

MINUTES of the Planning Committee of Melksham Without Parish Council held on Monday 23rd September 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), John Glover (Council Chair), David Pafford (Council Vice- Chair), Alan Baines (Committee Vice- Chair), Martin Franks, Peter Richardson, and Mark Harris.

By Zoom: A resident at the beginning of the meeting, and Wiltshire Councillor Mike Sankey.

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

204/24 Welcome & Housekeeping:

Councillor Wood welcomed everyone to the meeting; as there were no members of the public in the room and everyone in attendance regularly attended council meetings, the housekeeping messages did not need to be read out. 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.

205/24 Apologies:

The Clerk advised that officers had not heard from Councillor Chivers; however, Councillor Franks was in attendance at the meeting as his substitute as per a standing arrangement in place.

206/24 Declarations of Interest:

Councillor Franks declared an interest in agenda item 11a New Inn pub, as a resident of Berryfield.

207/24 Dispensation Requests for this Meeting: None

208/24 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.

209/24 To consider holding items in Closed Session due to confidential nature:

The Clerk advised that there were no items that needed to be held in closed session, but she had not included in the public domain the agenda paper under item 11a as the member of the public could be identifiable. It was also noted that when the agenda was issued, the New Road Farm proposals were not in the public domain; however, these had now been issued publicly by the developers.

During the meeting, part of the discussion relating to the Neighbourhood Plan under agenda item 12 was subsequently put into closed session due to an item discussed being confidential.

The council agreed to suspend standing orders for a period of public participation.

210/24 Public Participation:

Wiltshire Councillor Sankey was present on Zoom and wished to observe the meeting. There was one member of the public present on Zoom who wished to speak on agenda item 11c concerning vibration monitors on the Townsend Farm site.

The resident explained that her home was adjacent to the Land West of Semington Road development (Townsend Farm), and since work had started, her house vibrates every time diggers and machinery travel across the site behind her property. She had contacted the developers to request that vibration monitors be installed to ensure that it was below the level that would not cause damage to her property. The resident advised that cracks had now developed in areas of her home. She was still waiting for the first vibration monitor report from the Health and Safety adviser on site and queried whether the parish council had received any information with regard to this. The resident explained that the vibration monitors should be positioned as close as possible to the property and had advised the site health and safety manager of this. She did receive a response from the manager advising that it was positioned on the boundary but would consider moving it after 7 days; however, this was now around 10 days ago.

Separately, she was interested in hearing feedback from the land to the rear of the Townsend Farm appeal hearing, which took place on the 10th & 11th September.

The council reconvened and brought the above agenda items forward for discussion.

211/24 Feedback from land to the rear of Townsend Farm Appeal Hearing 10th & 11th September (Part 1):

Councillor Pafford advised that he attended the hearing and spoke on behalf of the parish council and the Melksham Neighbourhood Plan. Wiltshire Councillor Seed was also in attendance and had also objected to the development. He explained that he had tried to make the case that the Inspector should declare in favour of the Melksham Neighbourhood Plan; otherwise, it undermined every neighbourhood plan in Wiltshire. He advised that at that stage the parish council had already been made aware that Wiltshire Council were not going to defend the appeal because, at a recent appeal on another development, the developer proved to the Inspector that Wiltshire Council only had a 3.85-year land supply. The current NPPF (National Planning Policy Framework) require the council to have at least a 4-year land supply. As a result, they conceded the appeal and decided not to contest this one. It was noted that the judgement will not be declared until at least Wednesday 25th September.

212/24 Land West of Semington Road, Melksham (Townsend Farm) update following resident request to developers to install vibration monitors on site:

The Clerk advised that she had not heard anything in regard to the vibration monitors and was only made aware of the issues by the resident . It was felt that the parish council should contact the developers in support of the resident's request for a regular vibration report to be issued, including a copy to be sent to the parish council. Councillor Seed should also be asked to support this request.

It was agreed that the resident would copy the Clerk into any correspondence between herself and the developer.

Recommendation: The parish council contact the developers of this site and request that regular vibration monitor reports be issued, which includes a copy to be sent to the parish council. Councillor Seed should also be asked to support this request.

The resident left the meeting.

213/24 Planning Applications: The Council considered the following applications and made the following comments:

- a) **[PL/2024/07831](#): 24 Hercules Way, Bowerhill, Melksham, SN12 6TS:** Change of use from yard (storage facility) to car sales lot. Applicant: Mr. Spencer.
Comments: The parish council have no objections.
- b) **[PL/2024/07429](#): Sandridge Park House, Sandridge Park, Sandridge Common, Melksham, SN12 7QU:** Retrospective permission for subdivision of dwelling to form 1 no. 2 bedroom apartment to ground floor with associated amenity area and parking. Applicant: Mr. Selby.
Comments: The parish council have no objections.

214/24 Revised/Amended Plans/Additional Information: To comment on any revised/amended plans/additional information on planning applications received within the required timeframe (14 days).

- a) **[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 (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.

The Clerk explained that only a few changes had been made to this application, mainly in connection with a new proposed access junction onto Sandridge Common Road from the development. It was explained that there had been a minor change to the red line drawing to accommodate the requested change by Wiltshire Council to the A3102 junction arrangement from a roundabout. The junction will now be a ghost island priority junction. The parameter plans have also been updated with some environmental aspects. It was noted that the parish council had previously expressed that they were not happy with the access to the development, as the only vehicle access proposed is off the A3102, which was the only access to the development. It was noted that the proposed main access does not match what is included in the draft Wiltshire Local Plan allocation, as the main access should be off of the Skylark Road roundabout onto Eastern Way, which is in agreement with the parish council. Members reviewed the comments made by the Wiltshire Council Sustainable Transport Officer and wished to endorse these comments. It was noted that the consequence of only having one access in and out of the development will result in the bus service having to go in and out the same way, which causes all kinds of operational issues.

Members felt that the council should reiterate their comments that have been made before on this application in particular with regard to the singular access onto the site, which isn't sustainable.

The Clerk advised that Wiltshire Councillor Sankey had asked whether the council wished to request any tree preservation orders (TPO) on trees in the development.

The council agreed to suspend standing orders to allow Wiltshire Councillor Sankey to speak on this item.

Wiltshire Councillor Sankey explained that there were a number of mature oak trees around Blackmore Farm and was conscious of the need to protect the mature trees.

The committee reconvened.

Members felt that the council should include in their comments that the mature trees and hedgerows should be retained.

Comments: The parish council would like to reiterate their previous comments with regard to this application. In particular, with regard to only having one access to the development off of the A3102, which is not suitable for the reasons expressed previously. The council would also like to request that the mature trees and hedgerows be retained at the site of this development.

- i. **Response from Wiltshire Council Sustainable Transport department on the above application**

This item was discussed above.

215/24 Lime Down Solar: Planning Inspectorate 'Opinion' in response to the EIA (Environmental Impact Assessment)

Councillor Richardson explained that a lot of the issues that the developer was trying to put out of scope have now been put back into scope by the Inspector, but not all. He advised that this was a good step forward with making the EIA more robust, but there were still gaps.

Members noted the Planning Inspectorate response to the Environmental Impact Assessment.

216/24 Planning Appeals & Decisions:

a) Feedback from land to the rear of Townsend Farm Appeal Hearing 10th & 11th September (Part 2):

The Clerk advised that the Inspector kept referring back to the parish council during the appeal, which felt gratifying as they were being included in discussions. This included when the planning conditions were reviewed. It was noted that all the changes to the conditions and the Section 106 agreement were all things that the parish council had asked for. The Clerk explained that the following conditions were added in:

- The developer has to apply for reserved matters within two years not three years.
- The site access has to be clearly defined on phase two of the development if approved.

In terms of the S106:

- There was £75,000 for a safe walking route to Pathfinder School. It was noted that it was the decision of the Department of Education whether the school went ahead and as such the money will still be included to improve safe walking if the school didn't go ahead.
- The parish council to have first refusal on the play area. It was noted that in the S106 the developers would either have to construct a play area or provide a one-off play area contribution.

It was felt that for future applications, Wiltshire Council should always ask for reserved matters to be submitted within two years, so this can be incorporated in the housing land supply figure.

Recommendation: The council request to Wiltshire Council that for future applications they should always include a planning condition that reserved matters should be submitted within two years.

b) Approval of application for Proposed Primary School, Land at Pathfinder Way, Bowerhill.

Councillor Baines advised that Wiltshire Councillors Holder, Sankey, and himself attended the Wiltshire Council Western Area Planning Committee held on 4th September where the proposed primary school was considered. Some of the items discussed were the safe access for pedestrians from Berryfield to the new school as well as the right turn coming out of the school onto Pathfinder Way. The Highway engineer had assessed the right turn in and concluded that the right turn lane in the centre of Pathfinder Way was the best option to use as it did provide some capacity for vehicles to turn in. Otherwise, vehicles waiting to turn left into the school would interfere with the flow of traffic northbound on Pathfinder Way. With regard to concerns raised about vehicles turning right out of the school, there will be an island that forces vehicles to turn left, which has been incorporated as a planning condition.

c) Land off Littleworth Lane, Whitley Tree Preservation Order:

The Clerk advised that this had been confirmed before; however, the order has been amended to include the woodland, which had been omitted previously. Members noted this.

217/24 Current planning applications: Standing item for issues/queries arising during period of applications awaiting decision.

a) 52e Chapel Lane, Beanacre (Planning Application PL/2023/05883) Erection of three.

The Clerk advised that nothing new had arisen with regard to this application since the last meeting.

b) 35 Westlands Lane, Beanacre (Planning Application PL/2024/05016 To build three-bedroom detached house.

Members noted the correspondence received from a resident with regard to this application. It was noted that these comments came after the parish council discussed the application.

218/24 Planning Enforcement: To note any new planning enforcement queries raised and updates on previous enforcement queries.

a) Excessive noise and breach of licence conditions at the New Inn public house, Semington Road complaint:

The Clerk advised this had been sent to the parish council as well as Wiltshire Councillor Seed. This had now been sent to Wiltshire Council for investigation. This was noted.

- b) **489a Semington Road: Response from Wiltshire Council regarding next steps following the refusal of the Certificate of Lawfulness for the use of the annexe:**

It was noted that to date there was no update on this item.

219/24 Planning Policy

- a) **Neighbourhood Plan update:**

The Clerk explained that the draft Neighbourhood Plan was on the agenda for approval at the Steering Group meeting on Wednesday 25th September. This would then be considered for approval by both the parish and town councils as the Qualifying Bodies at their respective meetings on the 7th and 8th October.

Councillor Glover advised that he had a prior arrangement and would need to leave the meeting early. If the meeting has not finished by the time he needs to leave, he would need a substitute. Councillor Baines advised that he was attending the meeting and was available to substitute for Councillor Glover at the meeting.

The meeting went into closed session.

- b) **Calculation on how many dwellings a care home equates in housing numbers:**

The Clerk advised that she had asked Wiltshire Council what the calculation was for determining how many dwellings a care home equated to. It was advised that the bed spaces-to-dwellings ratio is 1.83 (the calculation is to divide the amount of bed spaces by 1.83), which is in accordance with the 2011 Census figures.

Members noted that this will be helpful in the future and the Clerk suggested she send these revised figures to the Snarlton Farm planning application as an update on the housing numbers committed.

- c) **Review of NPPF (National Planning Policy Framework) response before submission (Deadline 24th Sept)**

The Clerk advised that at the Full Council meeting on 9th September the council asked for the Neighbourhood Plan consultants to have a look over Councillor Richardson's comments to see whether any needed to be incorporated in the parish council's response. The Clerk advised that due to other projects they had been unable to do this; however, the Clerk had gone through and undertaken an analysis of where they differed. Members agreed that the response written by the consultants on behalf of the parish council should be submitted.

Please see Appendix 1 attached to these minutes for the parish council's response to the NPPF.

Resolved: The council submit the response as put together by the Neighbourhood Plan consultants on behalf of the parish council.

220/24 S106 Agreements and Developer meetings:

a) Updates on ongoing and new S106 Agreements:

i) Pathfinder Place:

The Clerk advised that the solicitor had advised that the vehicle access plan submitted had been accepted. Councillor Glover explained that he attended a meeting with the developers, and he understood that current documents appeared to show vehicular access to the management company only. The Clerk has asked the solicitors if they can confirm whether vehicular access also includes the parish council but was still waiting for a response. It was noted that until this matter was resolved the parish council were unable to adopt the play area.

ii) Buckley Gardens, Semington Road:

Councillor Baines explained that there appeared to be some dwellings occupied. He had witnessed vehicles parked on driveways. Councillor Wood advised that last time he had attended the site, vehicles were there but people had not moved in yet. He understood that some properties had been sold but they had not officially moved in, therefore, they were not considered to be occupied yet.

iii) Land to rear of Townsend Farm for 50 dwellings:

Councillor Franks advised that the rear entrance off Western Way A350 was still being used; the Clerk advised that this was with planning enforcement.

iv) Land South of Western Way for 210 dwellings and 70 bed care home:

No updates.

v) To note any S106 decisions made under delegated powers:

None.

b) Contact with developers

i) Notes from meeting held with Bloor Homes regarding New Road Farm:

Members reviewed the notes from the meeting held with Bloor Homes on Thursday 19th September and approved that they were an accurate record of the meeting. In line with the Council Pre-App policy, the notes from the meeting held on 19th September 2024 are included within the minutes below:

**DEVELOPER PRE-APP MEETING NOTES
BLOOR HOMES RE PROPOSALS FOR DEVELOPMENT AT NEW ROAD FARM
THURSDAY 19TH SEPTEMBER 2024 AT 2.00PM**

Present:

Councillor Richard Wood (Chair of Planning Committee), MWPC until 3pm
Councillor Alan Baines, (Vice Chair of Planning), MWPC
Councillor John Glover (Chair of Council), MWPC
Councillor David Pafford, (Vice Chair of Council), MWPC & Chair of Melksham Neighbourhood Plan Steering Group
Councillor Mark Harris, MWPC
Teresa Strange, Clerk, MWPC
Jonathan Dodd, Planning Manager, Bloor Homes South West
Matthew Roberts, Account Director, JBP Communications
Maria Vierma, Masterplanning & Urban Design Director, Marrons

Apologies were noted from Wiltshire Councillors Nick Holder who was on holiday and Phil Alford and Mike Sankey who had work commitments. No response had been received from the Town Council representatives invited. The Bloor team had met with the ward member Councillor Holder recently.

Jonathan explained that Bloor would be submitting a planning application next month and were submitting a Full Planning application and not a hybrid (or outline) application as previously advised.

They were running a public consultation commencing the next day at www.newroadfarm.com with a community engagement session at the Campus in the downstairs community meeting room on Monday 23rd September from 3 to 7pm.

The planning application was in line with the Local Plan allocation, and following the recent policy update on the latest Wiltshire Council 5-year housing land supply figure the plan was revised to now have 295 dwellings (previous version of plans had 285). This is to take account of the "First Homes" policy which is for smaller units. This includes some maisonettes, these are only in a two-storey building with independent access, so differ from a block of flats.

There will be 40% affordable housing (in line with the draft Local Plan policy) with 25% of the affordable housing to be First Homes, and some shared ownership and

some social housing. The other 60% of the 295 dwellings will be market-value housing.

There had still not been any progress on securing pedestrian access onto the adjacent Barratt Homes development (with streets named after Prime Ministers) due to the ransom strip. The plans show a potential connection here and it's hoped that Wiltshire Council would assist in facilitating a connection at a later date as has happened on other developments. It was noted that the potential connection access is at a useful point in the adjacent development at the play area. Members advised that there was a connection from the adjacent development (Asquith Avenue) through to the existing housing at Lansdown Close.

Members voiced concerns at the secondary vehicular access shown (not the access connecting via a 4th arm to the existing roundabout) and that this should be a roundabout as a T junction would cause traffic issues and likely become the de facto main access point. This was agreed, and noted that it was likely the access point for the first phase of housing to be built and for construction access until the roundabout access constructed. It was agreed that this 2nd access point would be best reserved for emergency access in the future and closed off for non-emergency access after construction completed, this could be closed via a clause in the s106 or a planning condition. Bloor explained that they had not been able to secure a discussion with the highways team at Wiltshire Council as part of pre planning, the Clerk had also tried to engage with the highways planning team to see what their thoughts were for potential improvements to New Road as a single-track road; with no success.

There were two LEAPs (Local Equipped Area of Play) and two LAPs (Local Area of Play) in the plans, with play areas central to the development and in the green corridor. A request was made for the LAPs to have play value and not just soil spoil that is later grassed over. The parish council reiterated its desire to have first refusal on the ownership and future management of the LEAPs (not the LAPs) and would send their specification for play and surfacing, and to ensure that vehicular access for maintenance vehicles was acquired, separate from the management company.

Areas for informal play were also requested, so that not all the landscaped areas were a "wildflower cut" which could prevent kicking a ball for example. A teen shelter also requested. Members were pleased that proposed informal footpaths around the public open space were to be tarmac and not hoggin.

Maria presented the master plan concept with Primary, Core and Green Edge treatments. Members raised a concern that not all dwellings were garden to garden, with some having their gable end up against the boundary with the existing housing at the neighbouring Barratt development.

Members were pleased to hear that the Melksham Design Code and Guidelines, and the settlement character distinctiveness detailed in it, had been referenced in the master plan design. Members liked the front aspect of the proposed development onto Sandridge Common, with the grass verge and trees that aligned with neighbouring development. There was lots of tree and hedgerow planting planned at the Green Edge areas particularly, with a tree-lined avenue in the main Primary area.

Trees would be 3/4m high when planted, and there were advances in Tree Pit designs in recent years to prevent issues in future years with roots raising/cracking pavements and causing trip hazards. Members reiterated the issues experienced elsewhere with trees planted in public space at boundaries of private properties which means a lot of shadowing and maintenance from falling leaves etc and residents therefore often cut down the trees; this is to be avoided. Members also requested that existing hedgerows remain in control of the management company and not within the private boundaries, as these have been removed elsewhere in the past, with no controls to be able to be put in place when within private curtilage.

There was a discussion on the attenuation ponds, and that the parish council feel that barriers/fencing around them should only be when in close vicinity of play areas, where there is a chance a child could run into the attenuation; this was not the case in the current proposals.

The affordable housing to be in a mix of housing with the market value housing, with the parish council request that it is all tenant blind. There are some terraces, but these are short runs.

Parking spaces all meet the Wiltshire Council standard with garages and courtyard parking and visitor spaces with 100% coverage for EV charging for every plot, including the maisonettes.

The development to be gas free, and all electricity heated with air source heat pumps and a healthy amount of PV but not batteries which Bloor felt were still cost prohibitive, which the parish council were disappointed to hear. The new PV design was shown, which is integral to the roof rather than a later addition.

The roads are self-enforcing at 20mph, with raised tables at junctions and clear demarcation for shared space. Build-outs were a possibility on the main spine road.

With regards to the boundary to New Road, members feel that this should not facilitate pedestrian access as this could be a highway issue and instead, the existing hedgerow should be made impenetrable to prevent residents trying to access in the future.

With regards to the planned nursery, this is on land 0.4 hectares as per the Local Plan allocation. There were two options with either the transfer of the land to Wiltshire Council for them to build, or for Bloor to retain and build and they would sell to a child care provider to do. Wiltshire Council were still to express a preference and experience from Bloor on other sites was that they had transferred land to Wiltshire Council in the past and the build still not undertaken to date. Members were keen to ensure that there was plenty of room for separate ingress and egress and parking on the plans, whoever the final provider was, and that the design was not compromised at a later stage because this detail was not looked at now.

With regards to timings, the Full planning application would be submitted in October, with the aim to gain planning permission in Spring/Summer 2025, and start on site in Summer 2026 with a phased construction from 2026-2031. As any potential

permission would contribute to the 5-year housing land supply figure, the members are keen that construction would start as soon as possible, rather than run the risk of it being considered “non deliverable” by developers at Appeal, with Bloor agreeing that they would be happy with a condition that they start on site within one year from signing the s106 agreement.

The parish council asked for a contribution to a proposed community centre east of Melksham, which Bloor suggested was requested by the parish council, but would need to be evidenced, and the parish council to forward their list of requests for planning conditions and s106 mitigation if Wiltshire Council were minded to approve the application.

It was explained that the Wiltshire Council procedure is that applications that are usually automatically called in due to the numbers of dwellings are dealt with via delegated powers if they are an allocation in a Local Plan. The parish council explained that they would therefore most likely still call in the application as otherwise their only visibility of the conditions and draft s106 was after approval, but they could see in the officer report if called in. It was acknowledged that Bloor always feel a committee decision is a risk and that Wiltshire Council incur costs for called in applications. Bloor offered to share with the parish council any draft conditions and s106 mitigation details before decision making.

Matthew at JBP to send the letter to residents that has been recently sent to a wide area to be sent to the Clerk to share with residents via the council's and Neighbourhood Plan social media channels

The Clerk queried with members whether they wished to respond to the public consultation. It was felt that the comments made at the meeting on Thursday 19th September as detailed in the meeting notes above should be submitted to the consultation. It was felt that, in particular, the second access should be temporary and made into an emergency access in the future.

Resolved: The parish council approve the notes as a true record of the meeting and respond to the public consultation with the comments detailed in the notes above.

ii) Date of pre-app meeting arranged with Tor & Co and Martin Grant Homes:

The Clerk advised that the developers have requested that the site be confidential at this stage. The pre app meeting has been scheduled for Tuesday 8th October at 2.30pm.

Meeting closed at 20:21 pm

Chairman, 7th October 2024