularly as it is noted there is no means of crossing the main road via a central island to access the bus stop on the North Western side of A3102 outbound or the proposed nursery in the draft Local Plan in Policy 20.
- Concern is raised if there were to be an accident near the only access/egress, this could be completely blocked off, therefore a separate access in a different location is required, as suggested in the draft Local Plan.
- Attention is drawn to Paragraph 114(b) of the National Planning Policy Framework (NPPF) which states: new developments must ensure safe and suitable access to the site can be achieved for all users.
- There is a concern at the impact this development will have on the narrow country roads to the North of the site. A large number of residents will be tempted, as drivers from East of Melksham currently do, to use country lanes such as New Road (single track with passing places), Forest Road and through the National Trust village of Lacock via a single-track medieval bridge to pick up the A350 to access Chippenham and the M4. The bridge at Lacock is often closed due to flooding.

Concern has recently been raised with the parish council by Wiltshire Council's Highway Officers at the at the condition of the verges along New Road, given the number of vehicles trying to pass each other on such a narrow road, despite passing places. Therefore, the parish council seek a highway contribution towards increased highway maintenance needed as a result of this development.

- Whilst the parish council have not had sight of the Highway Officers comments relating to this application, they had noted the Highway Officer's previous comments relating to the original planning application (PL/2023/01949) and therefore had requested that any highway requests recommended in those Highway Officer comments should be in place prior to first occupation and not the 400th as indicated in his original report.
- The illustrative map does not show the route of a potential Eastern bypass, as on the original planning (PL/2023/01949). Concern is expressed, there is very limited space between the development and existing woodland near Praters Lane.

The parish council would strongly oppose the destruction of the woodland in order to accommodate a potential eastern bypass. Therefore, concern is expressed at the statement in the Design & Access Statement, that "there is no saved route in the draft Local Plan and therefore no planning policy in place which states they should have regard of the line of Eastern bypass." The parish council note that there is funding for the Eastern Bypass project in the Wiltshire Council budget for 2024/25.

- Within the Local Plan, the indicative plan indicates there will be two accesses to the development, therefore any bus operator would be amenable to running a service to this site, as they would be able to go in one way and out the other and therefore cover the maximum number of passengers and be more efficient from an operational point of view. However, plans only show one access, and no circular route, therefore making the site less accessible for bus operators and less attractive from an operational point of view.

Within the Transport Accessibility and Movement Report it states there is an hourly bus service.

However, it does not state when this service starts and finishes. Any service should be available at times to take children from the development to the various schools in the area and visa-versa.

It is also stated a proposed new bus service would go 'down Eastern Way, Western Way, The Spa, through the town centre onward to the Train Station'. Confusion was expressed in the use of Western Way.

Within plans it states bus stops being only 500m away from the site. However, this distance could only be achieved by having to use the existing public right of way network, which is not surfaced and therefore, would need to be sufficiently upgraded. It is noted the developer does not own the land in question with the landowner objecting to the development for the previous 650 houses.

It is noted the area only has a limited bus service at present. Attention is drawn to the comments of the Planning Inspectorate at a recent Appeal for an application in Southwick (PL/2023/00952), which stated the development was unsustainable due to an infrequent bus service, therefore, this would suggest this development is unsustainable.

- Whilst it is noted within the Statement of Community Involvement it states the Drainage Team had no objection to the original proposals for planning application PL/2023/01949, this is a bit misleading, as they have asked for several conditions to be addressed.

The parish council have a concern at potential flood risk and note this had also been raised as a concern by several people when commenting on the previous application for 650 dwellings (PL/2023/01949). Although there will be attenuation, once full, the run-off will go into the water courses and unless these are more than adequate, there could be flooding issues including further downstream.

Concern was expressed at an inaccuracy within Appendix 9.1 of the Flood Risk Assessment & Drainage Strategy (Part 1) as it stated 'the nearest Environment Agency (EA) designated main river to the site is Clackers Brook, a tributary of the River Avon, which passes through Melksham and the

neighbouring village of Shurnhold'. Shurnhold is not a village; it is part of Melksham bordering South Brook about half a mile to the West of the River Avon, whereas Clackers Brook flows into the river from the East. There is therefore concern about the accuracy of other aspects in the report.

- Whilst noting land has been allocated for a 2-form entry school. Any school needs to be in place as soon as residents move in. If not, children will be taken by vehicle to other schools in the Melksham area, causing additional traffic, which does not conform with Wiltshire Council policy. We can only see reference to 2 form entry school in the Transport Accessibility and Movement Report, whereas the other documents and plans only say 2.0ha of land for a school. Wiltshire Council policy is for 2 form entry schools.

Paragraph 99 of the National Planning Policy Framework (NPPF) states that it is important that a sufficient choice of school places is available to meet the needs of existing and new communities. The Wiltshire Council draft School Place Strategy (page 17) states: "Wiltshire Council believes that: Parental preference is a key consideration and ability to access a school place close to home within the local community is an important factor.

The draft School Places Strategy (page 89) states: "At present, there are clearly insufficient primary school places available in the town to cater for the proposed Local Plan housing". It also adds that the closest primary school, Forest & Sandridge, has a capacity of 420 and is full, with a S106 contribution secured to expand the school to 2.5FE. With only 5% of urban primary school capacity at present, it is clear that there are no spaces for the children moving into this proposed development in the current schools; let alone choice of schools.

- Early years: Within the Design & Access Statement it suggests the inclusion of a nursery as set out in Policy 18 of the draft Local Plan is an error. However, it is understood both the Blackmore Farm site and the site allocation in the draft Local Plan opposite at New Road Farm (Policy 20) are required to provide 60 early year places and 110 nursery places respectively.

There needs to be a firm plan for the early years provision and s106 contributions to provide for the new young children that this development will bring to the area. Page 21 of the draft School Places Strategy states: "Wiltshire Council believes that where additional school places are needed because of new housing development, as far as possible the costs should fall on the landowners and/or developers, by way of contributions falling within the concept of planning obligations". This should apply to Early Years provision too.

- For secondary education, the draft School Places Strategy document states "The number of pupils attending Melksham Oak is forecast to grow significantly over the next few years as larger cohorts being to feed through from primary schools and as new housing is completed. The recent expansion means that the school now has a PAN of 300 which will be sufficient to meet the needs of current housing. If the proposed Local Plan houses are taken forward, there would be a significant shortfall of secondary places. Whilst the school site is large, expanding the school over 12FE would make it the largest school in the Country and would probably be considered too large to operate from one site". Again, there is evidence that the secondary school places are only sufficient for the current housing in the pipeline, and not for any new school places being generated by speculative development. This is why any future development needs to be planned strategically.

The Wiltshire Council Education submitted comments relate to the prematurity of this application, as there will be insufficient places or room for expansion until the site allocation (Policy 19) in the draft Local Plan comes to fruition.

- Concern was raised at the safety of children wishing to access Melksham Oak School, as they would need to use Eastern Way and compete with the traffic, particularly as there is still no rear access to the school. There are already many concerns raised at the number of pupils on the A365 pavement, both pedestrians and cyclists, and evidence of regular accidents and near misses as the flow of children at school opening and finishing times is wider than the

pavement can cope with. A planning application has recently been submitted for a footpath to the rear of the school (PL/2023/10488) but as yet is no more than a planning application.

- Due to the piecemeal approach of this development, although it shows a primary school on the plans, there is no access to the school from adjoining land, at Snarlton Farm with proposals for 300 dwellings (PL/2023/07107).
- It is noted residents were written to in April 2022 and the public consultation event was also held then. However, since then, there has been more development (some 450 dwellings) in the vicinity ie Hunters Wood/the Acorns (18/04644/REM these residents' views would not have been taken into account.
- Whilst there is a proposal to have a pedestrian/cycle access using part of Browns Lane bridleway on Eastern Way, there is still no other means of connecting to existing development and services East of Melksham.
- Only 30% affordable housing is included within proposals and not 40% affordable housing as sought in the draft Wiltshire Local Plan. This is disappointing as the development is envisaged and allocated as part of the Local Plan strategic allocation.
- In order to facilitate access to this development a number of farm building and facilities are due to be demolished and removed. The parish council strongly object to these proposals on heritage grounds. There is concern whether this will allow for the continued viability of the farm holding as 50% of the farm would remain as open land.
- Concern is expressed at the loss of agricultural land used for food production, noting the land and buildings current use is for dairy farming. Following recent changes to the National Planning Policy Framework, a new footnote to paragraph 181 states that when agricultural land must be used, poorer quality land should be preferred over higher quality land. It states: "The availability of agricultural land used for food production should be considered, alongside the other

policies in this Framework, when deciding what sites are most appropriate for development.”

- Concern is expressed at the impact this development will have on the Grade II listed Blackmore House, and its setting, adjacent to the site.
- The Melksham Neighbourhood Plan is currently under review and has a number of emerging evidence documents to underpin revised and new policies. The draft AECOM Site Assessment report 2023 has assessed this site. It excluded it from the initial first sieve of sites, at Stage 1, with the following comments: “The site is removed from the settlement boundary. The site may be appropriate to be developed alongside Site 3678, 3683, 3701 and 3525 as a large urban extension of Melksham which connects to the Melksham Bypass. The site contains deciduous woodland which have priority habitats. The site also includes the designated heritage assets of Blackmore House. The site is exposed to views across from Sandridge Hill.”
- It is noted within the Design & Access Statement the presence of 12no. Category A trees (oak) within the site, with design proposals **seeking** to retain all of the Category A trees. The parish council **insist** all Category A trees are retained.
- It is noted there are a few inaccuracies/errors in the Design and Access Statement as follows:

2.2 Local Context

- Melksham Community Hospital. There is no minor injuries unit on site; the listing of a hospital here implies a use at this site that is not in place
- There is reference to banks in the town centre, but there are no longer any banks open in Melksham.
- Little Joey’s Nursery now closed.
- The Somerset Arms Pub now closed.
- Melksham Rugby Club pitches are not available to the general public to use. It is also listed twice.
- Melksham Town Football Club pitches are not available to the general public to use.
- The Beecher Veterinary Centre should be The Beeches Veterinary Centre.

- Melksham Blue Pool Leisure Centre now closed.
- Aztec Fitness now closed.
- United Church has been missed off the list of churches.
- Melksham Youth Development Centre now closed.
- There are several references to the local distinctiveness of villages such as Seend, Seend Cleeve, Semington, Bromham, Saint Edith's Marsh and Nether Street which are irrelevant within the context of the site location – for the palette of materials, and areas of local distinctiveness the Melksham Design Guide should be adhered to.
- Some parts of the report seem outdated, for example there is reference to site 1a which was the larger site in the first draft Local Plan consultation report, not the one from Sept 23 that the document says this application was designed to meet.

Whilst the parish council strongly object to the proposals, the parish council ask that the following be included, if it were to be approved:

- Adherence to policies of the current Melksham Neighbourhood Plan and those of the reviewed Neighbourhood Plan (JMNP#2), such as the Housing Needs Assessment, Design Guide etc
<https://www.melkshamneighbourhoodplan.org/np2-evidence-base>
- The Parish Council seek the provision of play equipment, above that required by the West Wiltshire District Council saved Policy in the Core Strategy, which is also imaginative to encourage active play.
- It is noted it is proposed to include a destination play area, however, having looked at guidance, the parish council are concerned at having everything in one place. They believe that the size of the development will warrant both a LEAP (Local Equipped Area of Play) and a NEAP (Neighbourhood Equipped Area of Play) and a MUGA (Multi Use Games Area) so that there is a range of suitable equipment for all ages; children and teenagers – as per the draft Local Plan policy.
- The Parish Council also wish to enter into discussions to be the nominated party for any proposed LEAPs & NEAPs and seek the following:
- A maintenance sum in the s106 agreement for continued maintenance of the play areas.

- 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, not hoggin, paths provided.
 - No wooden equipment provided.
 - Dark Green Metal bow top fencing provided.
 - Clean margins around the edges, no planting.
 - Bins provided outside the play areas.
 - 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. · Public Open Space which is regularly mown and not all for wildflower areas, to allow for children to kick a ball around informally.
 - Equipment installed for teenagers
 - Whilst proposals to include allotments are welcomed, the Parish Council ask that these are fenced in, with access to water, as well as a car park provided and security measures installed. The parish council wish to understand who will run the allotments; if this is to be an Allotment Association then they will require a large, vandal proof shed.
 - Circular pedestrian routes around the site.
 - 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.
 - There are practical art contributions, with the Parish Council being involved in public art discussions
 - Speed limit within the site is 20mph and self-enforcing.
 - The development is tenant blind. The parish council draw attention to the recent Housing Needs Assessment undertaken as part of the Melksham Neighbourhood Plan Review, which reflects the current needs of the Melksham area in terms of housing and tenure mix
https://www.melkshamneighbourhoodplan.org/files/ugd/c4c117_4c8411b64439472fbfcf8e856799e2c9.pdf
 - Given the development is adjacent to existing dwellings on Sandridge Common, the design is such

that the layout is garden to existing garden and no higher than 2 storey. The design layout should also take account of the impact on any potential new dwellings on the strip of land to the West of this site adjacent to Eastern Way and to the South.

- The road layout within the development 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. Shared spaces which are easily identifiable.
- Tree planting is not adjacent to property boundaries, in order they do not cause issues later with growing over the boundary to resident's properties or causing shade on gardens.
- Whilst the parish council welcome a contribution to enhance public transport, the proposals do not go far enough, particularly as reference is made to existing bus services which do not serve Melksham Railway Station, with the nearest bus stop being some distance away from the Railway Station.
- Members welcome the provision of bus shelters with the capabilities for real-time information and therefore ask that proposed bus shelters are tall enough with a power supply to enable this. To give good shelter from the weather, shelters are provided with sides, with a bench seat rather than a perch seat.
- Whilst land has been set aside for a 400m² mixed use hub, this will be too small to serve such a large community. Therefore, the parish council ask that significant land be set aside to enable a functional, 2 storey community building and hub to serve the whole community. The parish council request a community centre large enough to include additional health facilities (with room for GP clinics, as well as complimentary services like physio, chiropodist, osteopath etc.) as well as associated facilities to service and provide a 3G pitch.
- Provision of a Local Centre, similar to nearby Verbena Court, with the provision of electric car charging points (in line with Policy 4 of the Neighbourhood Plan). Contribution towards green initiatives i.e., provision of charging points, local green energy production and battery storage for the community hub.

- The parish council seek improvements to existing Rights of Way in the area, which are understood to have been submitted by Wiltshire Council's Rights of Way Team as part of their response to the proposals at public consultation stage and ask that Right of Way MELW30 becomes a bridleway to connect up bridleways at MELW40 & 41, particularly as there are many stables in this area.

As previously requested, the parish council would like to see included in proposals a safer access to Praters Lane from the A3102, as currently people have to go via Lopes Close across private gardens to access the right of way safely.

- Ecological measures such as bird and bat boxes, bee bricks, reptile refugia and hibernacula with all these enhancements (types, numbers, position etc) marked on plans and drawings.

Wiltshire Councillor Nick Holder agreed to call in this application for consideration at committee.

PL/2023/10724: Mavern House, Corsham Road, Shaw. Variation of condition 2 of PL/2021/10081 - To allow acoustic screen and Air Source Heat Pumps.

Comments: No objection.

Wiltshire Councillor Nick Holder left the meeting at 7.56pm.

PL/2024/00631: Mavern House, Corsham Road, Shaw. Proposed 1 and a half storey 4-bedroom dwelling (resubmission of PL/2022/09196)

The Clerk explained she had already contacted the planning officer to ask that the comments of Wiltshire Council's Drainage Team be sought, particularly as School Lane adjacent to this site had experienced internal property flooding and both Shaw Primary School and The Vicarage garage on Corsham Road are often sandbagged during heavy rain.

It was noted the applicant had ticked 'No' on the application form when responding to questions whether the site was within an area at risk of flooding.

Comments: Whilst accepting the proposal, the parish council wish to caveat this would only be on the proviso

the proposed dwelling is on a smaller footprint, given concerns of over development of the site and the lack of amenity space available for the proposed property.

If approved, the parish council ask that a condition be placed on any planning permission, for where the bins for the property are taken to be emptied. This is due to concerns any additional bins associated with School Lane will aggravate an existing problem on Corsham Road, whereby the number of bins left out for collection and the narrowness of the footpath, mean children from Shaw School have to walk out into the road.

Wiltshire Councillor Phil Alford left the meeting at 8.07pm.

PL/2024/00198: 20A Hercules Way, Bowerhill. Retention of existing builders' merchants (sui generis); change of use of adjoining land from a vehicle depot (sui generis) to a builders' yard to facilitate expansion for display, sale and storage of building timber and plumbing supplies, plant and tool hire, including outside display and storage area along with storage racking, access and servicing arrangements, car parking, perimeter fencing and associated works.

Comments: No objection.

PL/2024/00359: Land fronting 1 & 2 Mallard Close, Bowerhill. T1 Weeping Willow tree reduce to up to 0.5m below previous pollard points, to reshape with a view to future regular re-pollarding scheme, and reduce extended lateral to north by up to 4m – works to keep the tree in proportion to the site and maintain longevity.

Comments: No objection and welcome.

PL/2024/00514: Boundary Farm, 620 Berryfield Lane, Melksham. Prior approval under Part 3 Class R: Agricultural buildings to a flexible commercial use.

The Clerk highlighted there was a Right of Way running through Boundary Farm (MELW05), with the parish council asking for this to be moved, as part of their comments on planning application PL/2022/08155 for 53 dwellings on land to the rear of Townsend Farm, Semington Road. This was because there were proposals for a new pedestrian access from the development onto Berryfield Lane near Boundary Farm and an expected increase in the number of residents

using the route through the farm to access the RoW to the river and Kennet & Avon canal.

Concern was expressed at the potential for larger vehicle movements through a residential area ie Berryfield Park/Lane, given access via the A350 is unsuitable for HGVs.

It was noted in other parts of the Country, such as Wales, where rights of way run through active farms/industrial areas, they are asked to designate these and show them on the ground, in order to make them clearer to pedestrians.

Comments: No objection, as long as vehicle movements are kept to a minimum, given access will be via a residential area along Berryfield Park/Lane, as access off the A350 is unsuitable for HGVs.

The parish council ask that the Rights of Way Officer is consulted on this application, as MELW05 runs through this site.

[PL/2024/00569](#): Newlands Farm, 54 Folly Lane, Shaw. Proposed conversion of the existing barn attached to 54 Newlands Farm House to provide additional accommodation supplementary to the main house.

Comments: No objection, however, the parish council ask that a condition be placed on any planning permission, that the converted barn cannot be used as a separate dwelling in the future.

402/23 Revised Plans: To comment on any revised plans on planning applications received within the required timeframe (14 days)

There were no revised planning applications for consideration.

403/23 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.

i) To note comments from Senior Planning Officer following revisions to the National Planning Policy Framework (NPPF).

Members noted following changes to the NPPF, Wiltshire Council were likely to request this application be withdrawn in the first instance and move to refuse if the application were not withdrawn.

- b) Snarlton Farm (Planning Application PL/2023/07107): 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.**

The Clerk informed the meeting there was no update, however, in light of recent changes to the NPPF had written to Planning to ask that this application be refused, as per the resolution of the previous meeting.

- c) 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 welcomed the proposal earlier in the meeting from Wiltshire Councillor Nick Holder for a pedestrian access to the rear of the school, which would provide a safer separate access away from vehicles.

- d) Land 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)**

No update to report.

- e) Land to rear of Townsend Farm for 53 dwellings (PL/2022/08155).
i) To receive update following discussions with planning officer regarding recent changes to National Planning Policy Framework (NPPF).**

Following the Head of Development Management, Wiltshire Council being given delegated powers to grant full planning permission, subject to completion of a S106 Legal Agreement at a Strategic Planning Committee meeting on 29 November, Wiltshire Council had confirmed this application was currently being reviewed in light of recent changes to the NPPF and therefore may go back to the Strategic Planning Committee for consideration.

It was noted the application for 50 affordable dwellings on the adjacent site (PL/2023/08155) had been upheld at Appeal, as it was for 100% affordable housing. Therefore, this application may not necessarily be turned down following a review.

Recommendation: To inform Wiltshire Council the parish council expect this application to go to a Strategic Planning Committee for a decision.

404/23 Planning Enforcement: To note any new planning enforcement queries raised and updates on previous enforcement queries.

a) Buckley Gardens (PL/2022/02749). To note correspondence from Planning Enforcement in relation to concerns raised by residents of Shails Lane/Semington Road.

Following concerns of nearby residents of work starting on site prior to 8.00am and construction vehicles using Shails Lane to access the site, Planning Enforcement had been informed and undertaken a site visit. With the following agreed:

- New signage to be installed on site showing that vehicle must not exit via Shails Lane.
- Site Access Plan will be supplied to all of the appointed suppliers to ensure that they make no attempt to enter or exit via Shails Lane.
- The installation of David Wilson Homes (DWH) branded signs will be brought forward at the formal site entrance to make it more obvious that this is the correct entrance/location.
- Increased DWH Site Management presence on site to manage traffic flows and deliveries.
- Signage to the entrance of Shails Lane (on Semington Road) has now been installed reminding contractors it is a private road.

b) 46 Belvedere Road, Bowerhill. To note correspondence from Planning Enforcement regarding works to tree subject to a Tree Preservation Order

Following concerns raised the oak tree had been unsympathetically cut back, without a planning application being submitted, Planning Enforcement had been informed and are currently investigating.

405/23 Planning Policy

a) Neighbourhood Planning

- i) To note draft Steering Group minutes of 17 January 2024**

Noted.

- ii) To receive update on NHP#2.**

THIS ITEM WAS HELD IN CLOSED SESSION.

The Clerk asked if Members were happy for Councillor Martin Franks to remain for the closed session items which was agreed.

The Clerk provided an update on progress and sought views of the committee on various challenges made, following Regulation 14 consultation, in order to inform the council representatives (Councillor Pafford and Councillor Baines – substituting for Councillor Glover) at a Neighbourhood Plan Steering Group Workshop meeting later in the week.

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

None to note.

b) Revised National Planning Policy Framework (NPPF)

- i) To note Briefing Note (24-01) from Nic Thomas, Director of Planning, Wiltshire Council on the Revised National Planning Policy Framework (NPPF).**

The Clerk highlighted various points within the Briefing Note regarding revisions to the National Planning Policy Framework (NPPF).

406/23 S106 Agreements and Developer meetings: (Standing Item)

a) Updates on ongoing and new S106 Agreements

- i) Pathfinder Place:**

Members noted, Stephen Hawkins, Wiltshire Council had forwarded Taylor Wimpey a list of remedial works to be completed, which also included the landscaping of the area to the north of the proposed new primary school on Pathfinder Way.

With regard to the play area, the Clerk explained she had placed an item on the Asset Management agenda for 12 February for consideration regarding the outstanding legal transfer. The latest query from Taylor Wimpey was about the requested vehicular access, as there was still a query on what size vehicles would be accessing the site.

Cllr Glover suggested the question was turned on its head and Taylor Wimpey were asked how they would maintain and replace equipment there in the future if it was still their asset.

Resolved: To continue to pursue vehicular access for the play area land transfer, and query Taylor Wimpey on how they would gain access in the future for maintenance and equipment replacement.

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

Members noted correspondence from the Highways Technician in response to concerns from a resident of pooling water and the road condition near Berryfield Park junction in relation to works from this site entrance.

The Clerk explained with regard to concerns of a resident the kerb for the bus stop adjacent to the New Inn was in the wrong place and therefore making it difficult for people with mobility issues and pushchairs to get on and off the bus, this had been forwarded to the Local Highway Improvement Group (LHFIG) to look at.

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

Councillor Wood explained he had researched local field names and had been disappointed to discover none of the fields were suitable as street names.

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

The Clerk asked if Members wished to consider asking for a footpath through their development to the rear of the proposed new primary school on Pathfinder Way, prior to the developer submitting a Reserved Matters application.

Members noted they had previously asked for a footpath along Western Way adjacent to the A365 from the rear of Conway Crescent, however, felt a safer route would be along the northern boundary within the development site itself.

Recommendations: To request a footpath along the northern edge of the development, inside the hedgerow line, to the rear of the proposed new primary school on Pathfinder Way.

b) To note any S106 decisions made under delegated powers

None to note.

c) Contact with developers

THIS ITEM WAS HELD IN CLOSED SESSION.

i) To note feedback following pre application meeting on 31 January.

Members were provided an update following the meeting on 31 January. It was agreed that the notes would be kept confidential due to commercial sensitivity.

Meeting closed at 9.48pm

Signed:.....
Chair, Full Council, 19 February 2024