

**MINUTES of the Planning Committee of Melksham Without Parish Council held on Monday 25<sup>th</sup> November 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.

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

**302/24 Welcome & Housekeeping:**

Councillor Wood welcomed everyone to the meeting. As there were no members of the public in the room, the housekeeping message 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.

**303/24 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 the standing arrangement in place.

**304/24 Declarations of Interest:** Councillor Franks declared an interest in agenda item 8 relating to the New Inn Pub, as a resident of Berryfield. Councillor Glover also declared an interest in agenda item 8 (New Inn Pub premises licence application) as a named person in the application was his daughter's sister-in-law. It was noted that these were not pecuniary interests.

**305/24 Dispensation Requests for this Meeting:** None

**306/24 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.

**307/24 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.

### 308/24 Public Participation:

There were no members of the public present at the meeting.

### 309/24 Planning Applications: The Council considered the following applications and made the following comments:

- a) [PL/2024/09727](#): **39 Shaw Hill, Shaw, Melksham, SN12 8EY**: Proposed rear extension and new garage to the front of the property. Applicant: Mr. & Mrs Bensley.

**Comments:** The parish council have no objections to this application on the proviso that the garage is not used for habitation.

- b) [PL/2024/09807](#): **Westlands Farm, Westlands Lane, Wiltshire, Whitley, SN12 7QG**: Erection of a golf protection net. Applicant: Melksham East Storage Ltd.

**Comments:** The parish council have no objections.

- c) [PL/2024/09782](#): **Unit 1 Lancaster House, Lancaster Park Industrial Estate, Lancaster Road, Bowerhill, Melksham, Wilts, SN12 6TT**: Proposed single storey extension to be used as office and/or showroom. Applicant: Dovetail Installers Ltd (Preston & Co)

**Comments:** The parish council have no objections.

- d) [PL/2024/09725](#): **Land off Corsham Road, Whitley, Melksham**: 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. Applicant: Mr. Clinton Dicks.

For some background information, the Clerk advised that in the current adopted Melksham Neighbourhood Plan 1, there is an allocation for this site for “approximately 18 dwellings”. In the Melksham Neighbourhood Plan 2, which will imminently be at Regulation 16 consultation stage, there are “about 55 dwellings” allocated on this site. The Clerk reminded members that they had previously met with the landowners of this site at pre-application stage, who had explained why they were submitting an application for 22 dwellings first, as they wanted to submit an application that was supported in a made plan. The Clerk highlighted that there was a policy in Neighbourhood Plan 1 regarding flood risk and having to ensure that it does not increase the flood risk within the site and the wider area, so this needed to be taken into account with this application.

Discussions took place around the fact that following previous discussions with the landowners of this site, this was phase one of the development, with phase two being submitted in the future. The Clerk cautioned members that

they needed to look at this application as a stand-alone in case phase two does not get progressed in the future.

Councillor Pafford highlighted that in the documents it detailed that there would be 18 dwellings that would be market value and 6 that would be affordable, which would make 24 dwellings, not 22 as advised in the application, so there was an inconsistency issue with the documents submitted. It was further noted that in order to meet 40% affordable housing as described in the Design and Access statement, 8 dwellings would need to be affordable, not 6 as described above. It was felt that clarification needed to be sought on this point as the housing figures didn't add up in the submitted application. It was felt that the housing type and tenure needed to be in accordance with the Melksham Neighbourhood Plan's Housing Needs Assessment.

Members considered this application, and in its current format, felt that it precluded the opportunity for future development of the site as it showed a new hedge to the full length of the site on the eastern boundary. Members were clear that this application should not prevent the Neighbourhood Plan 2 site allocation for a wider site. It was felt that this needed to be included in the planning comments so that the council can be assured that this did not affect any future development on the site. In addition, it was felt that an entrance spur should be included in this application for the land to the east of the site so that it does not preclude the wider site, which is allocated in Neighbourhood Plan 2.

Councillor Richardson advised that the flood risk assessment looked to be thorough; however, it only focused on the development itself, and there was only passing reference to the knock-on effect to the rest of the village. To this end, he did not feel that the policy as detailed in the Melksham Neighbourhood Plan has been addressed. He expressed concerns about this in particular, following the recent weather where a property adjacent to this site had pumps running over the weekend to stop their property from flooding.

The Clerk had spoken to the Neighbourhood Plan consultants this afternoon, who had provided some comments. They felt that the pedestrian access was inadequate as it was just a short footway to a dropped kerb crossing. There needs to be a footway link on the same side, and it needs to have better crossing facilities. Members felt these aspects had been covered by the Transport Assessment. The Clerk advised that the Rights of Way Officer at Wiltshire Council had submitted comments to this application. They had asked for a contribution towards two new kissing gates and for the right of way to be changed if there was going to be livestock to the east.

**Comments:** The parish council have no objection and welcome this as planned development **(as per Policy 7 of the adopted Melksham Neighbourhood Plan 1)** with the following caveats:

- The parish council would like clarification on the housing numbers detailed in this application, as the split between affordable and market housing does not add up to the total number of dwellings in this application. The housing type and tenure needed to be in accordance with the Melksham Neighbourhood Plan’s Housing Needs Assessment.
  - The parish council wishes to be assured that this proposal will not do anything to preclude further development on this land as detailed in the emerging Neighbourhood Plan 2 allocation for this site, which is currently at the Regulation 16 stage (**Policy 7.5 of the draft Melksham Neighbourhood Plan 2: Submission Version**). The council would like to see a road access point provided from this proposal site into land to the east of the site so that there is access for future development of the site.
  - In addition, the council acknowledges that although the flood risk assessment provided was thorough, it only focused on the development itself and only made passing reference to the effect on the local village. The council would like to see that this application will demonstrate that measures will be put into place to prevent any increase in flood risk to the village and particularly to the south of the site. These have suffered internal property flooding on several occasions. See Policy 7: vii “include appropriate mitigation measures to prevent any increase in flood risk within the site or elsewhere...”
  - The council would like to draw attention to the adopted Neighbourhood Plan 1’s **Policy 3: Flood Risk and Natural Flood Management** “Where development proposals are in areas with known surface water flooding issues, they should include appropriate mitigation and construction methods, including where appropriate, contributions towards wider catchment projects”.
  - The council would also like to support the comments made on this application by the Wiltshire Council Rights of Way Officer; however, did not feel that the current footway needed to be extended all the way up to the Westlands Lane junction. It was felt, however, that there must be a footway and a crossing in order to link this development to the wider village.
- e) [PL/2024/09977](#): **Valldata House, Valldata, 2A Halifax Road, Bowerhill, SN12 6YY**: The office space to the north of the plot is to be enlarged, with the addition of a first-floor extension and a new two-storey space to the west side. The land to the north of the plot is to be adapted, providing new walkway access to the north pavement and the existing northeast site access. Applicant: Mr Paul Darvill.

It was noted that this application had previously been refused by Wiltshire Council; however, the comments raised last time had been addressed in this application. Councillor Baines noted that in the planning officer’s comments

from the original application there was reference to the lack of suggested use of public transport and felt that in order to further encourage the use of public transport, the council could ask if there could be a contribution towards joining the footway in Lancaster Road to the bus stop in Halifax Road. He explained that there was currently a gap, meaning that pedestrians either have to walk onto the grass to access the bus stop or have to cross over to the other side of the road and cross back over again.

**Comments:** The parish council have no objections to this application but wish to request for a contribution towards extending the footway in Lancaster Road so that it joins to the bus stop in Halifax Road.

**310/24 Street Trading consent application for Westinghouse Way, Bowerhill, Melksham, SN12 6SP**

Councillor Wood advised that a street trading consent application had been received to site a 16ft trailer between the times of Monday-Sunday from 3.30pm to 11pm for the sale of takeaway food on Westinghouse Way in Bowerhill. It was noted that the parish council had received comments from the neighbouring businesses that would be directly impacted by this proposal. Councillor Wood advised that all of these businesses have objected to the proposal and have sent their responses directly to Wiltshire Council Street Trading. It was also noted that the parish council were owners of the Bowerhill Sports Pavilion & Playing Field, which was located adjacent to the proposed site. After a detailed discussion, members felt that this application should be objected to for the following reasons:

- This area already has parking issues with trailers parked overnight and cars from employees on the industrial estate parking on both sides of the road on Westinghouse Way each day. This proposal would compound issues relating to this parking, as the number of vehicles attending this area will increase and cause greater congestion to an already busy area of the Industrial Estate. The increase in parked vehicles attending the street trader would narrow the carriageway even more, causing a safety hazard to those accessing the neighbouring businesses, including restricting access for HGV lorries as well as people attending the adjacent sports field facility. As detailed above, this is a very busy stretch of road with delivery vehicles continuously using it to access businesses residing on Swift Way at all times of the day and evening, as well as employees of the businesses and hirers using the sports field.
- Additionally, the Bowerhill Sports Field hosts youth activities several times per week, and there are adult and youth football matches during the weekends throughout the year, and as such, there is a concern for pedestrians' safety in crossing the road to attend the Bowerhill Sports Field site and also the safety of pedestrians using the street trader. Moreover, due to the parked vehicles on each side of the road, the visibility for users of the sports field in exiting the pavilion facility is highly reduced. The increase of visitors and vehicles to this area will increase the risk to those users of the facility. The parking in this area is an ongoing concern for the parish council, and as a result, have previously submitted an application to Wiltshire Council for double yellow lines on part of

this road and the roundabout to reduce the amount of congestion caused in this area. This request has progressed and is awaiting the advertising of the Traffic Order due this year as part of a suite of measures for the Melksham area. To this end, the parish council objects to this application on the grounds of highway safety, as the increase in visitors that this would attract to the area compromises the safety for both pedestrians and people driving down this stretch of road.

- It was noted that although this application was not in close proximity to a school, the proposed location was adjacent to the Bowerhill Sports Field, where hundreds of children attend to undertake youth football/training sessions on a daily basis. It was felt that this would be detrimental to the health of young people using the Bowerhill Sports Field and therefore should be refused.
- There is a concern that this proposal will generate an increase in litter in the vicinity of the area and in turn attract pests.
- The parish council has received complaints from the businesses at Swift Way, which have all objected to this application on concerns for highway safety and access for their delivery vehicles to access their sites. The parish council endorses these comments.

It was noted that the parish council had been contacted as consultees, but it was felt that as owners of the adjacent Bowerhill Sports Field, the council should comment from this perspective on this application.

Members agreed that as owners of the Bowerhill Sports Field, this application should be objected to on safety grounds for the hirers of the field, in particular for the children who attend youth sessions. Additionally, this will increase litter and noise in the area. The council would also like to raise the fact that they had previously refused a request from the youth hirer to put a sign on the roundabout directing people to their refreshment hut on the field on the grounds that it would encourage people to park on Westinghouse Way, which is trying to be discouraged.

In addition, there is a concern about access for emergency vehicles attending the Bowerhill Sports Pavilion in the event of an emergency. As detailed above the Bowerhill Sports Field hosts several sporting activities during the week and at weekends, so there is an increased likelihood that an emergency may arise at our venue where an emergency vehicle is required. The need for emergency vehicle access to this facility is vital at all times, and this proposal would compromise this access. Furthermore, the field is a designated area for the Wiltshire Air Ambulance to land and would need road ambulance access to the pavilion.

**Resolved 1:** The parish council as consultees strongly object to this application for the reasons provided above.

**Resolved 2:** The parish council as landowners of the Bowerhill Sports Field and Pavilion strongly object to this application for the reasons provided above.

**311/24 Premises Licence Application for the New Inn Public House, Semington Road, Berryfield, Melksham, SN12 6DT:**

Members reviewed the premises licence application for the New Inn Pub for on and off sale of alcohol. Members did not have any objections to this application.

**Resolved:** The council have no objection to this application for a premises licence for on and off sale of alcohol.

**312/24 Parish council submitted response to public consultation for proposal for homes on land to the north of Berryfield Lane**

It was noted that at the last Planning Committee meeting, the council strongly objected to this proposal for planning and policy reasons. The Clerk had submitted the response to the proposal and had included it in the agenda packs for members to note, and so it could be recorded in the minutes:

**Melksham Without Parish Council's response to the pre-application public consultation by Tor & Co and Martin Grant Homes for land north of Berryfield Lane**

**Melksham Without Parish Council strongly object to the proposals for 70 dwellings north of Berryfield Lane for the following reasons:**

This site is piecemeal development and is not plan led:

Wiltshire Council's current Core Strategy, and its draft Local Plan do not include this site as a strategic allocation. There is no allocation for Melksham in the adopted Wiltshire Housing Site Allocations Plan (adopted February 2020) either.

Melksham's made Neighbourhood Plan (adopted July 2021), does not include this site as a housing allocation; nor does it include it in its reviewed Plan that has been submitted to Wiltshire Council at Regulation 15 stage on 11th November 2024. This version of the Neighbourhood Plan has housing allocations for at least 450 dwellings across 5 sites.

The emerging Local Plan has allocations for 845 dwellings across 3 sites. This gives a total allocation of 1,295 set against a residual figure in the Melksham area of 1,120 and 68 for Shaw and Whitley (as at 31 May 2023) as set out in the draft Local Plan.

In addition, the current Core Strategy sets out policies until 2026, and the housing allocation for the Melksham area has been exceeded to date (refer to evidence documents for the draft Local Plan Reg 19: September 2023) and met its current allocations in the emerging Local Plan and emerging Neighbourhood Plan review up to 2038.

There is currently a planning application for 500 dwellings set against Policy 18 in the draft Local Plan (land at Blackmore Farm) and a planning application to be submitted in October set against Policy 20 Land north of the A3102.

- As this site has not been allocated in the draft Local Plan and therefore this site does not form part of the strategic thinking with regard to housing and infrastructure requirements in Melksham. The site is not part of a wider strategic site bringing with it infrastructure, such as schools, medical facilities, community centre, highway improvements and a local centre etc.
- The site is outside the settlement boundary and is in the village of Berryfield, which is classed as a “Small Village” in the Core Strategy. Please also refer to Policy 6: Housing in Defined Settlements of the made Melksham Neighbourhood Plan regarding development in the small villages of Beanacre and Berryfield; and the submission version of the Melksham Neighbourhood Plan that retains Policy 6.
- Berryfield is now overdeveloped with approved planning permission in the last few years for 150 dwellings (Bowood View – built and occupied); 144 dwellings (Buckley Gardens – being built and occupied); 100% affordable housing on two sites totalling 103 dwellings behind Townsend Farm by Living Space for Sovereign Housing.
- Lack of safe walking routes to schools. Whilst Aloeric School may be the nearest school, this requires residents having to cross the busy A350. The proposed primary school at Pathfinder Place, Bowerhill is not yet built and there is no footpath proposed from Berryfield to Pathfinder Place for those wishing to access the school on foot. St George’s Primary School in Semington is some distance away and for access by vehicle would require a circuitous route via the A350 due to the Bus Gate at the entrance to Semington Village from the Semington Road. It was noted that there is no pre-school provision at Aloeric school and this needed to be borne in mind for any potential walking route being assessed for early years children.
- The site is in the area of a proposed Green Wedge, Policy 19 in the submission version of the draft Joint Melksham Neighbourhood Plan 2, to prevent the coalescence of Melksham with the small village of Berryfield.
- The site is subject to a live planning application (W/12/01080/FUL) for a new waterway and towpath for the Wilts and Berks Canal between the Kennet and Avon Canal and the River Avon, associated cycleway and 10x bridges along with new access roads. The restoration of the canal is also a protected route in the Core Strategy.
- Whilst not an exact fit, SHELAA (Strategic Housing and Employment Land Availability Assessment) site 3105b was independently assessed by AECOM as part of the evidence base for the Joint Melksham Neighbourhood Plan review in June 2023. An extract of the report on the



site is attached, but the summary explains why the site is not suitable for housing development:

“The site is unsuitable for allocation for residential development. The site is greenfield outside and not connected to the settlement boundary. Core Policy 2 of the adopted Wiltshire Core Strategy generally resists development outside of the defined settlement framework, including the small village of Berryfield.

The site is not within walking distance from key services. Part of the site is subject to a live planning application for the creation of a new waterway and towpath for the Wilts and Berks Canal (W/12/01080/FUL).

The site plays a crucial role in retaining the separation of Berryfield and Melksham and allowing for some degree of transition between manmade and natural landscapes. Development of the site will lead to the coalescence of Berryfield and Melksham and significantly alter the size and settlement pattern of Berryfield inappropriate with its role.

Owing to its open character, development of the site would also adversely impact views of the Avon Clay River Floodplain which is a key landscape asset.

The site falls under the recommended Green Wedge between Melksham and Berryfield (Location 6) of the JMNP Green Gap and Green Wedge Assessment 2023.

Development of the site will lead to the loss of Grade 1 Excellent Quality Agricultural Land. Paragraph 171 of the National Planning Policy Framework states that plans should allocate land with the least environmental or amenity value. Footnote 53 suggests that where significant development of agricultural land is demonstrated to be necessary, areas of poorer quality land should be preferred to those of higher quality.

Development of the site would need to consider the Melksham Canal Link Route identified in the adopted Wiltshire Core Strategy. Core Policy 16 states that development should not prejudice the future use of the route as part of the Wilts and Berks Canal restoration project.

Other key constraints identified include the presence of semi-mature trees, potential impacts on the setting of designated heritage assets, Public Rights of Way and potential highway improvements required at Berryfield Lane.”

- Concerns of Highway access to the proposed site, particularly the single track Berryfield Lane, and the one-way section next to the New Inn pub.

Members welcomed that your public consultation had a drop-in session for residents to attend in person, and we understand some 150 residents attended. Concerns have been raised as to the nature of the questionnaire survey you provided, which did not give adequate scope for residents to put their comments as only asked specific questions relating to a few elements of design of the proposed development, and only asked for contact details of those supporting the proposal.

**313/24 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)**

The Clerk explained that residents are regularly contacting the parish council about this application, so she had contacted Wiltshire Council; however, there is no new update. She explained that the residents had drawn to her attention that they did not think that the Wiltshire Council drainage team had commented on the last lot of drainage comments, which she would follow up.

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

The Clerk explained that there was some new Active Travel comments submitted in relation to this application. Members felt that it was a well-worded document and wished to welcome the comments raised. It was felt that for any future applications, comments from Active Travel England (ATE) should be obtained. It was agreed that this should be asked for the Land at Blackmore Farm application.

It was also noted that there was also a drainage response and an education comment. The Clerk drew members' attention to the fact that detailed in the education comments there were 85 places required for primary children and 36 places for early years; it was noted that there was no requirement for secondary school places detailed. Members felt that this needed to be sent to the School Places team at Wiltshire Council, bearing in mind the Local Plan allocation. It was felt that Wiltshire Council should be asked what plans they have for providing school facilities. It was felt that the Pathfinder Way school would meet this need, and it should be asked as to when construction is due to start. It was queried about the need for secondary school places, and it was highlighted that if there was a requirement for primary school places, surely there would also be a need for secondary school places.

**Resolved 1:** The parish council support the comments made on this application by Active Travel England (ATE).

**Resolved 2:** The parish council request that Active Travel England (ATE) be asked to comment on any future development applications.

**Recommendation 3:** The parish council contact Wiltshire Council and ask them what their plans were for providing school facilities.

**c) Land at Blackmore Farm, Sandridge Common, Melksham, SN12 7QS (Planning Application PL/2023/11188)**

There are no updates.

## 314/24 Planning Enforcement:

### a) Land West of Semington Road, Melksham (behind Townsend Farm):

Councillor Franks explained that the issue with construction vehicles using an unauthorised access to access the Townsend Farm site is still ongoing. He explained that these vehicles are being captured on his ring doorbell and he has granted access to the Clerk so that she can view and download the footage as evidence on an ongoing basis. The Clerk explained that she had sent the footage to Wiltshire Council Enforcement, who have reviewed the footage and require it to be kept as evidence. There is another discharge of conditions application for construction management plan (version 4). The Clerk had gone through this and had sent over comments to the Wiltshire Council Highway Officer, as a meeting was due to be held today; however, she was yet to hear of the outcome of the meeting. It was noted that Wiltshire Council had the powers to close the site down if the developers are not adhering to the conditions set. Frustration was expressed at the fact that Wiltshire Council Enforcement was relying on the parish council to provide them with evidence when they could obtain this themselves.

It was noted that Wiltshire Council has not responded to the parish council's request for a meeting to be held with them to discuss the lack of enforcement being undertaken on this site. Additionally, the Clerk advised that construction vehicles were now using the length of Semington Road to access the Townsend Farm site and coming through past the police station, which is in contradiction to their management plan. Separately, to this, the residents of Townsend Farm whose drains go onto the site land were promised that they would receive the drawings that showed the drainage connections at the beginning of September; to date, these have not been received.

Councillor Franks raised a health and safety concern for the site; he explained that any site has to have an induction plan, and anyone new to the site would have to do the induction. On the current evidence, this would seem unlikely to be happening, as not accessing site near the Site Office.

It was queried whether the Melksham News should be contacted to run a story on this matter; the Clerk confirmed that they had already been contacted. Councillor Pafford felt that given that this issue has been ongoing for months and little response has been received from Wiltshire Council Enforcement, the parish council should write to Wiltshire Council and ask for the site to be closed down pending access to the site being resolved. It was agreed that it should be addressed to Councillor Clewer and Councillor Botterill, and Perry Holmes should be copied into the correspondence. The Melksham News, BBC, and ITV news should also be copied into this request.

The Clerk advised that a Quantity Surveyor was writing a schedule of conditions for the residents of the existing development at Townsend Farm;

however, due to a secretarial shortage, they are unable to send this at present.

**Recommendation:** The parish council write to Wiltshire Council and request that they close the construction site down until the matters as discussed above are resolved. This should be copied to the local MP, Melksham News, BBC and ITV news.

**b) Mobile Home installation on Semington Road (near bus gate/Alan Joy Windows):**

The Clerk reported that someone had created an entrance access to land near to the Semington bus gate and has sited a mobile home on the land. This had been reported to Wiltshire Council, who have advised that the mobile home is on the land for lambing season between November and May. In terms of the owner cutting back hedgerow and using highway land in order to create this access, this has been referred back to the Wiltshire Council Highways Department to take action. Members disputed this as they have never seen any sheep on this site. The Clerk advised that Councillor Holt had confirmed that she had seen lights on in the caravan, so people were in there using it.

Members felt that this was something that needed to be kept an eye on.

**c) Ex Chicken farm on Berryfield Lane (to note concerns raised by resident to Environment Agency)**

Councillor Franks advised that a scaffolding company resided on this land, and he had received complaints from residents about them. He explained that they loaded their lorries at around 5 am in the morning each day, and he has witnessed dangerous driving from this company down Berryfield Lane on several occasions. He advised that there is also a skip business operating on this land that is having bonfires to burn rubbish. It was noted that these businesses did not have planning permission to be operating on this land, and as such this has been reported to Wiltshire Council Planning Enforcement. They have responded and advised that this matter is being dealt with by the Environment Agency, which is ensuring that these businesses cease entirely from the land. The Planning Enforcement Officer has confirmed that if there is no movement within the next 12 weeks, they will have a look at this again.

**315/24 Planning Policy:**

**a) Melksham Neighbourhood Plan update:**

- i. Joint Melksham Neighbourhood Plan has been submitted to Wiltshire Council.**

The Clerk confirmed that the draft Joint Melksham Neighbourhood Plan 2 had been submitted to Wiltshire Council on 10<sup>th</sup> November, and it has now

been confirmed that it had been validated and moves to the next stage. Wiltshire Council will now run a Regulation 16 public consultation for 8 weeks rather than the statutory 6 weeks as it spans the Christmas period. The consultation will run from Wednesday 27th November 2024 to Wednesday 22nd January 2025.

Members noted this update.

**ii. Melksham Neighbourhood Plan meeting minutes held on Wednesday 25th September 2024:**

Members noted the draft Melksham Neighbourhood Plan minutes of 25<sup>th</sup> September 2024.

**iii. Response from the NHS and local GP surgery to the Neighbourhood Plan consultation and consider following up requesting a meeting:**

The Clerk explained that anyone who made comments on the Neighbourhood Plan at Regulation 14 received a reply from the Steering Group with information about how to view their submission and subsequent response. However, there were a few responses received that warranted a separate follow up, and that had been noted in the documentation.

She explained that a doctor at Spa Medical Centre had replied to the consultation and advised that the current practices do not have the facilities or resources to meet the larger requirements for health care. It was noted that there had been some confusion with regards to what the Neighbourhood Plan controlled, as it was Wiltshire Council who set the number of houses, jobs, and associated infrastructure required, not the Neighbourhood Plan. The Clerk explained that the Neighbourhood Plan and other stakeholders has been working hard for some time to obtain the Estates Plan for Melksham from the NHS Estates Team for a better chance of securing section 106 funding; however, they have not engaged. She explained that she had replied back to the response and encouraged engagement from the Melksham Primary Care Network and Wiltshire Integrated Care Board (ICB) on the emerging estates plan. Members were also reminded, and had sight of the minutes in their agenda pack that at a Wiltshire Council Area Board meeting back in May of this year, senior representatives from both Melksham GP practices who attended advised that they could cope with all new proposed development in Melksham.

Councillor Glover advised that he had attended the Area Board meeting where this was discussed, and one of the representatives had explained that Melksham needed to reach 30,000 patients before it could become its own Primary Care Network (PCN). Currently, Melksham PCN was linked in with Bradford on Avon, who was currently judged to have a higher level of need than Melksham. It was noted that the public transport links from Melksham to Bradford on Avon were non-existent. It was noted that as per

the 2021 census, there were 25,400 residents of Melksham, so with future development, Melksham would not be far off the 30,000 mark.

It was noted that it had recently been revealed that there was a new health centre facility being provided in Trowbridge, and it was still being investigated whether residents of Melksham could use it as well. The Clerk explained that in the report about this new health centre, it stated that there was £3 million CIL (Community Infrastructure Levy) funding that had been provided by Wiltshire Council and queried how and when this had been decided in the public domain and whether this was decided to fund a facility at Trowbridge over Melksham. It was felt that this needed to be followed up with Wiltshire Council.

It was felt that the parish council should follow this matter up with NHS Estates.

**Resolved:** To include the new Trowbridge Health Care facility and a way to move forward on the issues raised above, on the next Full Council agenda for discussion.

**316/24 Correspondence received from businesses on the Bowerhill Industrial Estate regarding lack of employment space and consider any parish council actions**

This item was held in closed session.

The Clerk explained that the parish council had recently been contacted by some local businesses on the Bowerhill Industrial Estate enquiring about whether there was any additional land as they needed more space. One of the local businesses had contacted some of the businesses on the industrial estate to obtain information on how much extra space they required, and the combined total is around 100 acres (40.46 hectares). The Clerk explained that in the Wiltshire Local Plan there was only a small piece of land at the east of Melksham designated for new employment land, which was for 5 hectares (12.35 acres).

It was felt that Wiltshire Council should be contacted and advised that the parish council had been contacted by local businesses with their requirements for future expansion and ask for this to be considered in the Local Plan when allocating employment land.

Members queried how Wiltshire Council obtained their information for the Employment Land review to inform the draft Local Plan as it only identified a forecast demand for Melksham of 0.5-1.2 hectares (1.2-2.96 acres) of office space and 6.9 hectares (17 acres) of industrial space (Figure 4.17 of the Wiltshire Employment Land Review Update Sept 2023) as this does not reflect the requirement the parish council were aware of from just some of the existing businesses at Bowerhill Industrial Estate.

**Recommendation:** The parish council advise Wiltshire Council of the requirements of local businesses for additional employment land and ask for this to be considered in the Wiltshire Local Plan when allocating employment land.

**317/24 S106 Agreements and Developer meetings:**

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

**i) Pathfinder Place:**

The Clerk explained that the parish council was still waiting for the legal transfer for the play area. It was noted that there were some corrections that needed to be made, and following a recent independent play area inspection, the parish council had requested that the developers put right the items that required attention as identified in the report. The parish council was yet to receive a response to this.

Regarding the Pathfinder Primary School, Wiltshire Councillor Holder had sent over an update. It was noted that the permanent fencing installation works around the boundary of the school site have started, and it is anticipated that it will take around 4 to 5 weeks to complete. This will ensure that the land, which is now owned by Wiltshire Council, is secure. Wiltshire Council contractors have been asked to cut back the vegetation on the site, which will be kept an eye on to ensure that it doesn't become overgrown.

In the report it was also noted that the pathways installed by the developers on the amenity land are overgrown and improvement works will be required prior to them being used. Councillor Glover explained that he had walked around this site with Wiltshire Councillor Holder and a representative from Taylor Wimpey, and it was agreed that remedial works would be undertaken in the spring. It was also noted that some trees were to be replaced as well. Councillor Glover queried whether there was anything detailed in the section 106 with regards to when this area should be available by; the Clerk advised that she would check what that trigger was.

**ii) Buckley Gardens, Semington Road:**

Councillor Wood asked the Clerk to check the s106 triggers for the Buckley Garden development. The Clerk confirmed that she had written to Wiltshire Council to inform them that at least three properties had been occupied.

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

It was noted that members had discussed this development at length regarding access during this meeting under item 11a. The Clerk advised that the parish council has been trying to get the section 106 changed to site the bus stop on the other side of the road, and a meeting is due to take place with the developer.

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

The Clerk advised that there were no new updates.

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

The Clerk explained that no new section 106 decisions had been made, but she had gone back to the director of the Highways department at Wiltshire Council and had asked when they are undertaking the work to improve the pathway between Pathfinder Way and Burnet Close.

**b) Contact with developers:**

**i. Notes from meeting held with Tor & Co and Martin Grant Homes:**

Members approved that the notes from the meeting held with Tor & Co and Martin Grant Homes on 8<sup>th</sup> October 2024 were an accurate record. In line with the Council Pre-App policy, the notes from the meeting held on 8<sup>th</sup> October 2024 are included within the minutes below:

**PRE-APPLICATION MEETING WITH DEVELOPERS OF LAND NORTH OF BERRYFIELD LANE AND MELKSHAM WITHOUT PARISH COUNCIL  
TUESDAY 8<sup>TH</sup> OCTOBER 2024**

<b>Present:</b>	Councillor Richard Wood	Melksham Without Parish Council
	Councillor David Pafford	Melksham Without Parish Council
	Councillor Peter Richardson	Melksham Without Parish Council
	Councillor Mark Harris	Melksham Without Parish Council
	Councillor Alan Baines	Melksham Without Parish Council
	Teresa Strange, Clerk	Melksham Without Parish Council
	Jackie Milliner	TOR & Co
	Amar Benkreira	TOR & Co
	James Pitt, Managing Director	Martin Grant Homes

**Introductions:**

It was noted that notes of the meeting were being made, but to be kept confidential until their public consultation went live.



Members of the Parish Council's planning committee and guests introduced themselves, with Councillor Richard Wood chairing the meeting.

James Pitt explained that Martin Grant Homes are based in Surrey and are a small/medium sized housebuilder, started in the late 1970s/early 1980s and still in ownership of the family. They build between 350/500 houses per year, and have ramped up the housebuilding side of the business over the last 10 years. They control sites and are housebuilding from the south up into the Midlands and Northampton. They are proud of the product they deliver, and the quality of the build. They are currently building on 3 sites at present, which is not at capacity but they have some planning blockages at present. They do not "land bank" which they believe is an urban myth, and as a small company that build houses, they need to get a return on their investment and get on and build houses, and not sit on land. They do not have any other sites in Wiltshire.

TOR & Co, a buyout of previous company Terence O'Rourke, also represent Gleasons on the land at Blackmore Farm (current planning application for c500 houses east of Melksham) locally.

#### **The Site:**

A plan showing the proposed site was presented. Jackie Milliner presented a sketch of the emerging proposal, with 70 homes of quite low density with lots of green infrastructure and open space. Access off Berryfield Lane. Making the most of the containment that Berryfield Lane and Semington Road provide. Beefing up the northern boundary with some planting. Some archaeological interest in the western end that will be safeguarded. Enough provision for biodiversity net gain on the site. The 70 dwellings would be 40% affordable homes, with close proximity to local facilities and connections. Members pointed out that there was no local shop and queried closeness to the railway station. Jackie explained that they meant the wider area with the pub, and other things going on in the area with access into the town centre, and schools; again, with members pointing out the lack of safe walking access.

Amar explained that feedback was going to be gathered shortly from residents via a public consultation.

Members checked that the developers were aware that the site is not allocated in either the Wiltshire Council Core Strategy or emerging Local Plan; or the adopted Melksham Neighbourhood Plan and emerging reviewed Neighbourhood Plan 2.

One access is currently planned, rather than two, to reduce the amount of hedgerow to be removed. Queries were raised about the single-track, one-way nature of the road alongside the side of the New Inn and if it would be stopped up at the main entrance proposed and diverted; which could discourage use of residents accessing the proposed site via the single-track road. Amar confirmed that nothing was set in stone re accesses yet, hence their pre application conversation with the parish council at this stage. Members pointed out the relatively recent sewage pipe installed in one of the fields of the proposed site, and the protected route for the

restoration of the Wilts & Berks Canal. Jackie noted that the canal route application was submitted in 2012 and they cannot see any progress on the project or funding, and their landowner is not supportive of the project. The canal trust has not been in touch recently and not answered any of their queries regarding construction; they feel the project is not viable. Questions were asked about community support, with the parish council feeling that there was support in Melksham but less so in Berryfield. Progress was happening with the canal restoration project in the north, and presumably the route would have to be protected across their proposed site. Tor & Co explained that the landowner would not give permission for the canal on his land; nevertheless, the parish council noted that the route is protected in the Core Strategy. Comments on its viability had been submitted to the Local Plan review by Tor & Co, with it understood that approval of the submission version of the Local Plan was due at Wiltshire Council next week. For Tor & Co, they felt that communities needed more affordable housing to live in rather than a new canal. Members explained new housing in Berryfield comes at a sensitive time with the new developments approved and being built.

Members asked for more clarification on the “high quality” of the housing, and James Pitt explained that the houses are bespoke, not generic designs. Good quality landscaping, street furniture and architecture designed housing. Too early to know about solar panels, EV charging, no gas boilers etc, but coming through the new building regulations in any case. The developers were directed to look at the evidence base and main documents for the reviewed Melksham Neighbourhood Plan 2 due shortly for submission; but in particular the Melksham Design Guidelines and Codes and the Green Wedge study as this covered their proposed site; the Housing Needs Assessment which specifically talks to type and tenure in the Melksham area. The requirement for 2-bedroom homes for starter homes and to downsize to, and also bungalows, with some local examples in new developments cited.

There is also an independent Site Assessment by AECOM, and parts of the proposed site were assessed as SHELAA (Strategic Housing and Employment Land Availability Assessment) 3105a and 3105b as RED, not sustainable. The comments from the assessment summary were read out and Tor & Co said that they would address any policy constraints in the application.

The western part of the site has a nod to the local farming community, and this was queried, with it having a “barn” shape/style terrace, with wooden cladding. Members mentioned a good example at Mallory Place in Bowerhill.

Across the two parcels of land the split of housing to be 30/40, and the play area on the land in the application site, but close to the Berryfield “triangle”. Members asked if they had considered ways of discouraging residents from accessing the A350 from Berryfield Lane, as this was considered dangerous. Although the current appeal site was using this for access to their site, they did not have permission and it contravenes their planning permission with current planning enforcement in place. Members also pointed out the new enforcement camera at the Bus Gate on Semington Road which impacts on driving children to the primary school at St George’s in Semington. Walking routes are not close, apart from Aloeric school, which is still quite a hike. A new primary school has gained planning application at

Pathfinder Place recently. The parish council has worked hard with Wiltshire Council members to provide a safe walking route from the new housing developments on Semington Road to the new school, as there is no pavement on Western Way. The desire line from Semington Road to Aloeric school was also shown, with work in progress to try and obtain a crossing on the desire line across the roundabout. The desire line for cyclists coming into town from the National Cycleway on Semington Road was also indicated, which tapers out before reaching Aloeric school or the town centre. Transport on this roundabout would be reduced if the proposed Eastern Bypass was built in the future.

In terms of things that the parish council would like to see on new development such as recreational walking, avoiding cul-de-sacs as they make refuse collections difficult, as well as parking on narrow roads. The parish council have a standard list for proposed new developments which they will send separately.

### **Timescales:**

Consultation to be undertaken and then completion of technical work, with submission of a planning application this year. This would be an outline application. For context, members explained that Berryfield is classed as a “small village” in the Core Strategy, with Neighbourhood Plan 1 policy protection too and yet 400 houses have been approved in recent years due to the lack of 5-year land supply. Tor & Co indicated that the forthcoming changes in the NPPF mean that there will be more houses coming in the direction of Wiltshire. They want to make sure with their consultation that they are getting it right in terms of quality of build, proposed amenities and infrastructure to go with the new development.

### **Affordable Housing:**

Tor & Co asked about thoughts on the government’s First Homes product, and they were directed to the Housing Needs Assessment which had details on the type and tenure with research directly on this issue in there. Ways to have small units without being in large anonymous blocks of flats in the countryside were discussed. Tor & Co have designed a Mansion House, that is flats with parking and open space, in the New Forest which may be of interest.

### **Rights of Way:**

The Clerk explained a previous Right of Way (RoW) improvement request with access to the river and then on to the canal, going through the farm site and some discussions with the Right of Way officer on rerouting the RoW rather than residents using planks of wood to bridge the watercourse. This could be a RoW improvement through the s106 agreement as would be used by residents at their proposed development; as the styles locally have already been improved by the installation of kissing gates by other new developments. The developers explained that it was difficult for them to act as not on their land, but it could be a contribution via a s106 agreement.

### **Community Facilities:**

Tor & Co asked if a local shop on the development would be a requirement, with members not sure as there was a local petrol station on Semington Road which was pointed out on the map. The parish council explained that they would be interested in entering into negotiations and first refusal on the play area; and would like to see areas for informal play and a teen shelter.

**Public Consultation:**

The consultation was planned to be launched online, with a mailing to residents close to the site. Members were disappointed to find out that a drop-in session for the public was not planned, and stressed that they felt that this was important, especially as there was a village hall so close to the proposed development which would be an excellent venue in terms of access and facilities.

**ii. Contact with developers:**

The Clerk advised that Bloor Homes has submitted their planning application for 295 houses at New Road Farm, and it is currently being validated at present. She explained that the next planning meeting was 16th December, but the council may wish to ask for an extension on this application until after Christmas, especially if lots of residents wish to attend the meeting.

Meeting closed at 20:43 pm

Chairman, 2<sup>nd</sup> December 2024