

**MINUTES of the Planning Committee of Melksham Without Parish Council held on Monday 16<sup>th</sup> December 2024 at Melksham Without Parish Council Offices (First Floor), Melksham Community Campus, Market Place, SN12 6ES at 7:00pm**

**Present:** Councillors Richard Wood (Committee Chair), David Pafford (Council Vice-Chair), Alan Baines (Committee Vice-Chair), Peter Richardson, Mark Harris and Martin Franks

**Officers:** Teresa Strange (Clerk) and Marianne Rossi (Finance & Amenities Officer).

Wiltshire Councillors Nick Holder (Bowerhill) and Phil Alford (Melksham Without North and Shurnhold)

Two members of the public in person and one remotely via Zoom.

**333/24 Welcome, Announcements & Housekeeping:**

Councillor Wood welcomed everyone to the meeting. The housekeeping message was read out to those present. Everyone present was aware that the meeting was being recorded and would be published on YouTube following the meeting and deleted once the minutes were approved.

The Clerk advised that there had been two new planning applications received for large residential development. One for 70 dwellings on land off Woodrow Road and one for 295 dwellings for land off the A3102, which was on land at New Road Farm. Both of these would be considered at the next Planning Committee meeting on Monday 13<sup>th</sup> January, with the Committee confirming that a bigger venue, to the east of Melksham be booked due to the expected interest from members of the public. The town council were also considering both applications, and that would be on Thursday 9<sup>th</sup> January when they would also be receiving a presentation from the developers of the ongoing Upside planning application for 100 dwellings.

**334/24 Apologies:**

The Clerk advised that Councillor Glover was attending a volunteer recognition event and Councillor Franks was in attendance at the meeting as his substitute. The apologies were accepted.

**335/24 Declarations of Interest:** Councillor Richardson declared an interest in the application for 46 Shaw Hill as he knew the applicant. The Clerk reported for transparency that she knew the applicant for the Boundary Farm application. It was noted that these were not pecuniary interests.

**336/24 Dispensation Requests for this Meeting:** None

**337/24 Parish Council standing dispensations relating to planning applications:**

It was noted that the parish council has a dispensation lodged with Wiltshire Council to deal with S106 agreements relating to planning applications within the parish.

**338/24 To consider holding items in Closed Session due to confidential nature:**

It was felt that agenda item 13 relating to employment sites should be held in closed session because it was detailing future plans for local employers which may be commercially sensitive.

**Resolved:** Agenda item 13 be held in closed session for the reasons detailed above.

**339/24 Public Participation:**

A resident of Semington Road spoke to the planning application for 489A Semington Road and felt strongly that the applicant should not be able to extend the scope retrospectively for use of the garage as temporary residential accommodation with a site office and welfare facilities. He felt that the scope would slip again in the future and be an application for permanent residential use; especially as already being used as such. He felt that nothing had changed since the original application for a garage with a condition stating it could not be used for residential accommodation. He also queried the 3-year requirement to cover the building of the adjacent houses that had not been worked on for years, and the need for a single storey extension as he did not believe either was required.

The resident also wanted to find out more about the operation and potential for any emissions and traffic issues from the proposed Pet Crematorium at Boundary Farm.

Wiltshire Councillor Phil Alford explained that he had spoken to the applicant for the application for the siting of a shunt reactor at the Melksham Substation in Westlands Lane and it was not related to any proposals for the potential Lime Down Solar project. The shunt reactor is to be installed to regulate the electricity and related to the burying of new, more efficient cables for the AONB in Wessex Downs. They were also working on another project to replace conductors and link to the Bramley substation.

With regards to the recent Middle Farm (land at Corsham Road) application which is a site allocation in the adopted Melksham Neighbourhood Plan 1 and submission version of the reviewed Melksham Neighbourhood Plan 2, Councillor Alford has called it in for a Committee decision but will withdraw it if the conditions requested by the Parish Council are incorporated into the decision.

Wiltshire Councillor Nick Holder was interested in hearing the discussion on the application for Blenheim Park as in his Ward, and also wanted to update further to a Wiltshire Council briefing on the new NPPF (National Planning Policy Framework) changes in relation to the agenda items about the Blackmore Farm application being considered by the Wiltshire Council Strategic Committee in the new year.

The understanding from the recent briefing from the Deputy Prime Minister is that it will be difficult/impossible to call in planning applications for committee decision that are site allocations in adopted Neighbourhood Plans or Local Plans. This is because it's deemed that the site has already been consulted on as part of the plan making process. At present, this is not the case with the Blackmore Farm application for 500 dwellings due to be considered on 23<sup>rd</sup> January.

The current application for land at Snarlton Farm for 300 dwellings is not a site allocation in either Plan and therefore has been called in for a Committee decision.

The new application for 295 dwellings at New Road Farm is not expected to be a Committee decision, despite its size, as a Local Plan allocation, significant consultation undertaken locally by the developers with the community, 40% affordable housing in line with the Local Plan and adhering to guidance in the Wiltshire Design Guide.

With regard to ongoing issues at Pathfinder Place, in particular the recent flooding issues, a site meeting is being arranged for January to arrange some temporary drainage solutions as the site for the proposed primary school which has been transferred to Wiltshire Council will not have a permanent drainage solution installed until the school built. A temporary drainage solution is therefore being arranged.

The site for 210 houses and 70 bed care home at Land Southwest of Western Way has still not been put out to sale to the open market by the developers following its permission given at Appeal.

Councillor Holder had also got involved with the ongoing planning enforcement issues on Semington Road for the Living Spaces development to the rear of Townsend Farm, although not in his Ward, and had raised with the new Wiltshire Council Chief Executive Officer that any further enforcement action required would be raised directly with her the following day. Councillor Franks confirmed that at present the developers were not using the prohibited access off the A350.

Two residents that had an interest in New Road attended the meeting but did not wish to speak and one resident attending the meeting on Zoom was interested to hear more on the application for Blackmore Farm as a resident of Sandridge Road.

**340/24 Planning Applications:** The Council considered the following applications and made the following comments:

**a) PL/2024/10586: Boundary Farm, 620 Berryfield Lane, Melksham, SN12 6EF.**

Construct a small timber building on an existing agricultural yard. Install a steel container, change of use to a sui generis use as a pet crematorium.

**Comments:** No objections

**b) PL/2024/10467: 46, Shaw Hill, Shaw, Melksham, SN12 8EY:** Repairs to stone tile roof using existing Cotswold stone tiles on new treated battens on Tri Iso Insulation on existing rafters (retrospective).

**Comments:** No objections

**c) PL/2024/10216: 14-15 Blenheim Park, Bowerhill, Melksham, SN12 6TA.**

Change of use from two flats to a single dwelling and erection of a proposed rear conservatory. **Comments:** No objections

d) **PL/2024/10025: 486 Semington Road, Melksham, SN12 6DR.** Sub-division of existing house with alterations with porch and rear single storey extension to form 2 dwellings

**Comments:** No objections

e) **PL/2024/09954: Melksham Substation, Westlands Lane, Beanacre, Melksham, SN12 7QQ.** Expansion of Existing Substation to Allow for the Siting of a New Shunt Reactor

**Comments:** The parish council have **NO OBJECTIONS** but do make the following points and asks for them to be taken into consideration.

- Please be aware that the Existing Substation and site are on the direct migration route from the Bath and Bradford on Avon SAC to Drews Pond Wood LNR, Devizes – please refer to the Corsham Neighbourhood Plan Batscape Strategy, Page 33 and all the references to direct migration routes. The parish council believes that this should be considered.  
<https://www.wiltshire.gov.uk/media/549/Corsham-Batscape-Strategy/pdf/sppnp-corsham-batscape-strategy-reduced.pdf?m=637102851057030000>
- The Great Crested Newt survey is believed to be deficient. The largest pond, one of four, was not surveyed due to a health and safety risk. There are known to be significant reports of great crested newts in that general area, with 60 recorded as part of the evidence surveys for Lime Down Solar  
<https://national-infrastructure-consenting.planninginspectorate.gov.uk/projects/EN010168> within 100 metres of the site.
- The Noise report does not address any noise from operation, only from construction. The noise from both construction and operation should be considered carefully, as there have been complaints to the parish council and the Wiltshire Council public protection team from Corsham Road residents, due to the BESS (Battery Energy Storage System) schemes currently being installed and enlarged from both construction and operation – please contact Peter Nobes in Public Protection for more info. 17/0411, 17/04110, 22/02615, 22/02614, PL/2024/01377 and PL/2024/01378 refer.
- The parish council request that any mature trees that have to be removed are replaced with mature trees and not saplings. Please refer to Policy 16 Trees and Hedgerows in adopted Joint Melksham Neighbourhood Plan 1, and Policy 17 Trees and Hedgerows in submission version of Joint Melksham Neighbourhood Plan 2 (currently at Reg 16 27/11/24 -22/01/25)
- **Highways/Construction Traffic:**
  - With 32,400 additional traffic movements this needs careful review, for both Corsham Road and Westlands Lane. Corsham Road with the primary school and peak time traffic congestion and the narrow

Westlands Lane. This includes 500 crane movements, 1,818no. 20-tonne rigid axle tippers, 792no. concrete wagons, 2,400no. 20-tonne flatbed articulated lorries.

- It's noted that the construction period is 90 weeks and that this may coincide with other schemes close by, which could exacerbate highway issues.
  - PL/2024/09725 Land off Corsham Road, Whitely, outline planning application for 22 dwellings with new access off Corsham Road. This is still under consideration and is on the corner of Corsham Road and Westlands Lane.
  - Please see links to the Notice and Indicative Plan for a Temporary Traffic Regulation Order (TTRO) for Westlands Lane, Melksham Without commencing 4th February 2025. Which is for Morrison Energy Services working for National Grid connecting multiple customers generator schemes that will be connected to the Melksham substation for “Melksham Grid Park 4.4 project.

[https://api-gb.one.network/downloads/tm/1142/notice-2-sl\\_cde88c8b2b.pdf](https://api-gb.one.network/downloads/tm/1142/notice-2-sl_cde88c8b2b.pdf)

[https://api-gb.one.network/downloads/tm/1142/indicative-plan\\_141127233\\_3833228\\_3159da0ffa.pdf](https://api-gb.one.network/downloads/tm/1142/indicative-plan_141127233_3833228_3159da0ffa.pdf)

The closure can also be found on [one.network](https://one.network) here: <https://one.network/?tm=141127233>

- Over the years we have had experienced calls and issues related to traffic not adhering to any Construction Management Plan for access to the National Grid site and the newly, and currently being, installed BESS sites. This application requires a robust and enforceable construction access plan that is closely monitored and enforced. There needs to be signage at the junction of the A350 and Westlands Lane to say that all construction traffic must not use that route, but via Corsham Road and Westlands Lane to avoid the weight limit bridge. In the past, drivers have cited the “apart from access” sign as a means to use the route from the A350; they have also shown paperwork stating access via the A350, and/or their sat nav directing them via the A350. There needs to be signage as vehicles exit the National Grid site to say “no right turn”. Deliveries when booked to go to site must inform the drivers to not access via the A350. See photos of lorry grounded on the weight limit bridge on 27<sup>th</sup> November 24 which blocked the road for some time.

- f) **PL/2024/04753: Land adjacent to 6 Guinea Cottage, Forest Road, Melksham, SN12 7RB.** Erection of new residential farmhouse dwelling. (resubmission of PL/2022/02675)

**Comments:**

At least 3 of the documents, including the site location plan and the elevations state "The Piggery, Bulkington", we assume that this is an error and the applicants' home address and not the site address, but can this be checked please, as the plans are therefore ambiguous or not applicable.

Despite the documentation dated April 24 stating that the area had not flooded, there have been 3 incidents of internal property flooding of a property in close vicinity, in January, September and November 2024 (but not 40 years before). Water at that stage was substantial in the site area, with anecdotal evidence that it was well past "welly boot" level. This internal property flooding is known to the Drainage team and following Government funding for Storm Henk in January 2024, Atkins, working for Wiltshire Council, visited in late November and are producing a report to inform flood prevention measures. Melksham Without Parish Council are happy to pass on details of that property to the Planning Officer, whilst retaining confidentiality for the homeowners.

Melksham Without Parish Council have **NO OBJECTIONS** to the application so long as the rural agricultural tie is in place, there are no access issues and that adequate flood mitigation measures are put in place.

- g) **PL/2024/09323: 489A Semington Road, Melksham, Wilts, SN12 6DR.**

Retrospective use of building as a site office/store/welfare facilities and residential accommodation for a temporary period of three years by the owner/project manager in connection with the on-going development of the adjacent sites.

**Comments:** Melksham Without Parish Council **STRONGLY OBJECTS** as it contravenes the planning conditions of the original application for the garage, which is for it to remain as a garage. PL/2021/06824 refers.

Condition 3: The [extension/accommodation] hereby permitted shall not be occupied at any times other than for purposes ancillary to the residential use of the main dwelling and it shall remain within the same planning unit as the main dwelling.

Condition 5: The ground floor garages of the development hereby approved shall be retained as ancillary garages and shall only be used for the storage of motor vehicles and nothing else for the lifetime of the development. REASON: In the interests of ensuring sufficient off street parking is retained on site and that a safe and suitable access is achieved and preserving highway safety.

**341/24 Amended Plans/Additional Information:** The Council considered the following Revised applications and made the following comments:

- a) **PL/2024/09606: 238 New Road, Melksham, SN12 7QY Proposed garage/store.** **Comments:** No objections

- b) **PL/2023/11188: Land at Blackmore Farm, Sandridge Common, Melksham, SN12 7QS** Demolition of agricultural buildings and development of up to 500 dwellings, up to 5,000 square metres of employment, land for a primary school, land for mixed use hub, open space.
- i) **Comments:** The parish council still STRONGLY OBJECT to this application due to the health and safety implications of the single access off the A3102. The comments that the parish council have previously submitted over the last year still stand. The parish council supports plan-led development, but feels strongly that this application does not align with the policy in the Local Plan, with only one access, it also notes it's for 75 more dwellings than the policy states.

### **Relocation of the Employment Land**

Concerning the revised plans, the parish council OBJECT to the revision to move the employment land from the North East to the South West. The parish council understand from the Planning Officer that this was done to make the plan more aligned with Policy 18 in the draft Local Plan. On looking at the policy Figure 4.12, that made sense when the access was coming from Eastern Way as directly off the distributor road Eastern Way, straight into the employment area. The parish council OBJECT to the increased traffic for the employment land now accessing the employment land via the A3102, travelling the length of the development on an estate road, past the primary school and the residential development – it is felt that it's very unlikely that those accessing the employment land will all be living on the development and walking to work. This will put more traffic pressure on the single access to the site on the A3102 at peak times, with residents out commuting and workers on the employment site and school attendees coming in to the development at the same time. The parish council suggests that this planning application conflicts with the new NPPF paragraph 115 “b) safe and suitable access to the site can be achieved by all users” and “d ) any significant impacts from the development on the transport network (in terms of capacity and congestion), or on highways safety, can be cost effectively mitigated to an acceptable degree through a vision led approach”.

And feel that 116 applies “Development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network, following mitigation, would be severe....”

### **Sustainable Transport:**

The parish council have previously raised that they wish to see any comments from Active Travel England, as they feel that they put forward constructive comments for the planning application for the adjacent site at Land at Snarlton Farm. These are not available on the online portal for viewing, if they have been received can they be uploaded please, and if not received, can they be chased please to inform this decision making process.

### **Emergency Access:**

The other revision to the plan was to update the emergency access route on the plan, but this is only for emergency vehicles using the pedestrian/cycle

way. If there was an accident/incident/road works on the junction of the A3102 and the development, how would the residents of the 500 houses, the school pupils/staff and those working at the employment land be able to exit or come into the development?

**Community Hub:**

The land for the community hub looks to be wholly inadequate to provide a building and car park to serve the community of the new development and needs to be much bigger. We are unable to scale off the drawing, is this something that can be provided to the parish council so that they can compare it to the size of the village hall recently built at Berryfield for example? Please note that the parish council do not feel that community use of the primary school is an acceptable solution, this was done with the relatively recently built Forest & Sandridge School with many issues accessing it for community use in practical terms, especially as it's not available during the day. As per the previous comments, the parish council wish to discuss the community hub provision to ensure that a holistic approach is adopted when in consideration with other current planning applications for s106 funding from adjacent sites at Land at Snarlton Farm and Land at New Road Farm. It may be that funding could be secured from the Snarlton Farm application, if Wiltshire Council were minded to approve the application, to fund a larger community hub/centre that could serve both developments. The parish council urge that these options are investigated rather than two community centres being provided on adjacent sites, as well as the one to be built by Melksham Town Council on the Hunters Wood/The Acorns development; leading to an unsustainable proposition.

**Further discussions:**

This is a large development, bigger than some villages in Wiltshire, and the parish council feel that they have an important part to play in the planning process with their local knowledge. The parish council query if their comments that were submitted to the Local Plan review consultation on this policy have been taken into account. The parish council's route to see what conditions and s106 clauses are being suggested, and to be able to comment on them, is via the Planning Committee as there would be sight of the Officer's Report in the agenda papers. Can you please advise if this will still be the planning decision route following the publication of the latest NPPF; and if not, what mechanism there will be for the parish council to have sight and comment on the decision details proposed. The Melksham Neighbourhood Plan is an important and relevant part of the Development Plan and still valued as such in the newly published NPPF.

- ii) To consider information from Melksham Town Council regarding progress with East of Melksham community centre to inform/updateresponse on that aspect:** The Clerk reported that she



understood that no further progress had been made, and no planning application submitted.

iii) The Committee noted that this application is likely to be considered at the Wiltshire Council's Strategic Planning Committee on Thursday 23<sup>rd</sup> January 2025 at 10.30am

**Resolved:** The parish council register the following councillors to speak to this application at the Committee meeting:

- Councillor Richard Wood, Chair of Melksham Without Parish Council Planning Committee
- Councillor John Glover, Chair of Melksham Without Parish Council
- Councillor David Pafford, Chair of Melksham Neighbourhood Plan (and Vice Chair of Melksham Without Parish Council)

**342/24 Current planning applications: Standing item for issues/queries arising during period of applications awaiting decision.**

**a) Land south of Snarlton Farm, Snarlton Lane, Melksham, SN12 7QP (Planning Application PL/2024/07097)**

i) **To consider information from Melksham Town Council regarding progress with East of Melksham community centre to inform/update response on that aspect:** Councillor Harris reported on this item, having attended the recent Town Council meeting when it was discussed, and there had been no further progress made. There was further discussion on the lack of progress and a formal request for an update be requested of the town council.

ii) The Committee noted that this application is likely to be considered at a Wiltshire Council Planning Committee early in the New Year, either 23<sup>rd</sup> January or 12<sup>th</sup> February.

**Resolved:** The parish council register the following councillors to speak to this application at the Committee meeting:

- Councillor Richard Wood, Chair of Melksham Without Parish Council Planning Committee
- Councillor John Glover, Chair of Melksham Without Parish Council
- Councillor David Pafford, Chair of Melksham Neighbourhood Plan (and Vice Chair of Melksham Without Parish Council)

**b) Land off Corsham Road, Whitley, Melksham (Planning application PL/2024/0975)** Outline planning application (with access, layout and landscaping to be approved) for up to 22 dwellings, new access off Corsham Road, public open space, drainage and associated works.

The Clerk explained that whilst the Wiltshire Council Drainage team had commented on this application, it had not commented on the Neighbourhood Plan policy points raised by the parish council about wider flood mitigation and would follow up to ensure that they saw the comments made, with a request to endorse them.

**Resolved:** To council confirm the Clerk's request for the "call in" of the application for a Wiltshire Council planning committee decision, due to the Conditions requested by the parish council.

**c) 52e Chapel Lane, Beanacre (Planning Application PL/2023/05883)** Erection of three dwellings, with access, parking and associated works including landscaping.

The Clerk had drawn to the Drainage team's attention that they had not commented on this application further to the submission of Flood Risk analysis documents, which they had now done, and raised some concerns. Members therefore queried the response as it was "support, with conditions" and asked the Clerk to seek clarification.

**343/24 To note "next steps" following objections made to Street Trading consent application for Westinghouse Way, Bowerhill, Melksham, SN12 6SP:** To site a 16ft trailer between the times of Monday – Sunday inclusive from 3.30 p.m. – 11.00 p.m for the sale of food.

The Clerk reported that this application had been refused due to the objections received. It was noted that the new NPPF (National Planning Policy Framework) prohibited this type of street trading where young people congregate.

**344/24 To note decision on Premises Licence Application for the New Inn Public House, Semington Road, Berryfield, Melksham, SN12 6DT:** For ON and OFF Sales of Alcohol.

The Clerk reported that this licence was granted, no objections had been received.

**345/24 Planning Enforcement:** To note any new planning enforcement queries raised and updates on previous enforcement queries.

**a) Land West of Semington Road, Melksham (Townsend Farm)**

The Clerk reported that when the members met with the developers a few days ago, they mentioned that the CEMP (Construction & Environmental Management Plan) Version 5 was about to be approved and the condition discharged, however when she asked to see it, she was provided with V6, and there were still omissions and errors which she had asked to be addressed, with the Planning Officer following this up.

At the meeting, the developer explained that they had agreed that a stop notice could be put on them by Wiltshire Council if they did not adhere to the CEMP, which confirmed that this was the first time it had been agreed with Wiltshire Council despite the requests of the parish council for this type of strong enforcement action since early August.

**b) Land East of Semington Road, Melksham (Buckley Gardens)**

The Clerk reported that a resident had reported that were regular instances of the construction work started on site at 7am, earlier than the permitted time and sought confirmation from the members that she should endorse the resident's concerns with Wiltshire Council Enforcement, which they did.

There was also no road signage on the development, despite the recent first occupations, and this did not meet with the planning permission conditions. This had already been raised with the Street Naming officers at Wiltshire Council, who had raised it with the developers. A plan of the new road layout and names had been supplied to the parish council but was not yet in the public domain.

## **346/24 Planning Policy:**

### **a) To consider submission of the Wiltshire Local Plan to the Secretary of State for Examination**

Members noted that Wiltshire Council had announced that on 28<sup>th</sup> November 2024 they had submitted the draft Local Plan review to the Secretary of State for independent Examination.

Councillor Richardson raised concerns that there was no visibility of the changes made as a result of the wide consultation process. During the process, Members had been informed that the comments submitted were to be packaged and submitted to the Examiner, but were concerned that views had not been taken into account. This was unlike the recent Melksham Neighbourhood Plan review process, which had clearly identified the individual comment, with an individual response as to whether the plan had been changed to reflect the response or not, and why. The press release from Wiltshire Council said “Representations that were made during the Regulation 19 pre-submission consultation, along with a schedule of proposed changes have been submitted alongside the prescribed submission documents.”

Members had not been able to identify similar documentation as to the Neighbourhood Plan process, whilst they could see the comments made, there was no reference to them being considered and the Plan being changed as a consequence of an issue raised. This was concerning as the new NPPF (National Planning Policy Framework) changes mean that applications for developments that are Local Plan allocations could be automatically approved, without going to Committee for decision, as the presumption is made that they have been properly consulted on as part of the Plan making process.

Members shared concerns in their confidence of the Local Plan if views submitted had not been considered, as well as their disappointment and frustration at the amount of time, effort and resources that the parish council, and community groups like CAWS (Community Action: Whitley & Shaw) had spent reading the Local Plan review documentation and responding to the consultation questions which had been very time consuming.

It was noted that the new NPPF says:

16c “Plans should be shaped by early, proportionate and effective engagement between plan-makers and communities, local organisations, businesses, infrastructure providers and operators and statutory consultees”

**Resolved:** To ask Wiltshire Council to clarify if the comments submitted to the Local Plan consultation were considered, and if so, to point the parish council to the evidence of that consideration and the changes made to the Plan as a result. Reassurance is sought that the Local Plan has been shaped as per the NPPF 16c requirement.

**b) To consider any update expected from the Government on proposed changes to the NPPF (National Planning Policy Framework)**

The new NPPF was issued on 12<sup>th</sup> December 2024. It was still very early days, and the Clerk commented that professional bodies would hopefully be providing an analysis of key points at some stage. From an initial quick look the relevant key points were:

- A 5-year land supply figure is restored, with a 5% buffer, but 20% if the local authority cannot demonstrate that they have met 80% of the target over the last 3 years, which would effectively give a 6-year land supply requirement; of the new housing target. In addition, it confirmed that applications with outline permission count towards the land supply figure, which had been called into query by Barristers at recent Appeal hearings. It also stated that the land supply figure was the annual published figure by the local authority.
- Paragraph 14 protection remains for Neighbourhood Plans within 5 years of being made, but if the applicant can demonstrate that the benefit of conflicting the Neighbourhood Plan policy outweighs the harm caused, then it can be approved; this is likely to be a decision made at Appeal as based on opinion.
- If a Plan is submitted before mid-March 2025 then it will be considered against the previous NPPF, this means that the review of the Melksham Neighbourhood Plan meets these transitional arrangements as submitted on 10<sup>th</sup> November; as well as the Local Plan submitted on 28<sup>th</sup> November.

**Resolved:** To ask Wiltshire Council what they have calculated the shortfall over the last 3 years to be, to give a guide to the buffer being applied to the 5-year land supply.

**c) Melksham Neighbourhood Plan review:** The Clerk reported that details of suitable Examiners would follow shortly, for a decision to be made. An update on progress with local neighbourhood plans at Calne, Semington and Westbury was shared.

347/24C

**To consider update regarding lack of employment space and consider any parish council actions**

This item was held in closed session, but with Wiltshire Councillor Mike Sankey to remain in the meeting in his role as Wiltshire Councillor.

Members confirmed that they still wished the parish council to raise concerns with Wiltshire Council on the lack of employment land allocated in the Local Plan in Melksham. 5 hectares had been identified at Bowerhill, which Wiltshire Council owned and were progressing for their own use. 5 hectares had been allocated in the Local Plan on the Blackmore Farm site allocation (Policy 18) but the application for that site was for offices, not industrial use, meaning that there was no identified new land for industrial use in the Melksham area despite the requirements.

348/24

### **S106 Agreements and Developer meetings: (Standing Item)**

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

- i) **Pathfinder Place:** The Clerk had reviewed the triggers in the s106 agreement and noted that the £58,000 (index linked) for the Davey Play area was payable to the parish council on transfer of the play area, which should have been at 90% occupation, with the site currently 100% occupied which Wiltshire Council had confirmed. This was being followed up, as the occupation trigger point had passed; along with chasing the identified work that needed doing on the play area before transfer.

Members noted the Wiltshire Council Briefing Note regarding footpath through to Burnet Close.

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

The Clerk had reviewed the triggers in the s106 agreement and had followed up the public art payment of £49,061.94 which Wiltshire Council had actually received on 13<sup>th</sup> October 2023. The Clerk had explained to the Public Art Lead that the parish council would like to be involved with the public art scheme and it was agreed that someone would be in touch in due course, as a new part time member of staff to work on such schemes was being recruited in the new year.

The Clerk listed the items that should have been in place before occupation, with about 9 dwellings occupied already. Anecdotal evidence from the Sales Office was that it was mainly people from Melksham that were moving in.

- iii) Members noted the temporary closure of the Right of Way for construction works of new footpath to the rear of Melksham Oak school. Other members raised that the existing traffic islands did not line up with the Right of Way and Wiltshire Councillor Mike Sankey reported that the Town Council were raising a LHFIF (Local Highways & Footway Improvement Group) request to get them aligned.

**b) Contact with developers: Land to rear of Townsend Farm for 50 dwellings (PL/2023/00808)**

Members of the Planning Committee met with Luke Webb of Living Spaces on Thursday 12<sup>th</sup> December. They discussed the current planning enforcement issues, as detailed in Min. 345/24.

They also requested the change of location of the bus stop as detailed in the s106 agreement with the developer confirming that this was not an issue as long as money had not been spent on technical work to date. Which was frustrating as the parish council first raised this in July.

Meeting closed at 9:21 pm

Chairman, 27<sup>th</sup> January 2025