



**Date: Wednesday 25<sup>th</sup> September 2024**

**Start: 6.30pm**

**Present:**

**Steering Group Members Present**

Councillor David Pafford Chair (MWPC)

Councillor Graham Ellis (MTC)

Councillor John Glover (MWPC)

Mark Blackham (Bowerhill Residents Action Group)

John Hamley (MTUG)

Mike Sankey (WC)

**Task Group Members**

Councillor Mark Harris

Councillor Alan Baines

**Officers**

Teresa Strange (MWPC)

Marianne Rossi (MWPC)

**Planning Consultants**

Vaughan Thompson (Place Studio)

<b>MTC</b>	<b>Melksham Town Council</b>
<b>MWPC</b>	<b>Melksham Without Parish Council</b>
<b>WC</b>	<b>Wiltshire Council</b>
<b>MTUG</b>	<b>Melksham Transport User Group</b>

**MINUTES**

**1. Welcome & Housekeeping**

Councillor Pafford welcomed everyone. Housekeeping was not required as there was no one new present.

## 2. Apologies

Apologies were received from Chris Holden and Shirley McCarthy who were both on holiday, Councillor Aves had a prior engagement but had arranged for the Town Mayor Councillor Price to attend; however, he was unable to attend due to a family matter.

## 3. Declarations of Interests

None

## 4. Public Participation

There were no members of the public present.

## 5. Items to be considered in closed session as confidential

**Resolved:** For items 6b,8,9 & 10 to be held in closed session.

## 6. Minutes and Notes

### **Minutes of Meeting held on 5<sup>th</sup> June 2024**

It was proposed by Mark Blackham, seconded by Councillor Glover and

**RESOLVED** to approve, and for the Chair to sign, the minutes of the Steering Group meeting held on 5<sup>th</sup> June 2024

### **Confidential Notes to accompany meeting notes, 5<sup>th</sup> June 2024**

It was proposed by Mark Blackham, seconded by John Hamley and

**RESOLVED** to approve, and for the Chair to sign, the Confidential minutes of the Steering Group meeting held on 5<sup>th</sup> June 2024.

The meeting went into closed session.

## 7. Update on current Planning Policy context (current Government consultation on NPPF (National Planning Policy Framework) consultation and Wiltshire Council's current Land Supply figure, in line with current programme for submission

In closed session

Vaughan explained that Melksham Without Parish Council had submitted representations to the consultation on the revision to the NPPF, which closed on Tuesday 24<sup>th</sup> September 2024. Vaughan reviewed Councillor Richardson's review of the NPPF, which has been included in the response where suitable. It was noted that the government's target for all responses to be considered and the revised NPPF to be published was at the end of the year; however, it is understood that thousands of responses to the consultation have been received. Although not officially confirmed, this may mean that this target deadline will slip. Until the revised NPPF is published, the current NPPF prevails until that time.

Vaughan advised that Wiltshire Council does not now have a four-year land supply, which was the threshold that the current NPPF requires of local plans that have reached the regulation 19 stage, which was where the local plan was currently at. (It is anticipated that the revised NPPF, once published, will put this back to a five-year land supply.) As a result, because this threshold has not been met, planning applications are made against the lower thresholds of the NPPF on sustainable development and are not based on the Wiltshire Local Plan housing policies. As a result, this means that the Melksham Neighbourhood Plan Area will be subject to speculative planning applications. There was a recent planning appeal for the land to the West of Semington Road (behind Townsend Farm), and the matter of paragraph 14 was raised, but Wiltshire Council did not feel that they could defend this decision.

Councillor Pafford attended the appeal and explained that the parish council had received prior warning that Wiltshire Council were not going to defend the appeal. He explained that he attended to defend the Neighbourhood Plan and argued that if the appeal was successful, it would undermine the Melksham Neighbourhood Plan as well as all Neighbourhood Plans in Wiltshire, and there could be a much wider precedence set. The inspector was meticulous about going through all aspects of the appeal, in particular with regards to all the planning applications that were in the pipeline that would contribute to the land supply figure. The inspector confirmed each one with both sets of lawyers, and once agreement was reached with both parties, the inspector was satisfied that Wiltshire Council only had a 3.85-year land supply. The outcome of the appeal was due to be received shortly. It was noted that some aspects in the Section 106 agreement had been amended in the favour of the parish council requests.

Vaughan advised that this appeal was proposing 100% affordable housing, and on this basis, they were asserting that the benefit and need for affordable housing outweighed any paragraph 14 protection for the Melksham Area as a result of Neighbourhood Plan 1. Additionally, the developer's barrister argued that Neighbourhood Plan 1 did not qualify for paragraph 14 protection on account of the evolution of the housing requirement that has come forward from Wiltshire Council since, which the Neighbourhood Plan 2 was trying to meet. Although Neighbourhood Plan 2 was trying to meet this, the barrister argued that this was of very little weight. Vaughan explained that it would be interesting to see once the decision is made if the appeal is allowed and on what grounds it has been granted. i.e., is it because of the affordable housing element, or is it because of both the affordable housing and the fact that paragraph 14 does not hold. If it is the latter, this would have a major impact on all Neighbourhood Plans.

**8. Review the comments received from Regulation 14 (B) consultation and agree any changes to policy as a result**

In closed session

Vaughan presented members with a document showing a list of the Neighbourhood Plan Policies with a summary of comments made at Regulation 14 A & B detailed on the left-hand side, and on the right-hand side of the document there were suggested recommended alterations to the policies. He explained that at Regulation A, the Neighbourhood Plan consulted on all the policies, except for ones that were added in later on. The consultation on regulation 14B was primarily on the site allocations in the plan. Comments that

were made on other policies were not excluded. Vaughan talked members through the changes to each policy one by one. The following amendments, which were agreed to be made in the final Neighbourhood Plan 2 document, which would be put forward to the parish and town councils, are as follows:

**Policy 7.1: Land at Cooper Tires:**

It was noted that in some places of the document it detailed 'at least 100' rather than 'approximately 100' which was the agreed wording in this policy. It was agreed that the final version would be amended to reflect this.

**Policy 7.2: Land at the Former Melksham Library Site:**

It was noted that throughout the plan document the wording was not consistent with the wording with regard to "wheeling" and "cycling," as in some places it detailed cycling and others wheeling. This is to be amended so that it is consistent throughout the document. It was agreed to amend to "walking, wheeling, and cycling" so that it is consistent throughout the whole plan.

**Policy 7.4: Land at Whitley Farm, Whitley:**

It was noted that the barn on this site was grade II listed. Wiltshire Council had lodged objections to a housing number being specified. As a result, the housing number has been removed from the plan; however, the plan still supports regeneration of the site. Vaughan explained that the landowner had declared on a number of occasions that this farm was redundant; however, it is apparent that there is a tenant farmer undertaking farming on the land, which raised questions as to whether the site was redundant. The landowner maintains that the site is still redundant because it is incompatible with their medium- and long-term plan to bring modern farming methods onto their estate. Vaughan provided some options on how that plan could deal with this, which are as follows:

1. Reject Wiltshire Council's objection to the housing number and continue to allocate the site for "about 15 dwellings". This would mean that the plan would go to the examiner with objections from Wiltshire Council on this site.
2. Be informed by a robust scheme-specific heritage assessment that justifies any proposed change of use and the extent, scale, and design of the redevelopment and any conversion of the listed barn, having regard to the impact on the heritage assets at the site.
3. Remove it from the allocation, and it could potentially be an opportunity site on the basis that not enough information is known about the future of the farm.

**Resolved 1:** It was agreed that the plan should move forward with Option 2 as per the above for the land at Whitley Farm site but should include the wording "conservation led development".

8.05pm Councillor Glover left the meeting; as previously agreed, Councillor Baines stood in as a substitute for the remainder of the meeting.

## **Policy 16: Designation of Local Green Spaces:**

Vaughan explained that the policy still remains as previously discussed, but there have been some deletions and additions to the list of local green spaces. The green spaces that have been removed are as follows:

- **Whitley Golf Club land:**  
This is due to the landowners objecting to this being allocated as a local green space in the plan. It was noted that the Whitley Cricket Club lease this land and, as a result, has been issued with an eviction notice at the end of their lease term. The landowners believe it stops them from using it as agricultural land in the future. Based on the landowners' objections, this site is recommended to be removed from the designation.
- **Bowerhill Golf Course:**  
This site is subject to being a planning application for the Wiltshire Council Highway depot. The landowners have objected to this site being included in the designation.
- **Field to the rear of Melksham hospital:**  
It was noted that included in this designation were two pieces of land, a mown football pitch, and some fenced-off land. The field to the rear of Melksham Hospital had been included in the green space designation with the old sports pitch to the rear of Champion Drive (known as Spring Meadows and owned by Wiltshire Council); however, it has been identified that this piece of land is owned by the NHS. The NHS has objected to this designation because it would stop them using this land for any future medical facilities. It has been suggested to keep the land owned by Wiltshire Council as a designated green space allocation but remove the land to the rear of Melksham Hospital that is owned by the NHS.
- **Bowerhill Allotments:**  
The landowners have objected to this site being a local green space. The Bowerhill Allotments have a three-year lease on this land; however, there is a concern that if this land is made a local green space, they may get evicted. It was noted that an allotment holder had put this land forward as a green space but was happy for this to be removed due to the risk to the allotments if this is designated.

**Resolved 2:** To remove the local green spaces from the plan designation as detailed above.

The following green space is being added into the plan:

- **Land at Murray Walk**
- **Land at the Riverside Walk**

**Resolved 3:** To include the above green spaces in the local green space designation.

## **Policy 18: Landscape Character:**

An additional clause has been added to strengthen the policy in the context of development in the countryside. The clause included is as follows: “*conserve or enhance the character, openness, tranquillity and amenity of the open countryside.*” It was noted that CAWS (Community Action Whitley and Shaw) had asked for a green wedge north of Whitley up to Gastard. Although it was considered that CAWS had put together a good justification as to why they think this meets the criteria of a green wedge, Place Studio doesn't think this does meet the criteria. This is because a green wedge is not justified because it is not preventing a coalescence between two settlements, and the northern settlement isn't in the Melksham Neighbourhood Plan area. This therefore is rejected; however, the addition of the clause as detailed above strengthens the policy and reflects what CAWS have made comments on.

**Resolved 4:** A green wedge north of Whitley up to Gastard does not meet the criteria as it straddles two Neighbourhood Plan areas. Policy 2 and Policy 18 have been strengthened in the plan to reflect the comments made by CAWS.

**Resolved 5:** To approve for the policy amendments that have been discussed at this meeting to be incorporated in the plan.

## **9. Approve the draft Regulation 15 Submission version of the Plan**

Members agree with the amendments to the plan as tabled by Vaughan at the meeting, pending any minor changes that are required as a result of changing circumstances prior to submission.

**Resolved Unanimously:** To approve the final version of the Neighbourhood Plan for submission to Wiltshire Council at Regulation 15 with the above amendments, this is also pending any other minor changes required.

## **10. Approve suite of evidence documents, noting some are still work in progress with changes to underpin/reflect policy changes to be agreed at Agenda item 8.**

In closed session

The Clerk explained that a lot of the evidence documents haven't changed since the working party reviewed them. Some of the suite of evidence documents were still a work in progress. She advised that at this meeting all the amendments have been approved; therefore, the documents will reflect all of the changes made at this meeting. The Clerk talked members through what documents were still outstanding to be finished. The Clerk asked for delegated powers for herself, Chair of the Steering Group Councillor David Pafford, and the Neighbourhood Plan consultants to update these documents accordingly based on the principles that have already been agreed. It was agreed that the officers at Melksham Town Council should be offered the opportunity to be involved in making any decisions as long as this doesn't hold up the submission of the plan. It was noted that the

Melksham Town Council officers have been copied in on correspondence and document in relation to the Neighbourhood Plan.

**Resolved:** To give the Clerk, Councillor David Pafford as Chair of the Steering Group and Neighbourhood Plan consultants delegated powers to update the suite of evidence documents accordingly. The officers at Melksham Town Council should be offered the opportunity to be part of any decision making in relation to these documents as long as it did not hold up the submission of the Plan to Wiltshire Council.

#### **11. Approve communications to feedback to community**

The Clerk explained that once the changes are made to the Plan as agreed this evening, it will go into the public domain as part of the agenda packs for the parish and town council's Full Council meetings. The Clerk explained that once the revised plan, all of the suite of documents, and the spreadsheets with responses to the comments made as part of the consultation, etc. were finished, they would be uploaded to the Neighbourhood Plan website. It had previously been agreed to put a page advert into the Melksham News to direct members of the public to the Neighbourhood Plan website to view the responses to their comments made as part of the consultation. The Clerk suggested that the foreword, which is in the front of the draft plan and explains about housing numbers, etc., should be the statement issued to the press. It was noted that some of the wording needed to be added to one of the paragraphs in the foreword to make it stronger. It was agreed that this was something that could be undertaken under the delegated powers already agreed at this meeting.

**Resolved:** It is agreed to put a full-page advert into the Melksham News to direct members of the public to the Melksham Neighbourhood Plan website to view the Plan as well as responses to comments submitted as part of the consultation. The foreword included in front of the draft plan should be the statement that is issued to the press to include any additions as detailed above.

#### **12. Approve invoices received to date:**

The Clerk advised that there was an invoice from Place Studio, which was £3,277.50 + VAT, which was agreed in the last quote. She was yet to review with Place whether there was anything additional that had been undertaken on the plan over and above the quote. As there would not be a Neighbourhood Plan steering group meeting for some time, the Clerk asked for delegated powers for Councillor Pafford (as Chair of the steering group) and herself to approve any invoice relating to any additional work undertaken relating to the submission documents for the plan.

The Clerk explained that Anthony Keone, specialist urban designer, undertook some work on behalf of the Neighbourhood Plan on the capacities and densities on the Cooper Tires site, which was an extra £225 + VAT above the agreed quote. This was because Anthony had to undertake some additional work on this to address queries raised during the latest round of consultations.

The Clerk explained that the Parish Council had commissioned Place Studio to help write a response to the Government's NPPF consultation (National Planning Policy Framework). The parish council had asked the town council whether they

were writing a response to the consultation; however, they had not received a response. As a result, a response to the consultation was sent from the parish council as well as from the Joint Melksham Neighbourhood Plan Steering Group because a lot of the comments were about brownfield sites and town centres. She asked the working group whether they were happy for the Neighbourhood Plan to contribute towards the cost. The total cost of this work was around £650 + VAT, and it was agreed that, as it was fundamental to the Melksham Neighbourhood Plan, this should be charged back to both councils on the pro rata split. Councillor Ellis highlighted that at a recent Melksham Town Council meeting, one of the councillors strongly objected to any additional charges associated with the Melksham Neighbourhood Plan. The Locum Clerk had reassured the councillor that there would be no additional charges as far as she was aware. The Clerk advised that this invoice was relating to the NPPF consultation response, which she had contacted the town council on several occasions about without receiving a response. In addition, there may be additional costs moving forward on this project due to the fact that the plan will be submitted to the examiner, and the Steering Group will need to employ their consultants to respond to any queries as a result. The Clerk advised that she has made the town council aware of this possibility the whole way throughout this project. Councillor Ellis wished to abstain on this vote.

**Resolved 1:** To approve the invoice of £3,277.50 + VAT from Place Studio for work on the Neighbourhood Plan submission documents as per the agreed quote.

**Resolved 2:** To give the MWPC Clerk and Councillor Pafford (as Chair of the Neighbourhood Plan Steering Group) delegated powers to approve any invoice from Place Studio which is as a result of additional work undertaken on the Neighbourhood Plan submission documents. Both councils will be informed of their share of the cost.

**Resolved 3:** To approve the £225 + VAT invoice for additional work undertaken on the capacities and densities by Anthony Keown (AK Urbanism Ltd) on the Cooper Tires site as detailed above.

**Resolved 4:** To approve the invoice of £650 + VAT from Place Studio for the response put together and submitted to the NPPF consultation on behalf of the Joint Melksham Neighbourhood Plan. The pro rata split should be charged to both councils for this invoice.

### **13. Approve delegated powers for approving invoices and choosing Examiner, in period to next meeting**

The Clerk explained that there needed to be some delegated powers given to choose the Examiner. It was noted that last time Wiltshire Council had given the steering group some 48 hours and a choice of three examiners to choose from. It is impossible to call a meeting in such a short space of time to make this decision, so some delegated powers needed to be arranged. It was noted that Place Studio had a lot of experience with different examiners and how they have considered other Neighbourhood Plans.



**Resolved:** To give delegated powers to the Clerk, with Councillor David Pafford as Chair of the Steering Group and Place Studio to select a planning examiner when offered options by Wiltshire Council.

**14. Date and venue of Next Steering Group Meeting:**

The Clerk explained that the next meeting will be held once the examiner has examined the plan; therefore, there is currently no date planned for the next meeting.

Councillor Pafford thanked everyone who has been involved with the Melksham Neighbourhood Plan.

The meeting closed at 8.50pm.

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Signed Chairman