



# Public Document Pack

## Melksham Town Council

Town Hall, Melksham, Wiltshire, SN12 6ES  
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Town Clerk and RFO Linda Roberts BA(Hons) PGCAP, FHEA,  
FLSCC

To: Councillor A Westbrook (Chair)  
Councillor T Watts (Vice-Chair)  
Councillor P Aves  
Councillor S Brown  
Councillor J Hubbard  
Councillor K Iles  
Councillor H Illman  
Councillor G Mitcham  
Councillor M Sankey

5 March 2021

Dear Councillors

In accordance with the Local Government Act (LGA) 1972, Sch 12, paras 10 (2)(b) you are invited to attend the **Economic Development and Planning Committee** meeting of the Melksham Town Council. The meeting will be held at the Via Zoom on **Tuesday 9th March 2021** commencing at **7.00 pm**. A period of public participation will take place in accordance with Standing Order 3(F) prior to the formal opening of the meeting. The Press and Public are welcome to attend this meeting.

Yours sincerely

Mrs L A Roberts BA(Hons), PGCAP, FHEA, FSLCC  
Town Clerk and RFO

**Economic Development and Planning Committee  
Melksham Town Council**

**Tuesday 9 March 2021  
At 7.00 pm at the Via Zoom**

**Public Participation** – To receive questions from members of the public.

*In the exercise of Council functions. Members are reminded that the Council has a general duty to consider Crime & Disorder, Health & Safety, Human Rights and the need to conserve biodiversity. The Council also has a duty to tackle discrimination, provide equality of opportunity for all and foster good relations in the course of developing policies and delivery services under the public sector Equality Duty and Equality 2010.*

**AGENDA**

**6. Neighbourhood Plan** (Pages 1 - 2)

To receive a update from the Economic Development Manager (To follow)

**10. Land East of Spa Road Update** (Pages 3 - 6)

To note any response received from Wiltshire Council Planning Department regarding the request to stop the development. Report to follow.



## MELKSHAM TOWN COUNCIL

### ECONOMIC DEVELOPMENT & PLANNING COMMITTEE MEETING

9 MARCH 2021

#### Report: JOINT MELKSHAM NEIGHBOURHOOD PLAN – ACTIVITY UPDATE

#### 1 PROGRESS WITH THE NEIGHBOURHOOD PLAN

- 1.1 The Regulation 16 public consultation on the Draft Joint Melksham Neighbourhood Plan has been undertaken by Wiltshire Council, and has now closed.
- 1.2 You can review the comments received here:  
<https://consult.wiltshire.gov.uk/kse/event/35884/peoplesubmissions/>
- 1.3 The Plan is now with an independent Examiner who is reviewing those comments, plus the Plan and supporting documents; with the Steering Group providing answers and more evidence as the examination continues.
- 1.4 Specialist consultants Place Studios are providing expert assistance to the steering group in formulating responses to the questions raised by the independent Examiner. The responses to the independent Examiner's initial questions have now been submitted.

#### 2 NEIGHBOURHOOD PLAN REVIEW

- 2.1 The Neighbourhood Plan Steering Group are now moving straight into the Plan review phase.
- 2.2 The National Planning Policy Framework [NPPF], introduced in 2019, has reduced the influence of Neighbourhood Plans in the planning process in favour of developers. The Wiltshire Area Local Planning Alliance [WALPA] is lobbying Wiltshire MPs and Wiltshire Council to join a joint approach to get these changes to be reversed, specifically:
  - 2.2.1 The dropping of the NPPF Section 14 requirement that, to be taken into consideration, Neighbourhood Plans must be less than 2 years old,
  - 2.2.2 Removing the changes to the definition of planning areas that in Wiltshire's case has made the whole unitary authority the planning area in place of the more meaningful North, South, East and West subdivisions, and
  - 2.2.3 Reversing the changes to the methodology for the calculation of land supply for housing which have so tipped the control of the calculation into the hands of developers.

#### 3 WILTSHIRE COUNCIL LOCAL PLAN REVIEW CONSULTATION

- 3.1 The Neighbourhood Plan Steering Group, expertly assisted by Place Studios, has just completed the joint response to the Wiltshire Council Local Plan Review.

- 3.2 The responses have been approved by both Melksham Town Council and Melksham Without Parish Council.

#### **4 RECOMMENDATIONS**

- 4.1 To receive the JOINT MELKSHAM NEIGHBOURHOOD PLAN ACTIVITY UPDATE report.

#### **5 CONTACT**

**David McKnight**

Economic Development Manager

[david.mcknight@melksham-tc.gov.uk](mailto:david.mcknight@melksham-tc.gov.uk)

07759 284 266



## MELKSHAM TOWN COUNCIL

### ECONOMIC DEVELOPMENT & PLANNING COMMITTEE MEETING

**TUESDAY 9 MARCH 2021**

#### **Report: Land East of Spa Road, Melksham - update**

#### **1 BACKGROUND**

- 1.1 At the Economic Development and Planning Committee Meeting of this Council on 16 February 2021, potential development control issues were raised by residents in respect of the development site known as Land East of Spa Road, Melksham. Planning Refs - 14/10461, 18/04644 and 20/11601.
- 1.2 It was resolved to write to Wiltshire Council's Development Control to raise this committee's significant concerns regarding the progress of the development.
- 1.3 The letter sent has been circulated and is also attached at Appendix 1.
- 1.4 The planning application, relating to this site and currently under consideration is 20/11601/REM. Melksham Town Council's Economic Development and Planning Committee's unanimous view is that this council cannot support this application until the specific issues on the current works are resolved. This has been communicated to Wiltshire Council.

#### **2 RESPONSES RECEIVED TO DATE**

- 2.1 The following responses have been received:
  - 2.1.1 Jemma Foster, the senior planning officer has confirmed that the Wiltshire Council Drainage Team are looking into the matter. The team has carried out a site inspection of the area and will be doing more surveying of the watercourses over the next few days. The Council can't add any more until they know what has caused the water to pond in the gardens and therefore until this is known, the Council are not able to request building works to stop on site as the developer is complying with the previously approved plans.
  - 2.1.2 Jemma Foster, the senior planning officer also confirms, that as part of a planning application, housebuilders do not have legal access to land outside of their control – therefore the pond at Berkeley House would not have been assessed by the developers or their agents as part of any application.

She advises that the matter/concern regarding great crested newts (GCN) is being dealt with by the wildlife officer who works for the Police and we await a response from them regarding this matter.

She confirms her expectation that Natalie Rivans [Wiltshire Council Development Control Officer] will be in touch with her response to the

complaints as soon as she has them. Unfortunately, Wiltshire Council is reliant upon other departments inside and outside of the authority and can only respond once they have all the information before them.

### **3 RECOMMENDATION**

- 3.1 To note the update from Wiltshire Council officers.
- 3.2 That the Economic Development Manager is asked to seek further updates on the matters raised if they are not forthcoming.

### **4 CONTACT**

**David McKnight**

Economic Development Manager

[david.mcknight@melksham-tc.gov.uk](mailto:david.mcknight@melksham-tc.gov.uk)

07759 284 266

## **APPENDIX 1**

**Land East of Spa Road - Update**

**Letter to Wiltshire Council**

Natalie Rivans [natalie.rivans@wiltshire.gov.uk]

19 February 2021

Dear Natalie

**Land East of Spa Road, Melksham - 14/10461, 18/04644 and 20/11601  
IMMEDIATE STOP REQUEST**

Melksham Town Council's Economic Development and Planning Committee met earlier this week to consider planning application 20/11601/REM. Following this meeting, the committee wishes to raise its significant concerns regarding the progress of the development on the Land East of Spa Road, Melksham - 14/10461, 18/04644 and 20/11601.

1. We are concerned that the ecological survey carried out by the site developers apparently failed to investigate the pond in the grounds of Berkeley House, some 35m west of the development. It is thought that this site may host a colony of Great Crested Newts, a protected species. Some deceased specimens have been found and expert, conclusive identification is awaited. A Kingfisher, another protected species, also frequents the pond.
2. The feeder road at the site behind 2-5 Farmhouse Court appears to have been constructed approximately 1m higher than the Farmhouse Court properties. The highest part of the listed wall on site is behind 2-4 Farmhouse Court on the northern boundary. Excess site material and spoil are also reportedly being deposited behind 4 and 5 Farmhouse Court on the eastern boundary of the site.
3. There are considerable new flooding problems being experienced at No. 6 Farmhouse Court, Berkeley House and Bowerhill Lodge Cottage (further down Longleaze Lane). Construction has begun adjacent to these properties. The new-build Farmhouse Court properties (numbers 1-5) are not affected by flooding, but construction of houses has not begun there yet.
4. We are concerned that current and imminent works at the site will adversely impact on the Grade 2 listed wall between the existing Farmhouse Court properties and the development site.
5. The reason for the flooding being experienced at parts of the site needs urgent investigation - we believe that this could be the result of the blocking and/or diversion of the existing watercourses, and/or potentially inadequate drainage in the specifications for the scheme.

The scale of these issues is causing our residents at Farmhouse Court some considerable distress and their view is that they are being let down by Wiltshire Council's Development Control in this matter.

Melksham Town Council's Economic Development and Planning Committee's unanimous view is that this council will object to the application 20/11601/REM, indicating that this council cannot support further progress of the building works until the specific issues on the current works are resolved.

The committee, and therefore this council, requests an **IMMEDIATE STOP** to current works so that the issues raised can be investigated and resolved to everyone's satisfaction. We look forward to receiving your urgent attention to this matter and hearing the results of your investigations.

Yours sincerely

**David McKnight**  
Economic Development Manager  
Melksham Town Council

cc. Development Management, Wiltshire Council  
Jemma Foster, Planning Officer