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MELKSHAM WITHOUT PARISH COUNCIL

Clerk: Mrs Teresa Strange

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Monday, 20 November 2023

To all members of the Council Planning Committee: Councillors Richard Wood (Chair of Committee), Alan Baines (Vice Chair of Committee), John Glover (Chair of Council) David Pafford (Vice Chair of Council), Terry Chivers, Mark Harris and Peter Richardson

You are summoned to attend the Planning Committee Meeting which will be held on **Monday 27 November 2023 at 7.00pm at Melksham Without Parish Council Offices (First Floor), Melksham Community Campus, Market Place, SN12 6ES** to consider the agenda below:

TO ACCESS THE MEETING REMOTELY, PLEASE FOLLOW THE ZOOM LINK BELOW. THE LINK WILL ALSO BE POSTED ON THE PARISH COUNCIL WEBSITE WHEN IT GOES LIVE SHORTLY BEFORE 7PM.

Click link here:

<https://us02web.zoom.us/j/2791815985?pwd=Y2x5T25DRIVWVU54UW1YWWE4NkNrZz09>

Or go to www.zoom.us or Phone 0131 4601196 and enter: **Meeting ID: 279 181 5985**
Passcode: 070920. Instructions on how to access Zoom are on the parish council website www.melkshamwithout.co.uk. If you have difficulties accessing the meeting please call (do not text) the out of hours mobile: 07341 474234

YOU CAN ACCESS THE AGENDA PACK HERE

Yours sincerely,

Teresa Strange, Clerk



Serving rural communities around Melksham

AGENDA

1. **Welcome, Announcements & Housekeeping**
2. **To receive Apologies and approval of reasons given**
3. **Declarations of Interest**
 - a) **To receive Declarations of Interest**
 - b) **To consider for approval any Dispensation Requests received by the Clerk and not previously considered.**
 - c) **To note standing Dispensations relating to planning applications.**
4. **To consider holding items in Closed Session due to confidential nature**

Under the Public Bodies (Admission to Meetings) Act 1960, the public and representatives of the press and broadcast media be excluded from the meeting during consideration of business where publicity would be prejudicial to the public interest because of the confidential nature of the business to be transacted.
5. **Public Participation**
6. **To consider the following new Planning Applications:**
 - a) **[PL/2023/09370](#)**: 603 Berryfield Lane. Proposed removal of existing conservatory and new extension to form kitchen/dining/sitting room. New extension to form entrance lobby with WC, providing disabled wheelchair access. Applicant Mr & Mrs Tucker (**Comments by 6 December**)
 - b) **[PL/2023/09236](#)**: Six Guinea Cottage, 212 Lower Woodrow, Forest. Extension and alteration. Applicant Mr & Mrs Chandler (**Comments by 29 November**)
 - c) **[PL/2023/08449](#)**: Snarlton Farm Solar Farm, Snarlton Lane. Variation of condition 2 of 13/06140/FUL to extend the expiration period from 25 years to 40 years. Applicant Foresight Group (**Comments by 22 December**)
7. **Revised Plans:** To comment on any revised plans on planning applications received within the required **timeframe (14 days)**:
8. **Current planning applications:** Standing item for issues/queries arising during period of applications awaiting decision.
 - a) **Blackmore Farm (Planning Application PL/2023/01949).** Outline permission with some matters reserved for demolition of agricultural outbuildings and development of up to 650 dwellings; land for primary school; land for mixed use.
 - b) **Snarlton Farm (Planning Application PL/2023/07107);** Outline planning application with all matters reserved except for two pedestrian and vehicle accesses (excluding internal estates roads) from Eastern Way for the erection of up to 300 dwellings (Class C3); land for local community use or building (incorporating classes E(b), E(g) and

F2(b) and (c)); open space and dedicated play space and service infrastructure and associated works.

- c) **Land to the West of Semington Road (Planning Application PL/2022/08155):** Outline application for up to 53 dwellings including formation of access and associated works, with all other matters reserved. **To note the application will be determined at a Strategic Planning Committee on Wednesday, 29 November at 10.30am and to consider who will attend the meeting on behalf of the Parish Council.**
- d) **Land at Pathfinder Way, Bowerhill. Reserved Matters application (PL/2023/08046)** pursuant to outline permission 16/01123/OUT relating to the appearance, landscaping, layout and scale of the proposed primary school (including Nursery and SEN provision). **To receive feedback on recent meetings and note updated Design & Access Statement and Highway comments (if received).**
- e) **Land rear of 52e Chapel Lane, Beanacre (PL/2023/05883).** Erection of 3 dwellings, with access, parking and associated works, including landscaping (outline application with all matters reserved – Resubmission of PL/2022/06389)
- f) **Woolmore Farm Buildings, Bowerhill (PL-2023-07756).** Variation of Condition 1 (approved plans) on PL/2022/05895 (Redevelopment of redundant farm buildings to provide B1 employment space, involving change of use of existing agricultural buildings, plus erection of new build B1 offices, together with demolition, construction of a new access with associated parking, landscaping and ancillary works) to facilitate a redesign of Unit 5. **To note this application has been withdrawn by the application.**

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

- a) **489 Semington Road (PL/2021/06824).** To note concerns of a resident in relation to the proposed new double garage and home office and response from Planning Enforcement.

10. Planning Appeals

- a) **Land South of Western Way. Outline application (PL/2022/08504)** for the erection of up to 210 residential dwellings and a 70 bed care home with associated access, landscaping and open space (resubmission of 20/08400/OUT). **To note the Planning Inspectorate has allowed the Appeal and therefore approved the application.**
- b) **16 Halifax Road, Bowerhill (PL/2023/01275).** Retrospective application for the installation of new feather fence to side and front of house, 2 garden gates and proposed installation of black steel chimney to side of house.

11. Planning Policy

a) Neighbourhood Planning

- i) Update on NHP#2 and Regulation 14 consultation and Viability Assessments.
- ii) To reflect on responses to planning applications for monitoring of the Neighbourhood Plan.

b) **Wiltshire Council Local Plan.** To note response sent under delegated powers.

12. **S106 Agreements and Developer meetings:** *(Standing Item)*

a) **To note correspondence from Wiltshire Council Planning Officers regarding the Parish Council's request to be involved in Section 106 Agreements and consider a way forward.**

b) **Updates on ongoing and new S106 Agreements**

i) **Hunters Wood/The Acorns:**

- To note update on footpath to rear of Melksham Oak School.

ii) **Pathfinder Place:**

- To note any update on outstanding issues:
 - Highways
 - Management Company
 - Play Area

iii) **Buckley Gardens (144 dwellings on Semington Road)**

- To note any updates and consider a way forward

iv) **Land to rear of Townsend Farm for 50 dwellings (PL/2023/00808)**

- To note any updates and consider a way forward.

b) **To note any S106 decisions made under delegated powers**

c) **Contact with developers**

i) **Bloor Homes Re New Road Farm.**

- To receive notes of meeting held on 14 November.
- To note correspondence regarding density of the site and consider invitation of a 'study tour'.

Copy to all Councillors



**Murray Planning
Associates**

PLANNING FOR THE FUTURE

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22 September 2023

Wiltshire Council

Bythesea Road

Trowbridge

Wiltshire

BA14 8JN

Dear Sir/Madam,

**Variation of Condition 2 application relating to permission 13/06140/FUL
- Development of 80.5ha solar photovoltaic farm with attendance
equipment and infrastructure at Land at Snarlton Farm Snarlton Lane
Melksham Wilts SN12 7QP**

Please find our planning application submission to vary Condition 2 of the above planning permission to adjust the proposed operational lifespan of the project from 25 years to 40 years. As a result of market changes and technological advancement, which allow solar farms to be maintained for longer periods, the applicant is seeking to increase the period that the Solar Farm is permitted to operate for.

In this case, the original planning permission at this site granted consent for a 25 year period from the date that electricity is first exported to the electricity grid network as set by condition 2 with decommissioning to take place in the 26th year.

Importantly, this application proposes no physical changes to the solar farm or any of the mitigation measures previously permitted. The panels themselves are also capable of an electricity generating life much greater than the 25-year period. Therefore, whilst the efficiency of the installed solar panels and infrastructure will reduce over time it has been determined that the solar farm can continue to operate viably beyond the 25 year period in a subsidy-free market. In essence, the project can make very effective use of the existing infrastructure and grid connection during years 25-40 and continue to make a significant contribution to Government renewable energy generation targets.

The applicant seeks permission to alter Condition 2 of the permission which read:

2 - The permission hereby granted shall be for a temporary period and shall expire 25 years from the date of this decision. Within 6 months of the date of expiry of this planning permission, or, if sooner, the cessation of the use of the solar panels for electricity generation purposes for a continuous period of 6 months, the solar panels together with any supporting/associated infrastructure including the inverter stations, security equipment, poles and fencing shall be removed from the land and the land restored to its former agricultural condition in accordance with a scheme of work to be submitted to, and approved in writing by, the local planning authority. The scheme of work, including a restoration plan and a decommissioning scheme that takes account of a recent ecological survey, shall be submitted to the local planning authority not less than six months before the removal of the installation.

For ease and simplicity it is proposed that the revised condition we applying for should state:

2 - The permission hereby granted shall be for a temporary period and shall expire 40 years from the date of this decision. Within 6 months of the date of expiry of this planning permission, or, if sooner, the cessation of the use of the solar panels for electricity generation purposes for a continuous period of 6 months, the solar panels together with any supporting/associated infrastructure including the inverter stations, security equipment, poles and fencing shall be removed from the land and the land restored to its former agricultural condition in accordance with a scheme of work to be submitted to, and approved in writing by, the local planning authority. The scheme of work, including a restoration plan and a decommissioning scheme that takes account of a recent ecological survey, shall be submitted to the local planning authority not less than six months before the removal of the installation.

The proposed amendment to condition 2 to allow an increased period of solar farm operation remains consistent with the original purpose of the condition, which is to ensure the proper decommissioning of the solar farm at the end of its operational life. Other than an extension to the solar farms operational period the site will remain unchanged. The site has been in operation for a number of years without issue and there would appear to be no reason why the solar farm would cause any additional harm to continue to operate for the proposed extended period of time.

The solar farm will continue to make a positive contribution to meeting renewable energy targets, reducing greenhouse gas emissions associated with fossil fuelled electricity generation, contribute to security of supply, and to an extent enhance biodiversity. We hope the Council will agree to this change and allow the variation to condition 2.

Yours Faithfully

RICHARD MURRAY

On Behalf of Murray Planning Associates



21 November 2023

Dear Sir/Madam,

Reference:	PL/2022/08155
Application Type:	Outline planning permission: Some matters reserved
Site Address:	Land to the West of Semington Road, Melksham, Wilts
Proposal:	Outline planning permission for up to 53 dwellings including formation of access and associated works, with all other matters reserved
Applicant(s):	Mrs Tamsin Almeida

This is to inform you that under the Council's delegation scheme the above application will be determined at the Strategic Planning Committee at Council Chamber - County Hall, Trowbridge BA14 8JN on 29 November 2023. The meeting will commence at 10.30am.

Government regulations allowing 'virtual' committees are no longer in effect, so this will be an in-person committee meeting at the above location and time. However, Covid-19 requirements will mean that additional procedures are required to ensure that business can be conducted in a safe and appropriate manner whilst ensuring public democratic involvement. Please note that the meeting will be live streamed on the [Council's YouTube Channel](#) so that you can watch the meeting online should you wish to do so.

The agenda and the committee reports for the meeting are published 5 clear working days prior to the committee meeting (e.g. Tuesday the week before a Wednesday meeting). These are available on the Website [Browse meetings - Strategic Planning Committee | Wiltshire Council](#).

If you would like to register for a public speaking slot, you should contact committee@wiltshire.gov.uk for attention of the officer listed on the front of the agenda (not the case officer for the application) The deadline for registration is 10 minutes before the start of the meeting, so if you are seeking to register on the day of the meeting it would be advisable to do so in person.

In accordance with the procedure for planning committees, no more than three statements in support or three statements in objection may be made at the meeting for each application. In most cases, the first three people to register would fill those speaking slots. Statements and comments beyond the three in support and three in objection will not be received.

Those who have registered to speak or indicated they would like to attend will be contacted the day prior to the meeting with further details for accessing the venue.

Covid-19 arrangements

The council is not currently requesting those attending a meeting follow specific public health arrangements, such as social distancing or face masks, although you may do so if you wish.

If you require any further information regarding the committee, please do not hesitate to contact Democratic Services on 01225 718504.

Yours faithfully,

Head of Development Management

REPORT FOR STRATEGIC PLANNING COMMITTEE

Date of Meeting	29 November 2023
Application Number	PL/2022/08155
Site Address	Land to the West of Semington Road, Melksham, Wiltshire
Proposal	Outline planning permission for up to 53 dwellings including formation of access and associated works, with all other matters reserved.
Applicant	Terra Strategic
Town/Parish Council	Melksham Without CP
Electoral Division	Melksham Without West & Rural (Cllr Seed)
Type of application	Outline Planning
Case Officer	Ruaridh O'Donoghue

Reason for the application being considered by Committee

The application is before the Strategic Planning Committee at the request of Councillor Seed. The 'call-in' is on behalf of Melksham Without Parish Council who have concerns regarding the principle of further development in this location. The PC's full concerns are set out in section 8 below.

1. Purpose of Report

The purpose of the report is to assess the merits of the proposal against the policies of the development plan and other material considerations and to consider the recommendation that the application be approved. The report addresses the concerns raised by the PC who requested that this application be determined by the Committee.

2. Report Summary

The main issues to be considered are:

- Whether the proposal constitutes EIA development
- Whether the development is acceptable in principle (CP 1 and 2);
- Whether the scheme constitutes high quality design (CP 57);
- Whether the scheme would preserve or enhance the historic environment (CP 58)
- Whether the scheme would have an acceptable landscape impact (CP 51);
- Whether the proposal would have a negative effect upon highway safety including if there is sufficient parking for the proposed development (CP 61 and 64);
- Whether the site can be adequately drained without increasing flood risk elsewhere (CP 67);

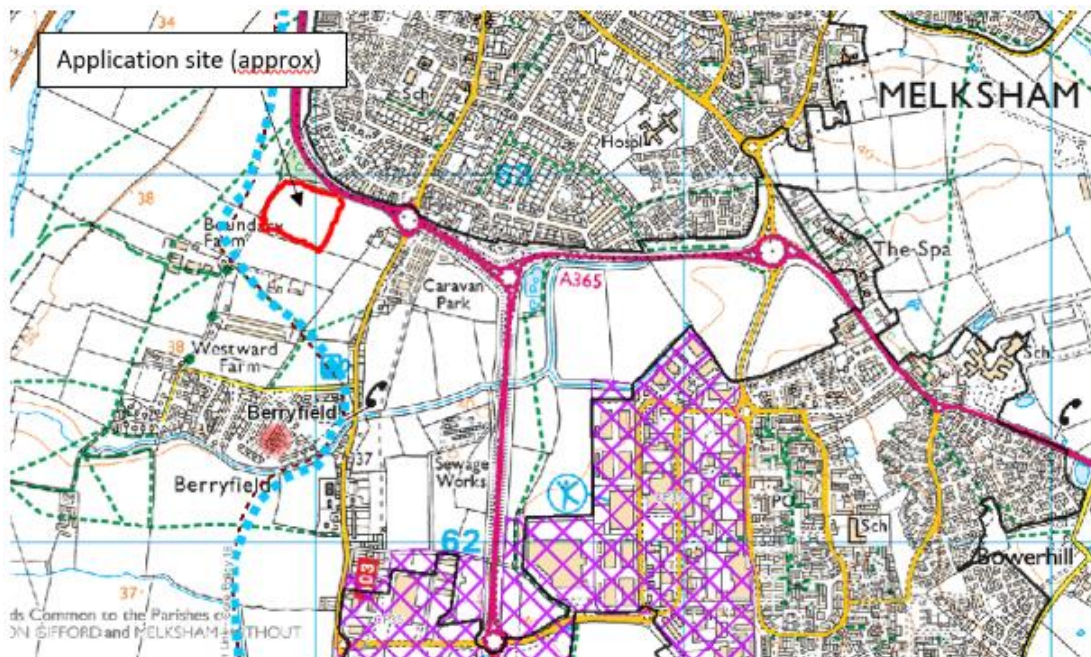
- Whether there would be any harmful impacts upon protected species or habitats (CP 50)?
- Whether there will be any land contamination / air quality issues (CP 55)?
- Whether the proposal results in the loss of best and most versatile agricultural land (NPPF 170)?
- Are there any other planning issues raised by the development?
- What planning obligations are required to make the development acceptable in planning terms?

3. Site Description and location

The site of approximately 2.6ha in area is located within Melksham Without Parish on land located to the south of the Market Town of Melksham (see figure 1 below). More specifically it lies on the southern side of the Western Way to the west of the Semington Road and the existing houses of Townsend Farm.

The application site is currently an agricultural field, unaffected by urban development, and is surrounded by popular Public Rights of Ways (PRoWs) and the Kennet and Avon Canal towpath / Sustrans Route (National Cycleway Route 4, from London to Fishguard) to the north (approximately 180m away), a recreational route and strategic right of way. The site forms an important transitional feature, and a visual and physical break between the developed part of the village and the open countryside beyond.

The site is generally flat. There are no Public Rights of Way that cross the site however, there are a number in close proximity notably, MELW116, MELW117 and MELW2.



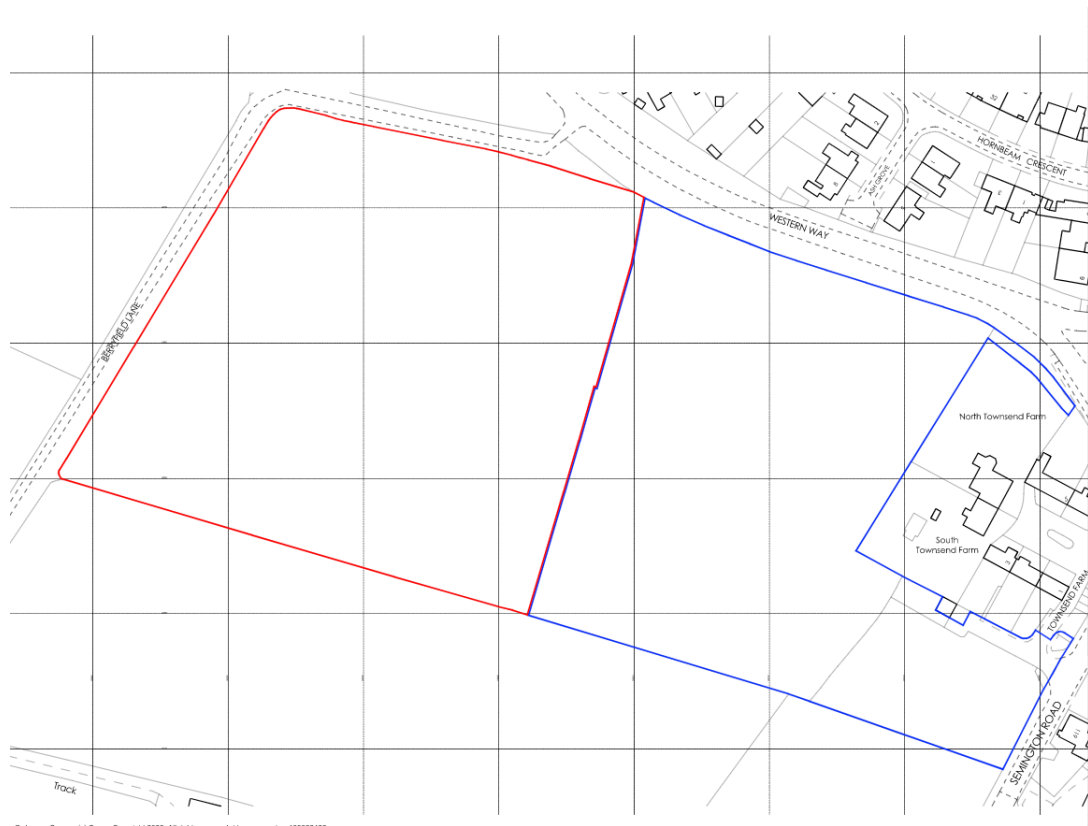


Figure 1 – Site Location Plans

The site is surrounded by some field hedging and trees however in places it is not complete and therefore, clear views are offered into the site from a number of vantage points. Furthermore, all the trees and hedging are deciduous and therefore, in the winter months the site is much more open in the landscape.

In terms of planning constraints, there are no landscape or heritage designations that cover the site. There are no TPOs on the site.

The site is located outside of the defined Limits of Development for the Melksham and therefore, in planning policy terms is considered to be in the open countryside.

Although the site is entirely located within Flood Zone 1, the Wiltshire Strategic Flood Risk Assessment (SFRA) mapping places shows that it is within an area at risk from groundwater flooding. According to the SFRA, groundwater levels on the site are between 0.025m and 0.5m below the ground surface.

4. Planning History

Reference	Description	Decision
17/01095/OUT	Outline planning application for residential development - formation of Access and associated works	Refused
18/04650/OUT	Outline planning application for residential development of 108 dwellings, formation of access and associated works.	Withdrawn
20/07334/OUT	Outline planning permission for up to 50 dwellings	Refused Allowed at appeal
PL/2023/00808	Approval of reserved matters following Outline application 20/07334/OUT approved under Appeal ref APP/Y3940/W/21/3285428 for up to 50 dwellings, (appearance, scale, layout and landscaping)	Pending determination

In respect of 20/07334/OUT, it should be noted that, at the time the appeal was allowed, the Council was unable to demonstrate a 5-year Housing Land Supply (5yr HLS). The absence of 5yr HLS meant that paragraph 11d was engaged. The application of policies within the framework did not indicate that development should be refused on the site. The provision of a 100% affordable housing scheme was considered to be a substantial benefit. The Inspector did not identify any significant material planning harm (the Council raised a landscape objection) other than it being located outside the limits of development (LoD) of Melksham. Any conflict with development plan policies was given limited weight and was judged to be outweighed by the substantial benefits identified.

Furthermore, limited weight was given to the conflict with the Melksham Neighbourhood Plan. The principal policy that the application conflicted with was Policy 6 which mirrors CP2 of the WCS – i.e. seeks to restrict development outside of the LoD. Given that the Inspector was already giving reduced weighting to CP2, it was considered that a similarly aimed policy in the NP should also be addressed in the same manner in terms of weighting.

5. The Proposal

This is an outline application with all matters reserved bar access for a development of up to 53 dwellings (of which 100% would be affordable) with access and associated works. It is accompanied by the following documents:

- Planning Statement
- Design and Access Statement
- Flood Risk Assessment and Drainage Statement
- Surface Water Drainage Strategy
- Transport Statement
- Travel Plan
- Agricultural Assessment
- Tree Plan/Report
- Noise Impact Assessment
- Landscape and Visual Appraisal
- Ecological Impact Assessment

- Biodiversity Net Gain Metric
- Parameters Plan
- Illustrative Masterplan

Whilst the masterplan (see figure 2 below) is indicative (save for the access), it seeks to show a possible layout of how the housing could fit on the site in an acceptable and policy compliant manner.

This indicative layout shows that vehicular access would be connected to the Semington Road via the Phase 1 development to the east which is currently subject to ‘reserved matters’ application PL/2023/00808 (the layout of which is as detailed below in figure 2). The access would lead on to a central spine road which branches into cul-de-sacs. Public open space and landscaping is shown to be formed around the edges of the site with pedestrian access links into Phase 1 and on to Berryfield Lane. Attenuation features are shown around the edges of the site.



Figure 2 – Indicative layout

The below plan (figure 3) is a proposed Parameters Plan. This Plan would fix at outline stage certain parameters for the planned development (e.g. built development and green infrastructure) which, if approved, could not be altered at later reserved matters stage(s) (unless a variation to the outline consent is first applied for). The Plan shows green infrastructure (GI), attenuation features, the vehicular access point and principal routes, pedestrian connections and residential development areas. It also shows that the net developable area of housing would be approximately 1.6 ha. For the 53 dwellings, this equates to c. 33 dwellings/ha, which is comfortably within expected tolerances for an edge of settlement development in a relatively rural location. This mirrors the density of phase I. The plan shows approximately 1 ha of the site as GI.

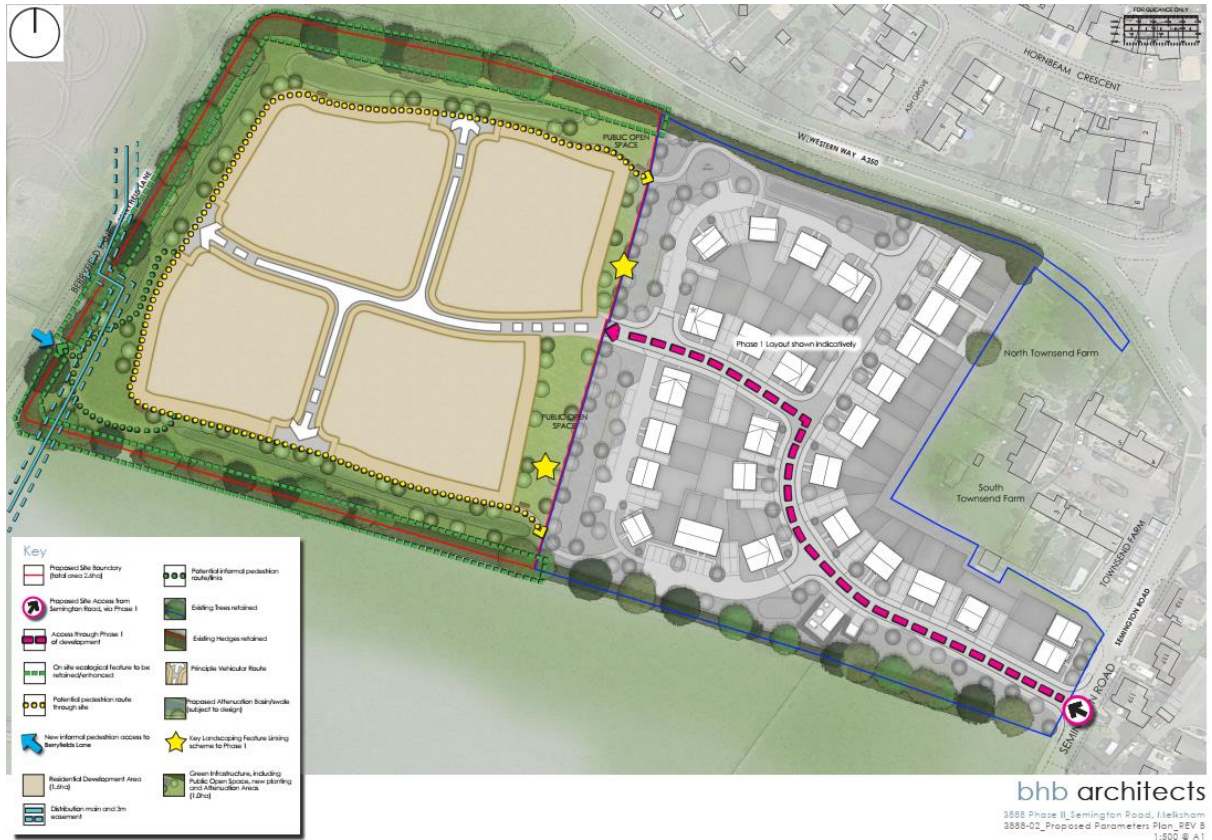


Figure 3 – Parameters Plan

The second Parameters Plan (see figure 4) deals with ecological matters. The Plan fixes other aspects of the GI with a more detail showing:

- The GI space that is fixed to enable biodiversity net gains to be secured on the site (including RPA's, tree and hedgerow planting);
- that light levels at the northern, southern and western boundaries would be maintained as existing to minimise the impact on protected species such as bats; and,
- vegetated garden spaces and the land taken up by the footprint of houses.



Figure 4 – Ecological Parameters Plan

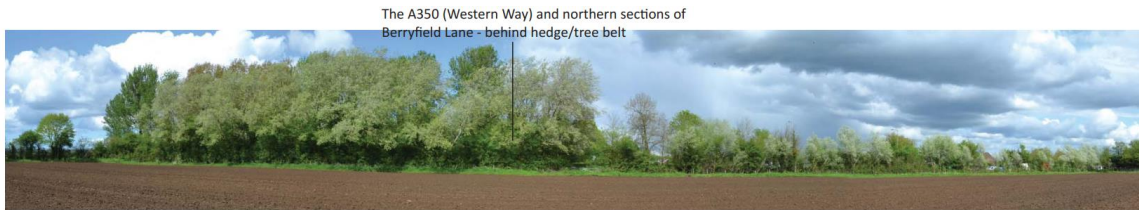
Below are some photos of the site. They show the extent of tree planting that exists around the boundaries and the limited intervisibility between the site and its surroundings. Some photos are taken from the Landscape and Visual Impact Assessment (LVIA) that accompanies the application, and others from a previous application. The difference in seasons shows summer and winter impacts.



View looking east from Berryfield Lane across the site (taken from LVIA)



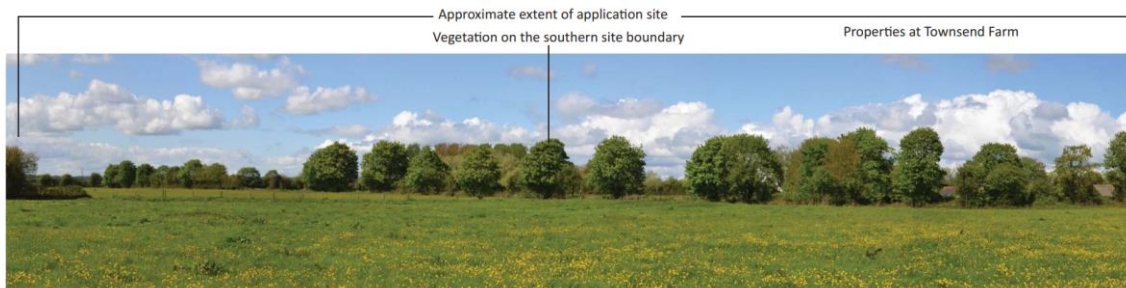
View looking south-west from Berryfield Lane, adjacent to A350 (taken from LVIA)



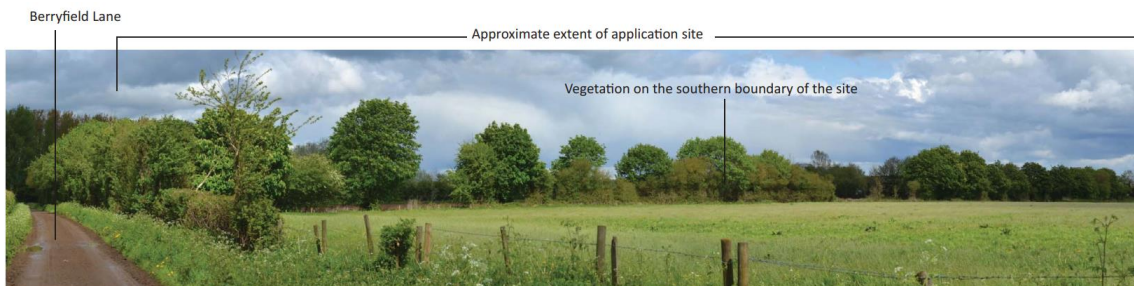
View from the middle of the field looking north towards the A350 (taken from LVIA for 20/07334/OUT)



View from the middle of the site looking west towards Berryfield Lane (taken from LVIA for 20/07334/OUT)



View Looking north-west to the southern boundary of the site (taken from LVIA for 20/07334/OUT)



View Looking north-west from Berryfield Lane to the southern boundary of the site (taken from LVIA for 20/07334/OUT)



View from Semington Road looking west at the point of access (© Google Streetview)

6. Planning Issues

The main issues to be considered are:

- Whether the development is acceptable in principle (CP 1 and 2);
- Whether the scheme constitutes high quality design (CP 57);
- Whether the scheme would preserve or enhance the historic environment (CP 58)
- Whether the scheme would have an acceptable landscape impact (CP 51);
- Whether the proposal would have a negative effect upon highway safety including if there is sufficient parking for the proposed development (CP 61 and 64);
- Whether the site can be adequately drained without increasing flood risk elsewhere (CP 67);
- Whether there would be any harmful impacts upon protected species or habitats(CP 50)?
- Whether there will be any land contamination / air quality issues (CP 55)?
- Whether the proposal results in the loss of best and most versatile agricultural land (NPPF 170)?
- Are there any other planning issues raised by the development?
- What planning obligations are required to make the development acceptable in planning terms?

7. Planning Policy

Wiltshire Core Strategy 2015 (WCS)

- CP1 – Settlement Strategy
- CP2 – Delivery Strategy
- CP3 – Infrastructure Requirements
- CP41 – Sustainable Construction and Low Carbon Energy
- CP43 - Providing Affordable Homes
- CP45 – Meeting Wiltshire’s Housing Needs
- CP48 – Supporting Rural Life
- CP50 – Biodiversity and Geodiversity
- CP51 - Landscape
- CP52 – Green Infrastructure
- CP55 – Air Quality
- CP56 – Land Contamination
- CP57 – Ensuring High Quality Design and Place Shaping
- CP58 – Ensuring the Conservation of the Historic Environment
- CP60 – Sustainable Transport

- CP61 – Transport and New Development
- CP62 – Development Impacts on the Transport Network
- CP64 – Demand Management
- CP67 – Flood Risk

Wiltshire Waste Core Strategy

WCS6 (Waste Audit)

Saved Policies for the West Wiltshire District Local Plan (1st Alteration)

- U1a Foul Water Disposal
- U2 Surface Water Disposal
- U4 Ground Source Protection Areas

Other

- The Wiltshire Waste Core Strategy (adopted 2009)
- Wiltshire Housing Site Allocations Plan (adopted Feb 2020)
- Policy WCS6 - Waste Reduction and Auditing
- The Wiltshire Local Transport Plan (LTP) and Car Parking Strategy
- National Planning Policy Framework July 2021 (NPPF)
- Planning Practice Guidance (PPG)
- Circular 06/2005 – Biodiversity and Geological Conservation
- “The Setting of Heritage Assets: Historic Environment Good Practice Advice in Planning 3” (HE GPA3)

8. Summary of consultation responses (including comments on the revised scheme where indicated as a second response).

Melksham Without Parish Council:

First response – Objection

- *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.*
- *This site was previously turned down in May 2017 for 160 dwellings, and the reasons for that refusal still stand. Precedent is also set within the assessment of the principle of development for 16/11901/OUT on applications in the Semington Road area that do not fall under the existing built area of Berryfield or within the settlement boundary of Melksham Town. The site therefore conflicts with Core Policy 2 of the Wiltshire Council Core Strategy as it is outside the defined limits of development and has not been brought forward through the Site Allocations DPD or the Melksham Neighbourhood Plan.*
- *Whilst there currently is a lack of 5-year land supply, the Melksham area has exceeded the number of dwellings required by the Core Strategy by 2026 and the protection of paragraph 14 in the NPPF is valid with a current adopted Melksham Neighbourhood Plan less than 2 years old. This was confirmed by the Planning Inspector for the appeal at the adjacent site 20/07334/OUT; AP-36412.*
- *The development proposed is for 100% affordable housing, which conflicts with Wiltshire Council’s Core Strategy Policy 43 ie ‘the need for developing mixed, balanced and inclusive communities, affordable housing units to be dispersed throughout a development and designed to be high quality, so as to be indistinguishable from other*

developments'. On recently meeting Sovereign Housing at pre-app stage for the adjacent site (20/07334/OUT) they mentioned that the 50 dwelling site was about the right size for a wholly affordable housing site for themselves. On their proposed pre-app drawing for that development, it is shown as Phase 1, and this proposal is described as Phase 2 with a connecting road shown between them. The applicant is the same for both sites at outline stage.

- If Wiltshire Council are minded to approve this application, please refer to the published Housing Needs Assessment undertaken for the review of the Melksham Neighbourhood Plan to give a steer on the mix of type and tenure that are needed in the Neighbourhood Plan area, and in fact broken down into smaller settlement areas within the NHP area - https://www.melkshamneighbourhoodplan.org/_files/ugd/c4c117_4c8411b64439472fbf cf8e856799e2c9.pdf
- The loss of Grade 2 agricultural land (Best Most Versatile land). It is noted that it is suggested within one of the developer's submission documents that this particular parcel of land was unsuitable for agricultural use and was fallow. The parish council do not want to see the loss of good quality land from agricultural use. Residents from the neighbouring Townsend Farm development confirm that this year rapeseed had been grown and cultivated in the field and for the last 15+ years there had always been either crops or animals on the land.
- Highway safety concerns with regard to access to the site as Semington Road is quite narrow where the access is proposed. In addition, the highway safety for residents in terms of accessing facilities in the town with them having to cross the busy A350. Whilst the light controlled crossing to the east had recently been upgraded as part of the Active Travel project by Wiltshire Council, there was still an informal, desire line across the east of the A350 roundabout to access the town centre and Aloeric school. The proposed site entrance is very close to the entrance to the Mobile Home Park and in addition to the road calming measures already in place this could lead to congestion and traffic issues, especially on the Semington Road roundabout at the A350. The A350 is a primary route, with some 20,000 vehicles using it per day.
- Access to schools and lack of school places. Whilst Aloeric School may be the nearest, this requires people 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 parish council raised concerns about the recent Road Safety Report for 20/01938 of which children would be using the same route to school. This contradicted itself by saying that the route was safe as children would be accompanied by an adult, and elsewhere reported that the assessor witnessed an unaccompanied child on a scooter en route to school. In addition, children may be accessing other primary schools at Bowerhill and the proposed school at Pathfinder Place
- The application makes no reference to a contribution to the proposed Melksham Link canal restoration by the Wilts & Berks Canal Trust (12/01080).
- The erosion of the rural buffer and visual green gap between the town of Melksham and the small village of Berryfield.

Should Wiltshire Council be minded to approve this application the Parish Council would like to see the following conditions included in the Heads of Terms for the S106 Agreement:

- There are practical art contributions.

- A LEAP (Local Equipped Area of Play) is provided which includes bins and benches as well as public open space and the regular emptying of bins to be reflected in any future maintenance contribution.
- The Parish Council wish to enter into discussions on being the nominated party for any equipped play area for the site, and the associated maintenance contribution.
- Bus shelters to be provided in Semington Road with WiFi connectivity to provide Real Time Information.
- The road layout is such that there are no dead ends in order that residents and refuse lorries do not need to reverse out of roads.
- There is a visible delineation between the pavement and the road.
- As no community facility is being provided from this application, that a contribution is made towards the running costs of the new village hall being provided as part of planning application 16/00497/OUT on Semington Road.
- A contribution is made to public transport.
- A contribution towards the canal scheme.
- Equipment is provided for teenagers, such as a teen shelter with WiFi connectivity.
- The provision of circular walking routes with the provision of benches and bins
- The provision of bird, bat and bee bricks, reptile refugia and hibernacula in order to increase biodiversity and wildlife in the development

Further to the following comment previously made, the parish council request additional weight is attributed to this comment due to the proposals in the Government's current NPPF consultation to be implemented in Spring 2023 that more weight is attributed to recognise the food production value of the farmland.

The loss of Grade 2 agricultural land (Best Most Versatile land). It is noted that it suggested within one of the developer's submission documents that this particular parcel of land was unsuitable for agricultural use and was fallow. The parish council do not want to see the loss of good quality land from agricultural use. Residents from the neighbouring Townsend Farm development confirm that this year rapeseed had been grown and cultivated in the field and for the last 15+ years there had always been either crops or animals on the land.

Second response – maintain objection

We have reviewed the documentation submitted and have no further comments to make at this time. We would refer both the planning officer and application back to our previous comments dated 31 January 2023 which remain current and valid.

Wiltshire Council Spatial Planning: Comments

The proposal is not supported in principle as it would not accord with the strategy and pattern of development anticipated by the WCS and Joint Melksham Neighbourhood Plan. Therefore, from a strategic policy perspective, the proposal would not constitute sustainable development and thereby also conflict with the principle aims of the National Planning Policy Framework.

This must be set against other material considerations, the most pertinent of which is the current housing land supply position. Whilst the Council are unable to demonstrate a 5 yr HLS, careful consideration should be given to decisions on housing proposals. This means balancing the need to boost housing supply against any adverse impacts of the proposal, considered against the development plan as a whole, and any material considerations, on a case-by-case basis. This will need to include consideration of what weight to assign to the most important policies.

However, whilst the Council are currently unable to demonstrate a 5 year HLS, it can demonstrate a 3 year HLS and NPPF paragraph 14 is relevant with regards to the Joint Melksham Neighbourhood Plan with all four criteria being met. Therefore, for applications involving the provision of housing, the adverse impact of allowing development that conflicts with the neighbourhood plan is likely to significantly and demonstrably outweigh the benefits.

Wiltshire Council Highways: no objections subject to conditions to cover:

- Compliance with the Residential Travel Plan
- Access to the development provided to base course level with visibility splays prior to occupation.
- Submission of a Construction Traffic Management Plan
- Pedestrian connection to Berryfield Lane prior to occupation of 20th dwelling.
- Landscaping scheme to include impenetrable boundary to north to prevent indiscriminate access onto the A350 where there are no pavements.

And planning obligations to cover:

- Travel Plan monitoring for 5 years
- Payment of green travel vouchers to each household
- A time limited and index linked contribution towards improving walking and cycling routes in the vicinity of the development.

Wiltshire Council Lead Local Flood Authority: no objection

After submission of additional information requested by the drainage officer, no objections to the development subject to conditions.

Wiltshire Council Climate Team: comments

Advice and guidance based on current planning policy with regards to addressing climate change with the development. Positive weight should be given on the planning balance should a development take an ambitious approach to sustainable construction.

Wiltshire Council Affordable Housing: no objection subject to affordable housing provision

Should it be decided that this site is suitable for residential development, under the relevant Core Policies of the Wiltshire Core Strategy, on-site affordable housing provision would be required. Their consultation response sets out the obligations placed upon the developer should they decide to deliver the scheme as 30% nil subsidy with the remainder (70%) of the affordable housing with subsidy or as 100% granted funded/with subsidy.

Wiltshire Council Education: No objection subject to financial contributions towards early years education places. There is sufficient capacity at primary and secondary level to accommodate the pupils from this development.

Wiltshire Council Landscape Officer: Comments

The hedge along Berryfield Lane will require substantial 'gapping up' and reinforcement to create a strong screening edge to the west. Also expect more street trees to be included in any proposed detailed application to ensure the plans are in accordance with the NPPF para 131 'treelined streets'. No community orchard planting is shown on the scheme which could be planted up in the PoS between phase 1 and phase 2. Again, this is a requirement within the NPPF para 131.

Rain gardens and bio-retention swales to be considered in accordance with both CIRIA best practice guidance on SUDs and the recently released Natural England Green Infrastructure Design Guidelines.

Should it be decided to approve, the following also required:

- 1 - a Detailed Planting plan noting species, densities, and specifications (To National Plant Specification)
- 2 - A Landscape and Ecology Management Plan setting out how the planting will be maintained from installation through to maturity.
- 3 - A Tree / utilities coordination plan showing how street trees and utilities including street lighting have been properly coordinated to ensure no clashes between root growth and that trees have enough room to grow to maturity both above and below ground without impacting on services.

Wiltshire Council Archaeology: no objection / comments

This application area forms part of a larger site that has been the subject of a geophysical survey and a trial trench evaluation. This evaluation identified an area of later prehistoric and Romano-British field systems and possible settlement activity that straddles the current application as well as application 20/07334/OUT located immediately to the east. Following discussion between the County Archaeologist and the applicant's archaeological consultants it was agreed that the area of archaeological activity identified by the evaluation could be explored via an open area excavation. This excavation would effectively mitigate the impact of the development upon the archaeological resource. The outcomes from a Written Scheme of Investigation (WSI) are awaiting following commencement of the excavation.

As the excavation would address the archaeological issues in both the western and eastern parts of the site, there are no other comments.

Wiltshire Council Waste and Recycling: No objections subject to the payment of £101 per dwelling to cover the cost of waste and recycling containers for each new dwelling.

Details of standards expected for access to waste collection services provided for detailed design at RM stage.

Wiltshire Council Public Open Space: no objection

The requirements for POS for this proposal would be as follows-

- 1851.18 sq.m of Open Space to be provided on site
- 93.81 sq.m of Play to be provided on site
- 1250.80 sq.m of Sports to be provide on site where possible if this was not the case a monetary contribution of £12,508.80 would be required to upgrade existing sports provisions in the local area.

Wiltshire Council Public Protection: No objections subject to conditions to cover the submission of a Construction and Environmental Management Plan, the undertaking of an Air Quality Screening Assessment, submission of a contaminated land report and to ensure development is carried out in accordance with the noise assessment report.

Wiltshire Council Ecology: no objection subject to conditions

Wiltshire Council Urban Design:

First response - Comments / objections

Fundamentally the application appears to demonstrate poor quality design, because the Outline plans use an out of date/misleading indicative layout for Phase 1 which it is proposing to be an extension to integrate with; yet a REM submission (PL/2023/00808) has been simultaneously made, which contradicts the design concept proposed on this Outline, and no mention of the revised proposed detailed is made in the DAS for this outline. The DAS is intended to explain the design rationale in a reliable way.

There is one telling example of how poor design processes such as this impacts the quality of the design, and how piecemeal development which the applicant is pursuing is also at odds with high quality design: the adjacent proposed REM layout actually omits the POS and equipped play feature in its N-W corner, which this Outline application implied it will utilise and link into. and even such an implication is wrong, as the POS officer has responded that equipped play is expected on this site. My advice is that this requirement be determined on the basis of the total housing potential of the sites, not each site in isolation. And whilst the LPA will naturally object to the non-compliance of the REM with its own Outline, it is inexplicable that the applicant is submitting such contradictory proposals and narratives at the same time.

Also that REM application seeks to create a new hedge to deliberately sever the two sites, whereas the concept underpinning this Outline application shows the two sites integrating across a shared linear POS.

Also that adjacent Outline had committed to deliver a tree-lined avenue which this Outline would be expected to continue. Despite that fact that the subsequent REM on that site appears to be attempting to remove that feature (which the LPA will no doubt object to) there is no justification for this Outline to suppose it would not be expected to commit to deliver it also.

With the applicant's design process appearing to be uninformed, uncoordinated and unreliable, it is just not possible to give positive, constructive urban design feedback on this Outline. Perhaps once the adjacent REM is resolved, the applicant can make some more coherent proposals which do not contradict with what is permitted in the adjacent field.

Aside from this fundamental concern, the parameter plan and indicative layout can already be shown to be inadequate and in compliant with CP57 and the National Design Guide. I have attached an annotated version of these to highlight some (not all) of the problems and reserve the right to provide a more comprehensive UD response if and when a revised design proposal is submitted.

Second response – no objections

I have no objections in principle to this proposal and would at this stage only seek to advise upon the next stage regarding more detailed architectural design and detailing.

On page 12 of the Design and Access Statement there are some rather alarming photographs of ornate barge/fascia boards. These should not be replicated in any form on the new houses, nor should PVC canopies over front entrance doors be considered.

This site is a long way from the historic core of Melksham and therefore there is no obligation to try and reflect the historic architecture and townscape that can be seen on the High Street. There is no justification to produce “traditional elevational design”, as stated in paragraph

12.2.1 of the D&AS. Doing so will only lead down the road to ubiquitous pastiche standard houses types that are seen everywhere, but are representative of nowhere.

A sentence in paragraph 12.3.1 states “Any reserved matters scheme should look to avoid pastiche and seek to embrace modern interpretations of local character”. This paragraph is a lot more reassuring. I would clarify things further by strongly recommending that the proposed house elevations should have a modern aesthetic, but be constructed of traditional materials, principally brick, real stone and render.

With regards to the roofing materials, the sort of high-quality scheme that we all wish to see here will be best achieved by using small unit sized clay or natural slate quarry tiles. Large unit sized concrete tiles should be avoided.

Wessex Water:

First response - Objection

The Illustrative layout, drawing ref 3888-03, submitted in support of the application shows what appears to be an attenuation pond in the southwest corner of the site that is in direct conflict with the existing 6” public water main, this is not acceptable to Wessex Water and as such the applicant will need to amend the site layout to ensure that required easement is maintained.

With this in mind we would request a holding objection on the layout until the applicant has demonstrated how they propose to accommodate the 3m easement required either side of the water main and unfettered access

Alternatively, the applicant may wish to consider diverting this water main, application for water main diversion (at the developers cost) can be permitted but the developer must prove satisfactory hydraulic conditions and that there will be no loss in capacity within the diverted main, all new water mains must be constructed to the current adoptable standards. Early consultation with our Sewer Protection Team is advised.

9. Publicity

The application was advertised initially by way of a site notice and neighbour notification letters. An advert was also placed in the press for the application. There have been a series of amendments to the application which were advertised by way of neighbour notification letters. 10 letters of objections to the development have been received and no support letters. The material planning considerations that have come out of all of this are summarised below –

Need

- The only reason the adjacent site was successful at appeal was because of a last minute change to the housing type to 100% affordable homes. This application has 30% affordable homes so would not meet the inspector's requirement regarding the previous appeal.

Ecology / Environment

- Access road cuts through a wildlife haven and will therefore destroy it.
- Development of this field will further destroy the wildlife in the area.
- Loss of Grade 2 best and most versatile agricultural land contrary to paragraph 112 of NPPF.
- Salisbury & Wilton Swifts has reviewed this outline planning application as we believe all new developments should provide habitat opportunities for those species such as swifts who prefer, or can adapt to, the built environment.

Loss of Green Space/Congglomeration

- The Planning Inspector allowed the 50 houses on the adjacent site as he stated in his report: “...*this amount of development would still allow a transition between Melksham to the North and open rural land to the South*”. This application would mean that this would be lost.

Location/Sustainability

- The site is in an unsustainable location, far away from any facilities and goes against the published Melksham Neighbourhood plan for where the residents of the town want housing development to be earmarked. It has not been brought forward through the proper channels and the site is outside of the settlement boundary limits.

Infrastructure

- Impact on local infrastructure – lack of school and doctor surgery places is already an issue.
- This development and its counterpart offer nothing to the existing local community in terms of facilities or infrastructure, but will instead create further pressure on our already over-subscribed medical facilities, schools and pre-school facilities, and erode our existing quality of life.
- Melksham is currently overpopulated considering the existing public resources and infrastructure. Ad-hoc planning applications should be turned down unless they significantly contribute to the community or town at large.

Pollution

- Concern was also expressed about the increase in particulates and other emissions from car exhausts, causing a rise in the pollution of the air we all breathe especially when there are queues around all our homes. This can only become worse because of the extra cars joining and queuing along Semington Road.
- As the proposed site is lower than the A350 then I would have thought that this would have a detrimental impact on the quality of air for future residents.

Contrary to Development Plan

- It would conflict with the Wiltshire Core Strategy on Housing, as the site is in open countryside outside the limits of development defined for Melksham and thus contrary to Core Policy 1, 2 and CP15.

Contrary to National Policy

- The published Melksham Neighbourhood plan means that the less than 5-year land supply issue of recent times is reduced to 3 years. The Council housing supply number is well over 4 years currently so this means that all elements of WC's Strategic plan and the National Planning Policy Framework should apply to this proposed development.

Contrary to Neighbourhood Plan

- This area has not been identified for development as part of the Melksham Neighbourhood plan.
- We do have a Melksham Neighbourhood Plan, which was brought about after consultation with local residents and organisations. It is an iterative process, with land being brought forward for consideration for future development. This application is not plan-led; it is speculative, and allowing it would simply demonstrate that whatever the local residents, organisations and businesses plan for a sustainable and well thought out future for the town and its surrounding villages, in the end developers can use loopholes in the law to force through applications.

Highways Safety/Parking

- Traffic congestion as cars queue up to join the A350 from this scheme and all the other developments recently allowed along the Semington Road.
- There have been recent works to improve and add a cycle lane to the pedestrian crossing across Semington Road near the roundabout with the A350, and to improve the crossing for pedestrians and cyclists across bypass on the east side of the roundabout. However there is still a pedestrian path leading west of the roundabout, and to cross on this side is simply dangerous, albeit appealing in that it appears to be the quicker route when walking to the Aloeric School or into town.
- Semington Road is now marked and signposted as part of the National Cycle Network - so to introduce another road leading onto Semington Road (and very near to the crossing), with over 200 cars using it (as indicated by the number of parking spaces on the two planning applications) is reckless to say the least. How can one organisation suggest that a route is safe for cyclists while another allows hundreds more cars to use it?

Other

- This development if allowed would encourage additional applications along the west side of Semington Road - further destroying agricultural land and leading to coalescence of Melksham Town with Berryfield village.
- This development makes no contribution to the Wilts and Berks enabling development.

10. Planning Considerations

10.1 Principle of Development

The NPPF advocates the primacy of the development plan stating that, first and foremost, decisions must be made in accordance with the development plan unless material considerations indicate otherwise (Section 70(2) of the Town and Country Planning Act 1990 and section 38(6) of the Planning and Compulsory Purchase Act 2004). Any conflict identified with the development plan policy must be given weight on the planning balance.

10.1.1 Wiltshire Core Strategy and Joint Melksham Neighbourhood Plan –

The Wiltshire Core Strategy (WCS) sets out a ‘Settlement Strategy’ and ‘Delivery Strategy’ for development across the County. WCS Core Policy 1 addresses the Settlement Strategy and identifies four tiers of settlement – ‘Principal Settlements’, ‘Market Towns’, ‘Local Service Centres’, and ‘Large and Small Villages’. Within the Settlement Strategy, Melksham is defined as a Market Town. Principal Settlements, Market Towns, Local Service Centres and Large Villages have defined limits of development. Beyond these limits is countryside.

WCS Core Policy 2 addresses the Delivery Strategy. It sets out a presumption in favour of new residential development within the Limits of Development of the settlements – including Melksham – and further states that housing should not be permitted outside the limits except in the few circumstances explained at paragraph 4.25, none of which apply in this case. Core Policy 2 continues that the limits of development may only be altered through the identification of sites through a site allocations DPD or a neighbourhood development plan.

The Council adopted the Wiltshire Housing Sites Allocation Plan (WHSAP) in February 2020. It does not allocate further land for development at Melksham.

WCS Core Policy 15 sets out the Council’s sustainable plan-led approach to delivering development that responds to and reflects economic, social and environmental needs for the Melksham Community Area. Paragraph 5.82 of the WCS states that the strategy for

Melksham is “... to ensure an appropriate and balanced mix of housing and employment growth is managed to provide contributions to town centre improvement and delivery of enhanced services in the town”.

The Joint Melksham Neighbourhood Plan 2020-2026 (NP) was ‘made’ in July 2021. It sets out principles for new housing and good design through Policies 1 and 6; to a larger extent Policy 6 relies on the WCS to define the settlement boundary and the circumstances under which new housing will be permitted in the NP area. This said, standalone Policy 7 allocates land at Middle Farm, Whitley for approximately 18 residential units.

The application site is not allocated in either the WCS or the WHSAP (nor the NP). Therefore, as the site lies outside of the limits of development and none of the exception policies apply, the proposal does not accord with the WCS Core Policies CP1, CP2 and CP15, and the general principles set out in the Neighbourhood Plan.

10.1.2 Five-year housing land supply and relevant appeal decisions –

The above said, the Council is at the present time unable to demonstrate a 5-year supply of deliverable housing land, and this is a significant material consideration. According to the most up to date Housing Land Supply Statement (dated April May 2023 (base date: April 2022)), the number of years deliverable supply is 4.6 years (since ‘agreed’ to be 4.59 yrs following a more recent appeal decision). This means that the ‘tilted balance’ flowing from paragraph 11d)ii of the National Planning Policy Framework(NPPF) is engaged; it says the following –

“For decision taking this means:

c) approving development proposals that accord with an up-to-date development plan without delay; or

d) Where there are no relevant development plan policies, or the policies which are the most important for determining the application are out-of-date, granting permission unless:

i) the application of policies in this Framework that protect areas or assets of particular importance provides a clear reason for refusing the development proposed; or

ii) any adverse impact of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole.”

As Wiltshire Council is unable to demonstrate a 5-year housing land supply, the local plan policies which would restrict new housing provision must be treated as being out of date. This does not mean that the policies carry no weight, but rather that the NPPF expectation that planning permission should be granted (... unless any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies of the NPPF taken as a whole) has effect. And the effect in this case is – in the context of there being no identified adverse impacts outweighing the benefits of the proposed development in terms of it delivering housing – that planning permission should be granted. The other ‘non-impacts’ of the development are discussed later in the report.

In a recent allowed appeal decision relating to a proposal for 200 dwellings in countryside on the edge of Devizes the Inspector considered the housing land supply position, and concluded as follows –

“The proposal would help boost the Council’s supply of deliverable housing sites through a mix of market units next to a second-tier settlement that offers accessible facilities and

services. The proposed units could be delivered in the short term, and they would help address the persistent shortfall of housing in Wiltshire when there is not a plan-led mechanism to address this until the DPD is potentially adopted. Against this backdrop, I do not consider the shortfall to be modest, regardless of the number of permissions which the Council have granted and the Council's performance on the Housing Delivery Test. The extent of the shortfall has largely been flat in recent times despite the Council's briefing notes. I therefore attach substantial weight to this social benefit in the context of the Framework's aim to significantly boost the supply of housing."

In another recent (July 2023) allowed appeal relating to a site in the countryside on the edge of Holt for up to 90 dwellings (ref. PL/2022/03315), the Inspector said the following –

"When considering other appeals across Wiltshire, I am aware that Inspectors have given varying weight to shortfalls of this scale. In my view, even the Council's position of 4.59 years cannot be termed a moderate shortfall. Rather, I see it as being significant, as it constitutes an appreciable deficiency when compared to what the supply should be. Furthermore, it would appear the earliest this could be resolved through the adoption of a revised Local Plan is the end of next year, though I fully accept such timetables have a habit of slipping and the adoption date could be further into the future."

There have been 26 appeals since 2019 where 5-year land supply has been a principal material consideration. 19 of the appeals have been allowed, with 12 of 15 allowed in the last 16 months. Those few appeals that were dismissed had, in the main, other technical objections which tipped the balance the other way (for example, ecology, highway safety, loss of a country park, etc.). There are no technical objections relating to this application.

In order to address the housing supply shortfall the Council has issued two briefing notes, in September 2020 and April 2022. In section 6 – *What can we do to restore a five-year housing land supply?* – the note states that the Council will:

iii) Positively consider speculative applications where there are no major policy obstacles material to the decision other than a site being outside settlement boundaries or unallocated.

In the Holt appeal decision the Inspector stated the following in relation to this Briefing Note:

"I afford significant weight to this Briefing Note, as it is a realistic attempt to address the shortfall and, as such, I also attach significant weight to this stated intention in paragraph 6.1. To my mind, this case falls under this intention, for although I found harm to the character and appearance of the area, that harm was primarily due to the effects of placing a housing estate on a field and so commonly arises when the site is outside a settlement. As such, while that is a policy objection I do not consider it to be a major one. Overall, I attach significant weight to the content of the Framework in relation to the need for a 5- year supply and the consequences that flow from failing to identify that quantity of housing land. I also attach significant weight to the delivery of 90 dwellings, as it would make an appreciable contribution to addressing a shortfall of this size"

A further appeal decision of relevance to this specific application site is 20/07334/OUT which relates to the land to the immediate east (that is, the other half of the same field). This appeal – for up to 50 affordable housing units – was allowed in May 2022 when the Council did not have a 5 yr HLS. The decision letter, again, sets out the weight to be attributed to a development plan in these circumstances. It also sets out how much weight was/(should) be given to the provision of affordable housing, and it more specifically addresses the Joint Melksham NP policies. In the appeal, the location of the development at the edge of the limits of development of Melksham, the fact that the Council had allowed housing development to

the south, and the accessibility of the site to services and facilities by means other than the private car, were determinative factors. The inspector stated that:

“...in terms of accessibility of the proposed scheme to local services I accept that the appeal scheme conflicts with Policies CP1, CP2 and CP15 and JMNP 1 and 6. However, the level of harm would be limited given its location which allows good access to services by a genuine choice of transport modes.”

As it was a scheme comprising solely affordable housing (AH), the Inspector gave substantial weight to the provision of this. The Council’s delivery record of AH and the pressing needs within the Melksham community area were also determinative in the conclusion. The Inspector stated at paragraph 77:

“I conclude, therefore, that there is a pressing need for affordable housing and the appeal scheme is not in conflict with Policies CP43 and CP45. As with all the other main issues this is a matter for the planning balance.”

Turning to the current application, the proposal is for a similar level of housing (53 vs the 50 allowed on appeal within the same field). The current application is also proposing 100% affordable housing as per the scheme allowed at appeal. The Council is still unable to demonstrate a 5yr HLS some 12 months on from the appeal decision. All of these points allude to a very similar set of circumstances for the current application.

In addition, it is also of note that since the appeal was determined pedestrian improvement works have been undertaken to the Semington Road roundabout making it safer and easier for people to access Melksham town centre on foot or by bicycle. This is an enhancement to the accessibility credentials of the site that were found acceptable by the appeal Inspector in any event.

In light of these circumstances, it is considered the weighting the appeal Inspector applied to the WCS and Melksham NP policies when determining the application on the other half of the field should also be applied to the current application. This is not just a matter of consistency in decision making but is also in view of the very similar circumstances of the two sites – understandable given that they are part of the same field. Whether or not the conflict with development plan policy is considered to outweigh the benefits is a matter for the planning balance. However, in view of paragraph 11d being engaged, and furthermore in view of the presumption in favour of sustainable development applying, it would be necessary to demonstrate significant other harm in the event of a resolution to refuse planning permission.

Objections have been received regarding Melksham already having more housing than previously identified and that the Melksham Community Area has already met its indicative housing figures. However, this is a scheme for 100% affordable housing and the appeal decision referred to above also addresses this at paragraph 99, where it states:

“Despite the achievement of housing requirements for Melksham, delivering affordable housing remains a pressing need for the whole Council. The fact that the Council has specific requirements for community areas has still resulted in a need to increase substantially the supply of land for affordable housing. The Council’s suggested Action Plan designed to improve management arrangements, lacks additional resources and for this reason, is unlikely to deliver a step change in affordable housing delivery as would be required to fully address this issue.”

In view of the age of the Wiltshire Core Strategy it is a necessary requirement of the NPPF to assess housing need at the county level and not locally – and in accordance with the appeal

Inspector's conclusions quoted above. As already set out, at the county level Wiltshire Council is presently unable to demonstrate the required 5-year housing land supply.

Whilst the Melksham NP may allocate additional housing, it was not considered by the appeal Inspector that this addressed the acute need for affordable housing within the Melksham Community Area. At paragraph 75 the Inspector said the following:

“Although 534 affordable dwellings have been completed between 2009/10-2020-21 and around 277 units are in the pipeline or being delivered, the level of affordable housing need is acute. In contrast on this single issue the inclusion of just 6 affordable dwellings in the single housing allocation of the JMNP does not readily reflect the extent of housing need in the area.”

10.1.3 Principle of development – conclusion

The Council does not currently have a 5-year supply of housing, and accordingly WCS Core Policies CP1, CP2 and CP15 cannot be given full weight. In the context of a lack of any detailed objections from statutory consultees, the NPPF 'tilted balance' favours the application as *“any adverse impacts of granting permission”* cannot demonstrably outweigh the benefits, the main benefit being the supply of housing, which in this case would be 100% affordable.

Notwithstanding the site's location in 'countryside', it is considered to be reasonably accessible being adjacent to the existing edge of the town. Whilst there would be some undoubted change to the landscape at and around the site, it is not considered that there would be sufficient 'harm' arising from this to warrant a refusal decision under WCS Core Policy 51 (Landscape). There are no other 'policy obstacles' (as highways, drainage, ecology and other detailed issues are all satisfactorily addressed in the application – these are addressed later in the report).

Regarding the relevance of the Joint Melksham Neighbourhood Plan (NP), paragraph 14 of the NPPF provides guidance, stating the following –

In situations where the presumption (at paragraph 11d) applies to applications involving the provision of housing, the adverse impact of allowing development that conflicts with the neighbourhood plan is likely to significantly and demonstrably outweigh the benefits, provided all of the following apply:

a) *The neighbourhood plan became part of the development plan two years or less before the date on which the decision is made:*

The NP was made in July 2021 meaning that it became part of the development plan more than two years ago. It follows that in accordance with paragraph 14, the policies of the NP cannot significantly and demonstrably outweigh the benefits of the proposal in supplying housing. And in any event, as the NP relies to a certain extent on the WCS housing delivery policies which are now out of date in the context of the NPPF – and in view of the conclusions in the appeal decision for the adjacent land about the importance of affordable housing – less weight can be afforded to the NP policies anyway.

10.2 Design

The detailed considerations in respect of design are not for consideration under this outline application i.e., the layout, scale, appearance, and landscaping of the development are points to be determined as part of a later Reserved Matters application(s). However, it is still necessary to look at these issues at a higher level to ensure that the figure of 53 dwellings can be accommodated on the site whilst ensuring a high standard of design can be achieved.

The Urban Design Officer (UDO) originally objected to the application on the basis that the originally submitted documentation did not adequately demonstrate that the scheme would comply with the requirements of Core Policy 57 to secure high-quality design. The detailed points can be seen within the UDO's comments and so they are not repeated here.

The scheme has since evolved with a revised indicative layout, Design and Access Statement (DAS) and parameters plan. Upon further consultation with the UDO they did not wish to raise any specific objection to the proposal only to highlights areas that ought to be addressed as part of a reserved matters submission.

Turning to the indicative layout plan which shows one possible way in which 53 dwellings could be accommodated on the site, the following points are noted:

- The dwellings and their gardens appear to be appropriately scaled.
- Policy compliant levels of parking are shown on the indicative layout.
- Policy compliant levels of public open space have been demonstrated with sufficient gaps left for strategic planting to mitigate against any possibly visual effects.
- Sufficient space appears to have been left for attenuation and the safeguarding of Wessex Water infrastructure that crosses the southwest corner of the site.
- An appropriate level of space appears to have been left to ensure no net loss to biodiversity and to ensure that enhancement can take place.
- It shows a suitable level of cycle and pedestrian connectivity into and around the site and appropriate levels of integration with the phase 1 scheme to the east.
- Buildings are shown to face the public realm to give natural surveillance to streets and also to provide a continuous frontage to the street scene.

With the above points in mind and noting that the proposal equates to 33 dwellings per hectare, the scheme is not considered to constitute an overdevelopment of the site. A scheme is therefore capable of being brought forward on the site in a policy compliant manner that would accord with the principles enshrined within the NPPF and to that of Core Policy 57 of the WCS which seeks to deliver high quality design.

The DAS shows some analysis of local context has gone into the consideration of the proposal and the indicative layout and parameter plan largely reflects the layout approved as part of the phase 1 development.

The parameters plan will need to be conditioned as a 'fixer' to the layout that is presented at reserved matters stage. This is necessary to ensure an appropriate amount of space is left to provide public open space, landscaping, biodiversity enhancements, attenuation and statutory easements to Wessex's infrastructure. It is also required to ensure the right amount of pedestrian and cycle connections are delivered throughout the site.

Given the commitments in the DAS – and on the assumption that planning permission is given – it would be prudent to condition this document so that development is carried out in general accordance with it to ensure its positive features are carried forward to the reserved matters stage, such as, the proposals to address climate change that would be built into the development, and the emphasis on the Reserved Matters scheme avoiding pastiche architecture and instead seeking to embrace modern interpretations of local characteristics.

10.3 Landscape, Open Space and Visual Impact

The decision to allow up to 50 dwellings on land to the east of this site but within the same field is a significant material consideration as it represents an important landscape change. The baseline assessment of the land within this application must now include the permission for 50 dwellings on the eastern half of the field. It should also be acknowledged that the

principle of allowing residential development in part of this field has already been set. The landscape considerations under this application are centred on what, if any, the additional impacts of 53 dwellings would have on the character and appearance of the area, and whether any identified impacts would be adverse or not.

The principal conclusions on landscape impacts by the Inspector for the above-mentioned appeal are seen in paragraph 47 and 48 of the decision letter. Whilst the Council raised an objection on landscape grounds, the Inspector did not agree with the Council's conclusions on the matter. In the paragraphs referred to above, the Inspector stated that:

“The appeal scheme conflicts with Development Plan policies. Policies CP1, CP2, CP15, CP51 and CP57 and JMNP policies 1, 6 and 17 are consistent in seeking to resist development beyond settlement boundaries and the protection of the countryside. However, although I find conflict between the appeal scheme with these policies, the level of harm arising would be localised by its relationship to surrounding development, the configuration of the site, its limited extension west within the main field boundary and the strength of existing boundary hedgerows which could allow the base for effective landscape mitigation. I therefore conclude that there would be Modest/Negligible harm to the landscape character and appearance of the area arising from the appeal scheme.

Furthermore, there are no specific Development Plan policies which seek to protect the Gap between Melksham and Berryfield and the proposed development would not significantly erode it.”

The applicants have submitted a Landscape and Visual Impact Assessment (LVIA) which seeks to address the level of landscape harm associated with the development. It assesses the baseline landscape and visual context of the site and appraises the development's impact upon them, including from any sensitive visual receptors. The Council's Landscape Officer does not raise any objections to the methodology employed in the LVIA nor to the conclusions on the baseline assessment and appraisal of landscape and visual sensitivity.

The LVIA concludes overall at paragraphs 7.20 and 7.21 that:

“The development envelope also retains key areas of green infrastructure and open space along the site's boundaries, serving a variety of functions in terms of mitigation, including the formation of a robust boundary to development, which is sufficient to retain separation between Melksham and Berryfield village to the south, and allow a transition between the man-made and natural landscape.

Overall, the proposed development incorporates such a strategy which is based on a generous proportion of green infrastructure, open space, and landscape planting, situated across the site at points where it will serve best to avoid or reduce potential impacts.”

The Council's Landscape Officer has not disagreed with the central conclusions of the LVIA.

Whilst the comments of third parties and the Parish Council are noted in respect of landscape considerations, given what has been set out above, the level of harm that would arise from this scheme would not amount to significant harm that would warrant an objection under Core Policies 51 and 57 of the WCS, and to the policy of the NPPF to take account of the intrinsic value and beauty of the countryside.

However, the Landscape Officer's conclusions are based upon conditions which would require:

1. A Detailed Planting plan noting species, densities, and specifications (To National Plant Specification)
2. A Landscape and Ecology Management Plan (LEMP) setting out how the planting will be maintained from installation through to maturity.
3. A Tree / utilities coordination plan showing how street trees and utilities including street lighting have been properly coordinated to ensure no clashes between root growth and that trees have enough room to grow to maturity both above and below ground without impacting on services.

With regards the above suggested conditions, this is an outline application where all matters (bar access), including landscaping are reserved. It would be expected at REM stage that a detailed planting scheme is submitted, and a tree / utilities plan can also be submitted at that stage. Should sufficient details not be supplied at REM stage, then the LPA can choose to refuse that reserved matter or if appropriate, request the details via planning conditions. As such, it is not necessary to insist upon those conditions as part of an OUT consent. However, the condition relating to the submission of a LEMP is considered reasonable and necessary at this stage and can therefore form part of any permission given.

That said, this application does include a parameter plan which sets aside sufficient land as green infrastructure to deliver, amongst other things, landscape mitigation. It is considered that the parameters plan sets aside sufficient space to enable a reserved matters scheme of up to 50 dwellings to come forward with the appropriate level of landscape mitigation. As such, there is an appropriate level of details within this OUT consent to enable the 'in-principle' landscape matters to be considered and a judgement reached that the scheme is considered to comply with the requirement of Core Policy 51 of the WCS. It should be noted that this policy allows for harm to be mitigated through robust landscaping proposals which would come forward at REM stage. The LPA would be able to refuse an REM layout that does not accord with the parameters plan submitted at OUT stage or indeed, one that does not provide sufficient landscape mitigation/controls.

10.4 Heritage Impact

This application area forms part of a larger site that has been the subject of a geophysical survey and a trial trench evaluation. This evaluation identified an area of later prehistoric and Romano-British field systems and possible settlement activity that straddles the current application as well as application 20/07334/OUT located immediately to the east. Following discussion between the County Archaeologist and the applicant's archaeological consultants it was agreed that the area of archaeological activity identified by the evaluation could be explored via an open area excavation. This excavation would effectively mitigate the impact of the development upon the archaeological resource. The County Archaeologist has subsequently reviewed and approved a Written Scheme of Investigation (WSI) for these works and they currently awaiting the commencement of the excavation.

There are no above ground heritage assets that stand to be affected by this outline proposal and, in light of the above, the County Archaeologist is not objecting to this proposal. In principle, therefore it is considered that a scheme for up to 53 dwellings can be delivered at REM stage without giving rise to any harm to above or below ground heritage assets. As such, the requirements of Core Policy 58 are met.

10.5 Agricultural Land

The site is considered to be a Grade 2 arable field and is, therefore, defined as 'best and most versatile' agricultural land. An Agricultural Appraisal report was prepared for the earlier application 17/01095/OUT to assess the quality of the land for residential development across the whole field. The overall amount of land that is being lost is not significant in area (Natural

England are generally concerned where areas greater than 20ha are being lost). The application site falls well below that threshold. Whilst the loss of Grade 2 agricultural land is a factor to be considered on the planning balance, it is not in this case a matter to which significant weight can be afforded in the context of the housing supply shortfall.

10.6 Flood Risk and Drainage

Paragraph 159 of the Framework says that:

“... inappropriate development in areas at risk of flooding should be avoided by directing development away from areas at highest risk”.

Paragraph 161 goes on to states that:

“All plans should apply a sequential, risk-based approach to the location of development – taking into account all sources of flood risk and the current and future impacts of climate change – so as to avoid, where possible, flood risk to people and property. They should do this, and manage any residual risk, by:

- a) applying the sequential test and then, if necessary, the exception test as set out below; ...”*

The NPPF is clear at paragraph 162 of the Framework when it states that:

“Development should not be allocated or permitted if there are reasonably available sites appropriate for the proposed development in areas with a lower risk of flooding.”

The below map (figure 5) is taken from the Strategic Flood Risk Assessment (SFRA). Although the site is located within Flood Zone 1, this map shows that the site is within an area of ground water flooding.

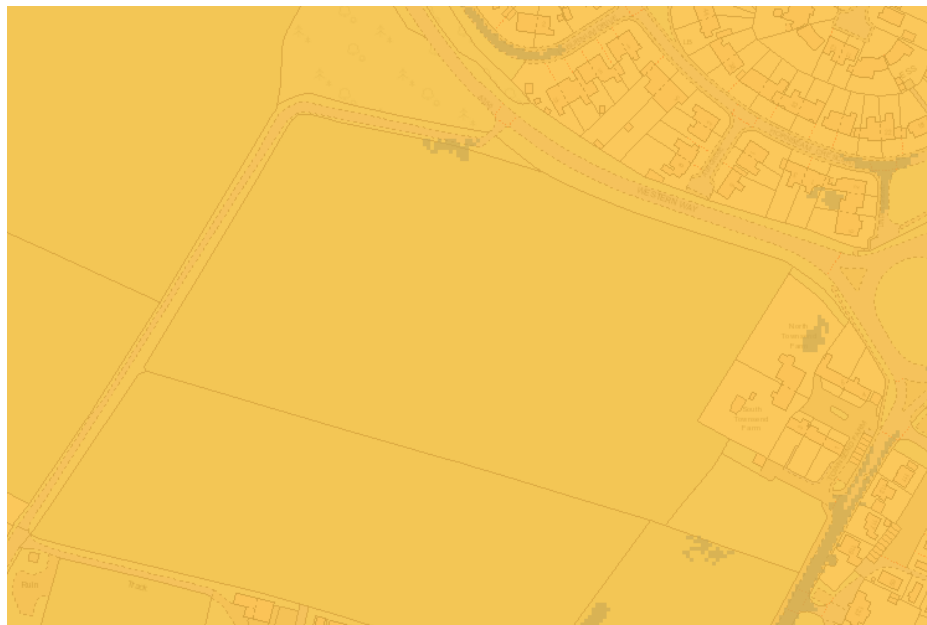


Figure 5 – Ground water Flooding Map

The SFRA sets out what is classified as a High Risk source of other flooding. On page 54 it states that these are sites where:

- *More than 10% of the site is at risk from surface water flooding in the 1 in 1,000- year event*
- *More than 10% of the site is within highest risk category in JBA Groundwater map (groundwater is <0.025m below the surface in the 1 in 100-year event) [Red layer Appendix G SFRA 2019]*
- *More than 75% of the site is within the second highest risk category in JBA Groundwater map (groundwater is between 0.025m and 0.5m below the surface in the 1 in 100-year event) [Orange Layer Appendix G SFRA 2019]*

It is noted from the above map extract that the site in question is covered by more than 75% of the second highest risk category in the Groundwater map. In light of this, the SFRA mapping is indicating that sequential testing should be applied to the development, in line with the requirements of the Framework as the site is within an area of ground water flood risk and the application is for a development type that is not exempt from the test, as specified in footnote 56 of the Framework.

However, it is noted that the SFRA is only one source of evidence that can be used to assess whether the site is in fact within a groundwater vulnerable area. The applicants have submitted their own flood risk assessment. In addition to this, they have also submitted a groundwater flooding technical note and a response note to the groundwater flooding issue that was raised by officers. All of these documents have been reviewed by the Lead Local Flood Authority (LLFA) and – as is evident from its final response in October 2023 – there are no objections to the FRA or the notes, subject to conditions.

As such, there is no need for sequential testing on this site as it is accepted that levels of ground water flooding are not within the high-risk categories where such testing is mandated. In the light of the LLFA comments, it can be concluded that ‘in principle’ the development can proceed without increasing flood risk elsewhere. The conditions suggested by the LLFA are both necessary and reasonable in order to ensure flood risk is not increased elsewhere.

Wessex Water have infrastructure in the southwest corner of the site (a distribution main) and, as per its policy, will not accept any building over it or within the 3m statutory easements either side of it. They also require unfettered access to their infrastructure. As a result of their comments, the applicants have amended the parameters plan which now shows the infrastructure on the plan and satisfies the requirements of Wessex Water in terms of easement and access. Wessex Water’s latest comments (18 October 2023) reflect this position. As such, Wessex Water has removed its initial holding objection to the application.

In its earlier response dated 31 January 2023, Wessex Water confirmed that it had infrastructure that could be connected to – to accommodate new mains water and foul sewerage. It also confirmed agreement in principle to the discharge of surface water run-off from the site to an existing surface water sewer network to the northwest of the site.

Given that the site is within an area (Wessex Water) identified by the EA as subject to serious water stress it is prudent to ensure water efficiency opportunities are maximised to mitigate the impacts of climate change, in the interests of sustainability and to use natural resources prudently in accordance with the NPPF. To this end, and in the event of planning permission being given, a condition is required to ensure the optional requirement Building Regulation standard Part G for water consumption limited to 110 litres per person per day.

10.7 Ecological Impact

The Council's Ecologist's final comments confirm that there are no ecology objections to the development subject to conditions. This was upon submission of further details requested by the Ecologist.

The conditions are to cover the following:

- Restriction on the installation of external lighting
- Compliance with the Ecological Parameters Plan, BEMP and BNG Assessment.
- To ensure the biodiversity mitigation and enhancement measures are carried out
- The submission of a Landscape and Ecological Management Plan (LEMP)
- The submission of a construction and Environmental Management Plan (CEMP)

These conditions are reasonable and necessary to ensure that matters of ecological importance relating to the site are not impacted upon by the development both during the construction and operational phase.

With the plans and documents supplied to date on ecological matters and with the above conditions in place, it is considered that the development would not have an adverse impact on protected species, priority habitats or the ecology of the area more generally. As such, the scheme is considered to accord with Core Policy 50 of the WCS and to the relevant paragraphs of the NPPF (notably, 180 requiring biodiversity net gains).

10.8 Environmental Impact

The Council's Public Protection team have no objection to the development provided the following elements are covered:

- Submission of a Construction and Environmental Management Plan (CEMP)
- Undertaking of an Air Quality Screening Assessment.
- A condition to cover any unexpected land contamination issues that arise on site.
- That the recommendations of the Noise Impact Assessment noted in chapter 5 are applied.

These conditions are reasonable and necessary to make the development acceptable in planning terms. Notably, in respect of the CEMP as the development backs on to existing dwellings.

However, it is noted the Phase I Desk Study by Georisk lists at Section 9 of that report what further work is required in any Phase II Ground Investigation study. It is reasonable, therefore, to request compliance with Section 9 of that report as opposed to applying the WC standard contaminated land condition. Furthermore, the Phase I study does not identify any geo-constraints that would preclude development or warrant significant remedial action.

10.9 Highways / Rights of Way

Core Policy 60 of the WCS states that the Council will use its planning and transport powers to help reduce the need to travel particularly by private car, and support and encourage the sustainable, safe and efficient movement of people and goods within and through Wiltshire. One of the stated ways of achieving this is by planning developments in suitable locations.

Paragraph 111 of the July 2021 NPPF states that:

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

In summary, the Local Highways Authority (LHA) have reviewed all the relevant information (access plans, Transport Assessment and Travel Plan) and do not have an objection to the scheme subject to a number of conditions and s106 contributions towards improving walking and cycling routes in the vicinity of the development, monitoring of the Travel Plan and provision of green travel vouchers.

With regards to the conditions, these are to cover the following matters:

- Implementation of the Travel Plan
- Provision of the vehicular access onto the Semington Road (granted under 20/07334/OUT) to base course level prior to occupation.
- Provision of a construction traffic management plan prior to commencement in the interests of highways safety
- Provision of 2m wide walking link onto Berryfield prior to occupation of the 20th dwelling
- That the landscaping scheme provides impenetrable landscaping on the northern boundary to prevent indiscriminate access onto the A350.

These conditions are both reasonable and necessary to ensure the development can proceed in an acceptable manner.

In light of the comments from the LHA, it is considered that the construction of the proposed development would not have an unacceptable impact on highway safety and would not have a 'severe' residual cumulative impact on the road network. As such, there are no highway reasons that would warrant withholding planning permission for the proposed development.

It should also be noted that improvement works have been carried out to the Semington Roundabout to encourage pedestrians to cross at the eastern rather than western arm of the roundabout. This has addressed earlier objections that were raised by the LHA in relation to the development of this field. Furthermore, whilst it is appreciated application 20/07334/OUT was only for 50 dwellings, the Inspector in deciding that appeal raised no 'in principle' objections on highways grounds that would prejudice this further quantum of housing from coming forward.

10.10 Community Infrastructure Levy (CIL)

The new dwellings would be liable for CIL. The site would fall under charging zone 2 where the sum equates to £85 per square metre of residential floor space created. Floor space calculations can only be provided at detailed design stage and thus CIL calculations would be required at reserved matters stage.

In addition to CIL payments, further financial obligations towards infrastructure specific to a development proposal are secured through section 106 contributions.

11. S106 contributions

Core Policy 3 advises that 'All new development will be required to provide for the necessary on-site and, where appropriate, off-site infrastructure requirements arising from the proposal. Infrastructure requirements will be delivered directly by the developer and/or through an appropriate financial contribution prior to, or in conjunction with, new development. This Policy is in line with the tests set under Regulation 122 of the Community Infrastructure Levy Regulations 2010, and Paragraph 57 of the National Planning Policy Framework. These are:

- Necessary to make the development acceptable in planning terms

- Directly related to the development; and
- Fairly and reasonably related in scale and kind to the development

The infrastructure items listed below are those that are relevant to the Application site and are required in order to mitigate the impact of the proposed scheme. Whilst there may have been some differentials were the site to be delivered as one, rather than 2 phases, the changes would be very subtle in nature and not raise any concerns with officers that would question the recommendation it has decided to make. The Applicant has agreed (see Appendix A) to provide the following (the calculation is based on the net addition of dwellings which is 53):

Affordable Housing

CP43 states that on sites of 5 or more dwellings, affordable housing provision of at least 30% will be provided and transferred to a Registered Provider. The above policy requires affordable housing to be secured via a legal agreement. CP45 also requires affordable dwellings to address local housing need and to incorporate a range of different types, tenures, sizes of homes in order to create a balanced community. CP46 requires in suitable locations, new housing to meet the needs of vulnerable people.

The applicant is proposing 100% AH and so the policy requirement of 30% is met. This would need to be delivered as 30% nil subsidy with the remainder (70%) of the affordable housing with subsidy or as 100% grant funded/with subsidy.

Recreation and Open Space

The principle of obtaining quality open spaces and opportunities for sport and recreation is stated in paragraph 98 of the NPPF. With regards to the development plan, Policy LP4 of the Leisure and Recreation Development Plan Document 2009 (LRDPD) requires a contribution to open space and sports facilities. Core Policy 52 of the WCS supports this by stating that accessible open space standards should be in accordance with the adopted Wiltshire Open Space Standards. Open space is listed as place shaping infrastructure under priority theme 2 of Core Policy 3 of the WCS.

To comply with the above policy it is necessary to secure on-site public open space to ensure the health and well-being of the future occupants of the development site. The increase in population caused by the development would have an impact on existing leisure facilities and, it is therefore necessary to upgrade a local facility to cater for the likely increased demand.

The proposal generates a public open space requirement of 1,851.18m² public open space with 93.81m² of this as equipped play all of which should be secured in perpetuity.

A leisure contribution of £12,508.80 is required towards the upgrade of Bowerhill Sports Field at Lancaster Road and/or upgrade of playing pitch and/or ancillary services within the vicinity of the site. This is considered a reasonable request as existing sports facility within the vicinity of the site are likely to be used by residents of the new development.

The provision of open space is to serve the needs of the future occupants of the housing scheme and thus its provision on-site is directly related to the development. The improvements to off-site leisure facilities directly relates to the increase to the local population caused by this development.

The respective amounts are considered to be fair and reasonable and are based on the Council's current standards set out in Policy LP4 of the LRDPD.

Education

The NPPF (paragraph 95) encourages Local Authorities to ensure that sufficient choice of school places is available to meet the needs of existing and new communities. In order to

ensure this, Core Policy 3 lists the provision of education as a priority 1 theme where it is required due to the impacts of a development proposal.

Early Years - A contribution of £70,088 is required to go towards the funding of 4 pre-school places within the area at a cost of £17,522 per place. The Early Years Officer has advised that the existing Early Years provision will not be able to support the needs of additional families requiring Early Years and Childcare in this area as they are all operating at high capacity.

Refuse

The Wiltshire Core Strategy at para 4.41 Core Policy CP3 identifies sustainable waste management facilities as essential components of daily life and therefore critical to delivering our strategic goal of building more resilient communities. Waste management is listed as place shaping infrastructure under priority theme 1 of Core Policy 3 of the WCS.

A contribution of £5,353 (£101 per dwelling x 53) would be required to provide the new dwellings with adequate waste and recycling bins. This is in conformity with the Wiltshire Council Waste Collection Guidance for New Development.

The provision of bins, and the services required to support waste collection, is a burden on the Council that is directly related to new developments. The sum requested here directly relates to the size of development proposed. £101 is the cost of purchasing the necessary waste and recycling containers for a single dwelling in Wiltshire and so the costs are considered fair and reasonable.

Public Art

An indicative public art contribution figure (based on £300 per dwelling) for the applicant to deliver the integration of public art for this site would be £15,900 for 53 dwellings. It is expected that no more than 10% of this figure should be spent upon the production of a public art plan.

Art and design in the public realm will help to mitigate the impact of development by contributing to good design, place-shaping, infrastructure and engage communities with the development.

The above contribution is considered reasonable and necessary in line with the following policies of the development plan:

- Core Policy 3 promotes and defines public art as a type of place-shaping infrastructure and states that the cost of providing infrastructure can be met through the use of planning obligations.
- Core Policy 57 promotes “the use of high standards of building materials, finishes and landscaping, including the provision of street furniture and the integration of art and design in the public realm.”
- Saved West Wiltshire District Plan 1st Alteration Policy I2 also makes reference to The Arts.
- The Planning Obligations Supplementary Planning Document (October 2016) refers to the 2011 guidance note of art and design in the public realm.

In addition, the NPPF recognises that cultural wellbeing is part of achieving sustainable development and includes cultural wellbeing within the twelve core planning principles that underpin both plan-making and decision-taking. The PPG complements the NPPF and states that “*Public art and sculpture can play an important role in making interesting and exciting places that people enjoy using.*”

Highways

Core Policy 60 of the WCS seeks to reduce the need to travel particularly by private car, and supports and encourages the sustainable, safe and efficient movement of people and goods within and through Wiltshire. CP 61 states that where appropriate contributions will be sought towards sustainable transport improvements and that travel plans will be required to encourage the use of sustainable transport alternatives. Such requests are also listed under Core Policy 3 as infrastructure priority theme 1. The following planning obligations are sought by the LHA:

In order to maximise walking and cycling from the development site, to increase the sustainability of the site and, to offset the vehicle travel impacts of the development, a contribution of £74,200 (£1400 per dwelling) is sought towards active travel enhancements in the local vicinity (notably, the provision of a route to the planned school at Pathfinder Way). This is based on the contribution provided by phase 1 (20/07334/OUT) comprising 50 dwellings where £70,000 has been secured in the legal agreement towards the costs of improving pedestrian accessibility in the vicinity of that development. That sum was considered to meet the three tests set out in paragraph 57 of the Framework by the appeal Inspector.

A contribution has been requested towards a Travel Plan Monitoring fee of £1,500 per annum for 5 year period, totalling £7,500.

A payment of £200 for green travel vouchers to each household. This would total £10,600 based on a scheme of 53 units.

Such contributions are necessary to mitigate the impacts of the development on the surrounding highways network and to encourage more sustainable travel movements to and from the development.

12. Conclusion (The Planning Balance)

At the heart of the NPPF there is a presumption in favour of sustainable development requiring local planning authorities to approve development proposals that accord with an up-to-date development plan without delay; and where there are no relevant development plan policies, or the policies which are most important for determining the application are out-of-date, permission should be granted unless (taken from paragraph 11d of the NPPF):

- i. the application of policies in this Framework that protect areas or assets of particular importance provides a clear reason for refusing the development proposed; or
- ii. any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole.

In this context, the Wiltshire Core Strategy is not up-to date as the Council finds itself without a 5yr HLS. As such paragraph 11d (the 'tilted balance') of the NPPF, is engaged. No technical policies of the NPPF that protect areas or assets of particular importance have provided a reason for refusing the proposed development. As such, the tilted balance has effect under paragraph 11d)ii and 'footnote 8' which requires that permission should be granted unless any adverse impacts of doing so would significantly and demonstrably outweigh the benefits when assessed against the policies in the Framework when assessed as a whole.

The 'harms' –

The site lies outside the Limits of Development of the 'Market Town' of Melksham contrary to Core Policies 1, 2 and 15 of the WCS which are strategic policies that all seek to establish and control where new housing proposals in Wiltshire will be acceptable.

The proposal also conflicts with the Melksham Neighbourhood Plan Policy 1 which aims for a carbon neutral future, through amongst other matters, reducing dependency on private transport and requiring development within settlement boundaries (Policy 6).

It is clear therefore that the scheme does not conform with the development plan when taken as a whole. However, whilst these policies are predicated on the principles underpinning the Framework, the policies cannot be afforded full weight given the housing land supply position of c. 4.6 years.

Nonetheless, the level of harm against these policies is only considered to be limited, for the following reasons:

- the size of the scheme is appropriate for Melksham as a market town which is capable of significant growth as identified by CP1 of the WCS.
- although outside of the LoD, it is noted that the site is located just outside and therefore, its proximity to the town centre allows access by a genuine choice of transport modes.

However, the conflict with the development plan is still harm which militates against the grant of planning permission.

No other harm has been identified against this proposal that is not otherwise capable of being addressed through the use of planning conditions or via planning obligations as part of a s106 agreement.

The benefits –

Provision of entry level AH / housing to address 5yr HLS shortfall –

Given the lack of a 5YRHLS within the county, the widely acknowledged nationwide housing crisis, the further shortage of affordable housing both locally and nationally, and the provision of a 100% AH scheme comprising 53 units, this is a matter which must be given substantial weight.

Expenditure on construction and investment in the area / creation of construction jobs –

Paragraph 81 of the NPPF states that:

“Significant weight should be placed on the need to support economic growth and productivity, taking into account both local business needs and wider opportunities for development.”

In light of the above – and bearing in mind the size of the scheme (53 units is not a large site) – moderate weight should be attributed to this benefit. The development would provide a boost to the economy through the provision of construction jobs associated with a housing development. It is noted that the construction industry has been highlighted by the government as one of the key areas for growth post pandemic and more generally. The same weighting can be attributed to the economic expenditure from future occupants of the development within the local economy.

Financial contributions towards off site infrastructure –

Whilst these contributions are required to make the development acceptable in planning terms, some of the contributions would be of benefit to the local population and, without the development, would be less to happen. In this case, a contribution to provide improvements to an off-site sports facility would not only be of benefit to future occupants of the development who may choose to use these facilities, but to many locals who already use them. Some limited positive weight can be attributed to this point.

Neutral impacts –

The lack of identified harm against technical policies of the WCS is not a benefit of the development but would be a neutral aspect of it. The lack of technical objections and the conformity with the development plan are therefore neutral points on the balance.

Conclusion –

It is considered that the adverse impacts of granting planning permission (the conflict with CP 1 2 and 15 of the WCS as well as Melksham NP policies 1 and 6 (the development plan)) would not be significantly and demonstrably outweighed by the benefits (notably provision of 100% affordable housing and economic benefits), when assessed against the policies in this Framework taken as a whole.

RECOMMENDATION:

Defer and Delegate to the Head of Development Management to grant full planning permission subject to first completion of a Section 106 legal agreement to cover the matters set out in Section 11 of the report, and subject to the following conditions –

Conditions:-

- 1 The development hereby permitted shall be begun either before the expiration of three years from the date of this permission, or before the expiration of two years from the date of approval of the last of the reserved matters to be approved, whichever is the later.

REASON: To comply with the provisions of Section 92 of the Town and Country Planning Act 1990 as amended by the Planning and Compulsory Purchase Act 2004.

- 2 An application for approval of the reserved matters specified in Condition 3 below, must be made to the Local Planning Authority before the expiration of three years from the date of this permission.

REASON: To comply with Section 92 of the Town and Country Planning Act 1990.

- 3 No development shall commence until details of the following matters (in respect of which approval is expressly reserved) have been submitted to, and approved in writing by, the Local Planning Authority:

- a. The scale of the development;
- b. The layout of the development;
- c. The external appearance of the development;
- d. The landscaping of the site.

The development shall be carried out in accordance with the approved details. The reserved matters shall be submitted as a single phase, unless otherwise agreed by the Local Planning Authority.

REASON: The application was made for outline planning permission and is granted to comply with the provisions of Section 92 of the Town and Country Planning Act 1990 and Article 5 (1) of the Town and Country Planning (Development Management Procedure) (England) Order 2015.

4 The development hereby permitted shall be carried out in accordance with the following approved plans and documents:

- Dwg Reg: 3888 - 01A - Location Plan
- Dwg Ref: MSW-BWB-ZZ-XX-DR-YE-0001_Ecological Parameters Plan_S2_P02 - Ecological Parameters Plan
- Dwg Ref: 3888 - 02 Rev B - Parameters Plan

REASON: For the avoidance of doubt and in the interests of proper planning.

5 The development hereby permitted shall be carried out in general accordance with the design and layout principles in the following:

- Design and Access Statement dated August 2022

REASON: For the avoidance of doubt and in the interests of proper planning.

6 The development hereby permitted shall make provision for the following:

- (a) Up to 53 dwellings;
- (b) Public open space to be sited, laid-out and equipped in accordance with the West Wiltshire Leisure and Recreation DPD (or any subsequent replacement DPD); and to include at least 1851.18 sq m of general public open space and at least 93.81 sq m of equipped play space.

The 'layout of the development' (as to be submitted and approved under condition no. 3) shall accommodate the above in broadly in accordance with the Parameter Plan (no. 3888-02 Rev B).

Prior to commencement of the development, a programme, or phasing plan, for the delivery and completion of the dwellings and the public open space(s) shall be first submitted to, and approved in writing by, the local planning authority. The dwellings and the public open space(s) shall then be delivered and completed in accordance with the approved programme.

REASON: To ensure the creation of a sustainable development which is in character with its surroundings and in accordance with the terms of the planning application.

- 7 No development shall commence on site until the following details have been submitted to and approved in writing by the Local Planning Authority:
- a. a sensitivity analysis has been undertaken on the network considering surcharged outfall conditions;
 - b. overland exceedance routes have been shown on a drainage plan for flows in excess of the 1 in 100 year plus climate change (40%) rainfall event;
 - c. clear arrangements are in place for ownership and ongoing maintenance of SuDS over the lifetime of the development;
 - d. submit calculations which demonstrate that the proposed drainage design provides a sufficient level of water treatment; and,
 - e. Additional groundwater monitoring should be undertaken during the winter months to establish peak seasonal levels.

REASON: To minimise the risk to people and property during high return period storm events, to ensure that the surface water drainage performs as designed, to avoid flooding due to lack of maintenance and to prevent pollution of the receiving watercourse.

- 8 Prior to the start of construction, a Landscape and Ecology Management Plan (LEMP) shall be submitted to and approved in writing by the Local Planning Authority. The LEMP will include:
- a) Long term objectives and targets in accordance with the Calculation of Biodiversity Net Gain using Defra Metric 3.1 report (Biodiversity Net Gain Assessment, Document Number: MSW-BWB-ZZ-XX-RP-LE-0004_BNGP2, Rev: P02, Date: October 2023 by BWB Consulting).
 - b) Management responsibilities and maintenance schedules for each ecological feature within the development for a period of no less than 30 years from the commencement of the scheme as identified in:
 - Ecological Parameters Plan, Drawing ref: MSW-BWB-ZZ-XX-DR-YE- 0001, Rev: P02, Date: 26.10.2023 by BWB Consulting
 - Biodiversity Enhancement Management Plan (BEMP), Document Number: MSW-BWB-ZZ-XX-RP-LE-0003_BEMP, Rev: P02, Date: 19/10/2023 by BWB Consulting
 - c) The mechanism for monitoring success of the management prescriptions with reference to the appropriate Biodiversity Metric target Condition Assessment Sheet(s).
 - d) A procedure for review and necessary adaptive management in order to attain targets.
 - e) Details of the legal and funding mechanism(s) by which long-term implementation of the plan will be secured.

The LEMP shall be implemented in full and for the lifetime of the development in accordance with the approved details.

REASON: To ensure the long-term management of landscape and ecological features retained and created by the development, for the benefit of visual amenity and biodiversity for the lifetime of the scheme.

- 9 The development hereby approved shall not commence until a Construction and Environmental Management Plan (CEMP) has been submitted to and approved in

writing by the local planning authority. The CEMP shall include details of the following relevant measures:

- i. An introduction consisting of a construction phase environmental management plan, definitions and abbreviations and project description and location;
- ii. A description of management responsibilities;
- iii. A description of the construction programme;
- iv. Site working hours and a named person and telephone number for residents to contact;
- v. Detailed Site logistics arrangements;
- vi. Details regarding parking, deliveries, and storage;
- vii. Details regarding dust mitigation;
- viii. Details of the hours of works and other measures to mitigate the impact of construction on the amenity of the area and safety of the highway network;
- ix. Communication procedures with the LPA and local community regarding key construction issues – newsletters, fliers etc;
- x. Details of how surface water quantity and quality will be managed throughout construction;
- xi. Details of the safeguarding measures to deal with the following pollution risks:

- the use of plant and machinery
- wheel washing and vehicle wash-down and disposal of resultant dirty water
- oils/chemicals and materials
- the use and routing of heavy plant and vehicles
- the location and form of work and storage areas and compounds
- the control and removal of spoil and wastes

xii. Details of safeguarding measures to highway safety to include:

- A Traffic Management Plan (including signage drawing(s))
- Routing Plan
- Details of temporary/permanent Traffic Regulation Orders
- pre-condition photo survey - Highway dilapidation survey
- Number (daily/weekly) and size of delivery vehicles.
- Number of staff vehicle movements.

xiii. In addition, the Plan shall provide details of the ecological avoidance, mitigation and protective measures to be implemented before and during the construction phase, including but not necessarily limited to, the following:

- Pre-development species surveys including but not exclusively roosting bats, otter, water vole and birds.
- Phasing plan for habitat creation and landscape works including advanced planting proposals including pre-development provision of TBMS zones A and B and predevelopment provision of hedgerow mitigation/ translocation along Firs Hill A361.
- Identification of ecological protection areas/buffer zones and tree root protection areas and details of physical means of protection, e.g. protection fencing.
- Method statement to include pollution prevention measures for construction of causeway over Lambrok Stream to minimise harm to the watercourse and protected and notable species with regular monitoring.
- Working method statements for protected/priority species, such as nesting birds, reptiles, amphibians, roosting bats, otter, water vole, badger and dormice with regular monitoring.
- Work schedules for activities with specific timing requirements in order to avoid/reduce potential harm to ecological receptors; including details of when a licensed ecologist and/or ecological clerk of works (ECoW) shall be present on site.

- Key personnel, responsibilities and contact details (including Site Manager and ecologist/ECoW).
- Timeframe for provision of compliance report to the local planning authority; to be completed by the ecologist/ECoW and to include photographic evidence.

There shall be no burning undertaken on site at any time.

Construction hours shall be limited to 0730 to 1800 hrs Monday to Friday, 0730 to 1300 hrs Saturday and no working on Sundays or Bank Holidays.

The development shall subsequently be implemented in accordance with the approved details of the CEMP.

REASON: To minimise detrimental effects to the neighbouring amenities, the amenities of the area in general, and detriment to the natural environment through the risks of pollution and dangers to highway safety, during the construction phase and in compliance with Core Strategy Policy 62.

- 10 No development shall commence on site until a Phase II Ground Investigation report has been submitted to and approved in writing by the Local Planning Authority. The report should address the issues raised in Section 9 of the Phase I Desk Study by Georisk Management dated July 2022.

REASON: In order to reduce the risks associated with land contamination in accordance with Core Policy 56 of the Wiltshire Core Strategy.

- 11 Prior to the commencement of construction, an Air Quality Assessment (AQA) or Screening Assessment must be submitted to and approved in writing by the Local Planning Authority. This must quantify the effect of the development on existing local authority air quality monitoring locations and sensitive receptors as well as the proposed development. It must also identify and make adjustments for all core strategy-based development in the development's locality. Use of CUREd data in the AQA is expected along with any other currently accepted approaches to AQA.

REASON: In order to comply with Core Policy 55 which states that development proposals, which by virtue of their scale, nature or location are likely to exacerbate existing areas of poor air quality, will need to demonstrate that measures can be taken to effectively mitigate emission levels in order to protect public health, environmental quality and amenity.

- 12 The development shall be carried out in accordance with the mitigation measures detailed in Section 5 of the submitted Noise Impact Assessment by BWB dated 22nd August 2022 and maintained as such in perpetuity.

REASON: To protect the amenities of the future occupants of the development site from noise generated by the A350 (Western Way).

- 13 No residential unit shall be occupied until those parts of the Residential Travel Plan capable of being implemented prior to occupation have been implemented. Those parts identified for implementation after occupation shall be implemented in accordance with the timetable contained therein and shall continue to be implemented as long as any

part of the development is occupied. The Residential Travel Plan Co-ordinator shall be appointed and carry out the identified duties to implement the Residential Travel Plan for a period from first occupation until at least 2 years following occupation of the last residential unit.

REASON: In the interests of reducing the amount of private car movements to and from the development.

- 14 No residential unit shall be occupied until the vehicular access to Semington Road granted approval under planning permission 20/07334/OUT has been provided to base course level including its visibility splays. The access shall have been completed to wearing course level prior to occupation of the 50th dwelling served by it.

REASON: In the interests of safe and convenient access to the development.

- 15 Prior to the occupation of the 20th dwelling unit hereby approved, a walking link 2 metres wide shall be provided between the roads on the development and Berryfield Lane, The link so provided shall thereafter be maintained and kept available for use.

REASON: In the interests of good pedestrian accessibility.

- 16 The landscaping scheme submitted for the development shall include intensive and impenetrable landscaping on the northern boundary.

REASON: To prevent indiscriminate access from the public open space on the northern side of the development to the A350 with its high traffic flows and lack of pedestrian facilities.

- 17 The dwellings shall be constructed to meet as a minimum the higher Building Regulation standard Part G for water consumption limited to 110 litres per person per day using the fittings approach.

REASON: The site is in an area of serious water stress requiring water efficiency opportunities to be maximised, to mitigate the impacts of climate change in the interests of sustainability, and to use natural resources prudently in accordance with the National Planning Policy Framework.

- 18 No new external artificial lighting shall be installed at the site unless otherwise agreed in writing by the local planning authority.

REASON: In the interests of conserving biodiversity.

- 19 The development will be carried out in strict accordance with the following documents:

- Ecological Parameters Plan, Drawing ref: MSW-BWB-ZZ-XX-DR-YE-0001, Rev: P02, Date: 26.10.2023 by BWB Consulting
- Biodiversity Enhancement Management Plan (BEMP), Document Number: MSW-BWBZZ-XX-RP-E-0003_BEMP, Rev: P02, Date: 19/10/2023 by BWB Consulting

- Biodiversity Net Gain Assessment, Document Number: MSW-BWB-ZZ-XX-RP-LE-0004_BNGP2, Rev: P02, Date: October 2023 by BWB Consulting

REASON: For the avoidance of doubt and for the protection, mitigation and enhancement of biodiversity.

20 The biodiversity mitigation and enhancement measures will be incorporated into the development in accordance with:

- Biodiversity Enhancement Management Plan (BEMP), Document Number: MSW-BWB-ZZ-XXRP-LE-0003_BEMP, Rev: P02, Date: 19/10/2023 by BWB Consulting

The installation of these features will be supervised by a professional ecologist and this part of the condition will be discharged when photographic evidence of installed features have been submitted to and approved in writing by the local planning authority. These measures will continue to be available for wildlife for the lifetime of the development.

REASON:

To mitigate for impacts to biodiversity arising from the development.

Informatives:

Protected Species

The applicant should note that under the terms of the Wildlife and Countryside Act (1981) and the Habitats Regulations (2017) it is an offence to disturb or harm any protected species including for example, breeding birds and reptiles. The protection offered to some species such as bats, extends beyond the individual animals to the places they use for shelter or resting. Please note that this consent does not override the statutory protection afforded to any such species. In the event that your proposals could potentially affect a protected species you should seek the advice of a suitably qualified and experienced ecologist and consider the need for a licence from Natural England prior to commencing works. Please see Natural England's website for further information on protected species.

Artificial Lighting

The habitat within the proposed development site and the surrounding area is suitable for roosting, foraging and commuting bats. An increase in artificial lux levels can deter bats which could result in roost abandonment and/or the severance of key foraging areas. This will likely result in a significant negative impact upon the health of bat populations across the region. Artificial light at night can have a substantial adverse effect on biodiversity. Any new lighting should be for the purposes for safe access and security and be in accordance with the appropriate Environmental Zone standards set out by the Institute of Lighting Engineers in their publication GN01:2021, 'Guidance for the Reduction of Obtrusive Light' (ILP, 2021), and Guidance note GN08/23 "Bats and artificial lighting at night", issued by the Bat Conservation Trust and Institution of Lighting Professionals.

Drainage MADD Factor

Within the calculations, the MADD factor / Additional storage volume must be set to zero. If a value other than 0m³/ha is selected for the MADD value, the applicant will need to provide quantitative evidence to demonstrate that this is appropriate.

APPENDIX A

S106 HEADS OF TERMS

PL/2022/08155 – Lane West of Semington Road
HEADS OF TERMS (Based on 53 Dwellings)

SUBJECT	REQUEST	AMOUNT	AGREED
Affordable Housing (AH)	On site delivery of 30% at nil subsidy with the remainder (70%) of the AH with subsidy or as 100% granted funded/with subsidy.	53 Units	X
Public Open Space	Delivery of 1,851.18m ² of public open space, of which 93.81m ² is to be equipped play space	N/A	X
	Upgrade of Bowerhill Sports Field at Lancaster Road and/or upgrade of playing pitch and/or ancillary services within the vicinity of the land	£12,508.80	X
Waste & Recycling	Provision of waste and recycling containers @ £101 per dwelling	£5,353	X
Education	Early years provision x 4 places	£70,088	X
Public Art	Public art scheme to be delivered on site (£300 per dwelling) x 53 units	£15,900	X
Highways	Active travel enhancements in the local vicinity ((notably, the provision of a route to the planned school at Pathfinder Way).	£74,200	X
	Travel Plan Monitoring Fee for 5 years @ £1500 per annum	£7,500	X
	Green Travel Vouchers @ £200 per dwelling	£10,600	X
TOTAL SUM OF MONEY		£196,149.80	X

EXTRACT FROM PLANNING COMMITTEE MINUTES OF MELKSHAM WITHOUT PARISH COUNCIL MEETING, MONDAY 28 NOVEMBER 2022

PLANNING APPLICATION: PL/2022/08155: Land to the West of Semington Road, Melksham. Outline planning permission for up to 53 dwellings including formation of access and associated works, with all other matters reserved.

Members noted and supported the useful comments from the Wiltshire Council Spatial Planning Officer on proposals for the site.

Councillor Wood informed the meeting the Neighbourhood Plan Steering Group were looking at including an additional policy to protect landscape gaps and hopefully this would add some protection against future development.

The Clerk explained if the application was for 103 dwellings, rather than two separate applications, several things would be triggered, such as providing a contribution towards education and other infrastructure and therefore it felt wrong that the two applications would not have to contribute towards these, particularly as both applications had been submitted by Terra Strategic and were described as Phase 1 (20/07334/OUT) and Phase 2 for this application.

Comments: To fully support the comments made by the Spatial Planning Officer and to object to this application for the following reasons:

- 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.
- This site was previously turned down in May 2017 for 160 dwellings, and the reasons for that refusal still stand. Precedent is also set within the assessment of the principle of development for 16/11901/OUT on applications in the Semington Road area that do not fall under the existing built area of Berryfield or within the settlement boundary of Melksham Town. The site therefore conflicts with Core Policy 2 of the Wiltshire Council Core Strategy as it is outside the defined limits of development and has not been brought forward through the Site Allocations DPD or the Melksham Neighbourhood Plan.
- Whilst there currently is a lack of 5-year land supply, the Melksham area has exceeded the number of dwellings required by the Core Strategy by 2026 and the protection of paragraph 14 in the NPPF is valid with a current adopted Melksham Neighbourhood Plan less than 2 years old. This was confirmed by the Planning Inspector for the appeal at the adjacent site 20/07334/OUT; AP-36412.
- The development proposed is for 100% affordable housing, which conflicts with Wiltshire Council’s Core Strategy Policy 43 ie ‘the need for developing mixed, balanced and inclusive communities, affordable housing units to be dispersed throughout a development and designed to be high quality, so as to

be indistinguishable from other developments.’ On recently meeting Sovereign Housing at pre-app stage for the adjacent site (20/07334/OUT) they mentioned that the 50 dwelling site was about the right size for a wholly affordable housing site for themselves. On their proposed pre-app drawing for that development, it is shown as Phase 1, and this proposal is described as Phase 2 with a connecting road shown between them. The applicant is the same for both sites at outline stage.

- If Wiltshire Council are minded to approve this application, please refer to the published Housing Needs Assessment undertaken for the review of the Melksham Neighbourhood Plan to give a steer on the mix of type and tenure that are needed in the Neighbourhood Plan area, and in fact broken down into smaller settlement areas within the NHP area
https://www.melkshamneighbourhoodplan.org/files/ugd/c4c117_4c8411b64439472fbfcf8e856799e2c9.pdf
- The loss of Grade 2 agricultural land (Best Most Versatile land). It is noted that it is suggested within one of the developer’s submission documents that this particular parcel of land was unsuitable for agricultural use and was fallow. The parish council do not want to see the loss of good quality land from agricultural use. Residents from the neighbouring Townsend Farm development confirm that this year rapeseed had been grown and cultivated in the field and for the last 15+ years there had always been either crops or animals on the land.
- Highway safety concerns with regard to access to the site as Semington Road is quite narrow where the access is proposed. In addition, the highway safety for residents in terms of accessing facilities in the town with them having to cross the busy A350. Whilst the light controlled crossing to the east had recently been upgraded as part of the Active Travel project by Wiltshire Council, there was still an informal, desire line across the east of the A350 roundabout to access the town centre and Aloeric school. The proposed site entrance is very close to the entrance to the Mobile Home Park and in addition to the road calming measures already in place this could lead to congestion and traffic issues, especially on the Semington Road roundabout at the A350. The A350 is a primary route, with some 20,000 vehicles using it per day.
- Access to schools and lack of school places. Whilst Aloeric School may be the nearest, this requires people 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 parish council raised concerns about the recent Road Safety Report for 20/01938 of which children would be using the same route to school. This contradicted itself by saying that the route was safe as children would be accompanied by an adult, and elsewhere reported that the assessor

witnessed an unaccompanied child on a scooter en route to school. In addition, children may be accessing other primary schools at Bowerhill and the proposed school at Pathfinder Place

- The application makes no reference to a contribution to the proposed Melksham Link canal restoration by the Wilts & Berks Canal Trust (12/01080).
- The erosion of the rural buffer and visual green gap between the town of Melksham and the small village of Berryfield.

Should Wiltshire Council be minded to approve this application the Parish Council would like to see the following conditions included in the Heads of Terms for the S106 Agreement:

- There are practical art contributions.
- A LEAP (Local Equipped Area of Play) is provided which includes bins and benches as well as public open space and the regular emptying of bins to be reflected in any future maintenance contribution.
- The Parish Council wish to enter into discussions on being the nominated party for any equipped play area for the site, and the associated maintenance contribution.
- Bus shelters to be provided in Semington Road with WiFi connectivity to provide Real Time Information.
- The road layout is such that there are no dead ends in order that residents and refuse lorries do not need to reverse out of roads.
- There is a visible delineation between the pavement and the road.
- As no community facility is being provided from this application, that a contribution is made towards the running costs of the new village hall being provided as part of planning application 16/00497/OUT on Semington Road.
- A contribution is made to public transport.
- A contribution towards the canal scheme.
- Equipment is provided for teenagers, such as a teen shelter with WiFi connectivity.
- The provision of circular walking routes with the provision of benches and bins
- The provision of bird, bat and bee bricks, reptile refugia and hibernacula in order to increase biodiversity and wildlife in the development

To request Councillor Seed call in the application (highlighting comments by the Spatial Planning Officer) for discussion at a Wiltshire Council Planning meeting.

**ADDITIONAL COMMENTS RELATING TO PLANNING APPLICATION PL/2022/08155:
DEVELOPMENT WEST OF SEMINGTON ROAD FOR 53 DWELLINGS.**

Having met with the developers, Terra Strategic since submitting our comments, the Parish Council wished to submit additional comments:

During discussions with the developer, it was noted there are proposals for a footpath from the development to Berryfield Lane at the South Western Corner.

Members are concerned this may become an informal route for those wishing to access the town via the A350, which raises safety concerns for residents, given the volume and speed of traffic where Berryfield Lane joins the A350.

Members also ask for some form of fencing to be installed on the Northern side of the development to stop people trying to access the A350 from this part of the development, with additional hedging in order to make it impermeable and discourage people trying to cut through to the A350.

If Wiltshire Council are minded to approve this application, then the parish council would like to request the following additional things:

Children from this development will presumably be walking to the new proposed primary school at Pathfinder Place and Melksham Oak Secondary School, the Parish Council are very keen to improve the pedestrian access from this and other new development in Semington Road to the school and therefore request a new footpath along the Southern side of Western Way.

There is a £200,000 highway contribution attached to planning application PL/2022/02749 for 144 houses on Semington Road that is no longer required to improve the crossing on the A350, because it has been completed as part of improvements to the Melksham to Hilperton cycle route via Government Active Travel funding. We have today written to Steven Sims and Mark Wiltshire, Major Projects, Wiltshire Highways regarding this funding with a request it be used to help fund a footpath along Western Way.

Therefore, there is an opportunity from this development and Phase 1 (planning application 20/07334 and PL/2022/02749) to really improve the access for children to be able to walk safely to school from Semington Road, including those at Bowood View (16/00497/OUT & 17/12514/REM).

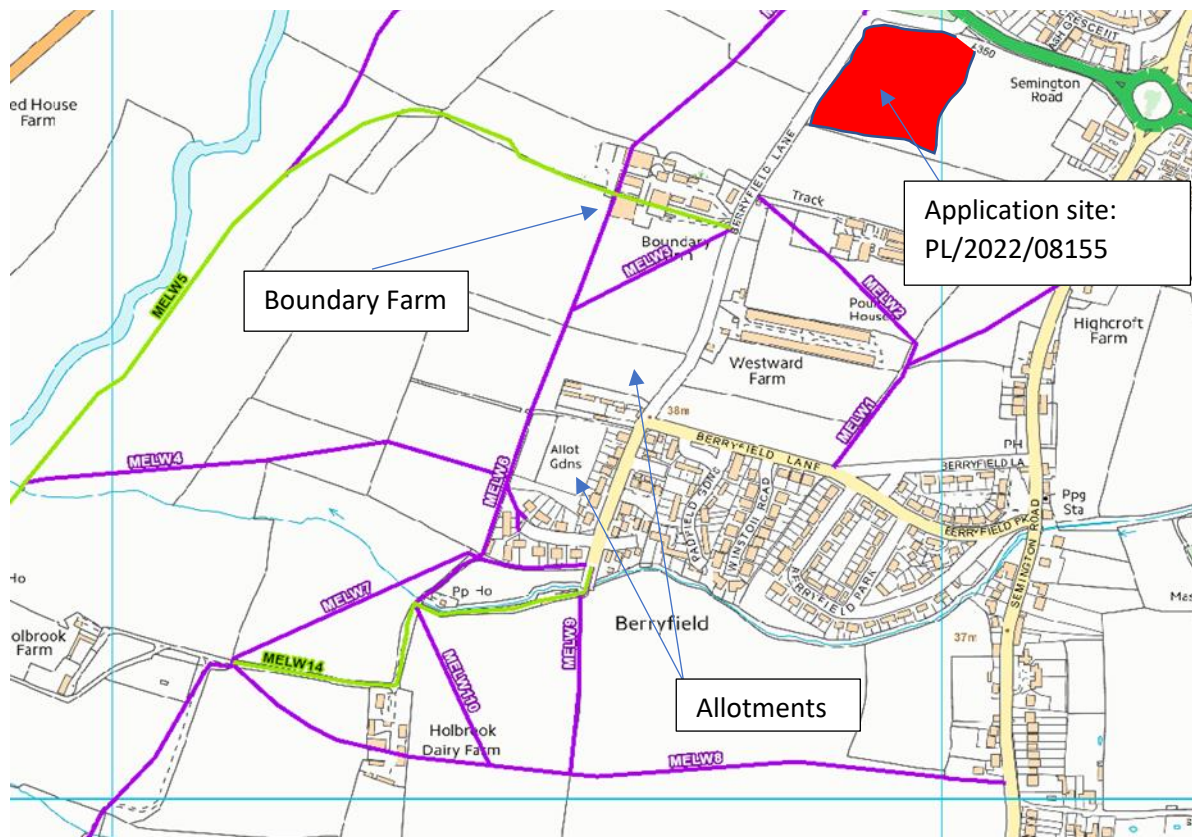
Informal discussions have since taken place with the Rights of Way Officer and potential improvements to the rights of way network as a result of this proposed development. As there will be a direct access from the development to Berryfield Lane, which leads to Rights of Way to the river and the Kennet & Avon Canal, there will likely be an increase in the number of residents using MELW05. As MELW05 is directly through an active farm, the Rights of Way Officer suggested that a diversion around the farm might be appropriate, due to the increase of potential walkers.

We believe in the close vicinity of the development site, all of the stiles have already been replaced with kissing gates but would like the Rights of Way Officer to confirm.

There are other planning applications in the close vicinity, such as PL/2022/02749 for 144 houses, where we have already been looking at improving the PROW network from this area and the Rights of Way Officer has already been in discussion with a landowner regarding a better route down to the river, as requested by residents and to legitimise a desire line which is already being used. This would require a diversion of MELW07 which has an indicative cost of between £12,000-£15,000, for the diversion and associated infrastructure as indicated by Paul Millard, Rights of Way Officer.

Therefore, the Parish Council ask that a contribution to improve rights of way in the vicinity of this development be included in the Section 106 Agreement.

Berryfield Lane is also the access point to the Parish Council's two allotment sites, with some 75 allotment plots, these are all full and have a waiting list. As they are in such close proximity to this proposed development, with such easy walking access, the Parish Council also seek a contribution towards purchasing additional land to provide allotments in the Berryfield area, in the Section 106 Agreement.



EXTRACT OF PLANNING COMMITTEE MINUTES, 2 OCTOBER 2023.

211/23 Revised Plans: To comment on any revised plans on planning applications received within the required **timeframe (14 days):**

[PL/2022/08155](#): Land to the West of Semington Road. Outline application for up to 53 dwellings including formation of access and associated works, with all other matters reserved.

Comments: To reiterate the previous objections raised and to add the following:

- It is noted within the draft Local Plan, that Wiltshire Council have not brought this site forward as a strategic site and in assessing the site (728), state this site may contribute to coalescence between Melksham and the village of Berryfield
- Given this proposal (Phase 2) and the one adjacent (PL/2023/00808 – Phase 1) are for a total of 103, 100% affordable houses, concern was expressed this could result in a stigma being attached to these developments and as previously stated is against Wiltshire Council planning policy, which seeks a mix of housing tenures on developments. Concern is also expressed residents may not have access to a vehicle and therefore have to walk into town, in order to access facilities, including schools without a safe walking route, via a busy trunk road.
- It is noted within the Core Strategy, there is a requirement for 650 affordable houses to be delivered in Wiltshire each year. With the approved site adjacent for 50 affordable dwellings (PL/2023/00808) and the 30%affordable housing on new developments already built and in the pipeline in Melksham Without the Melksham area has demonstrable large amounts of affordable housing element already.
- It was noted when the Parish Council had previously discussed the adjacent site (PL/2023/00808 ie Phase 1), the social housing provider had stated the site represented a maximum sized site they would run. Therefore, concern was raised if another affordable housing provided would be interested in managing the adjacent site at Phase 2.

- Concern is expressed at the lack of public open space proposed and the lack of a play area, particularly given two smaller applications have been submitted for the site, rather than one large application, therefore, this has not triggered the requirement for a play area or large areas of public open space for people to enjoy.

Disappointment was expressed at the number of inaccuracies within the Design and Access Statement, particularly as similar inaccuracies were included in the Design and Access Statement submitted for planning application PL/2023/00808 for the adjacent site, which is owned by the same applicant and were highlighted by this Council when commenting on that planning application. Therefore, concern was expressed at what other inaccuracies had been made with other documentation provided to support the planning application.

Some of the inaccuracies spotted within the Design and Access Statement included:

- Reference to a cinema in Melksham, when there has not been one for several decades.
- The railway station being approximately 1 mile away from the application site and taking 10 minutes to walk. Whilst the railway station might be 1 mile away if using the A350 via a vehicle, there is no footpath along this route. People will have to walk via the town centre, making the walk to the railway station more than 1 mile away.
- Bowerhill being listed as within a Conservation Area, as well as the whole of the town centre. However, Bowerhill is not within a conservation area and only parts of the town centre are within a Conservation area.
- The location of King George V playing fields.
- Reference to Worcester station and access via Upton Road, which is obviously copied and pasted from another document.

Since submitting our previous comments, the Parish Council have updated their list of requests for new developments and conditions to be included in the Heads of Terms for the S106 agreement:

- Adherence to Melksham Neighbourhood Plan policies, including those in the revised plan (NHP#2) and evidence documents, which will be out for Regulation 14 consultation shortly.
- A contribution towards playing fields.
- Any bus shelters provided should include seats rather than perches, as well as sides.
- Speed limit within the site is 20mph and self-enforcing.
- Proposed trees are not planted on boundaries of new/existing housing, but further into public open spaces. Contribution to educational and medical facilities within the Melksham area.
- A practical art contribution, with the Parish Council being involved in discussions.
- Ground source heat pumps to be included in proposals.
- To include capacity for hydrogen heating in the future within proposals.
- Provision of solar panels and storage batteries for every house or group of houses/block of flats.
- Inclusion of lifebuoys, noticeboards, and defibrillators. The maintenance of these items to be undertaken by the management company, unless the council decides that they would like to take on the asset.

We understand the application has been called in by Wiltshire Councillor Jonathon Seed several times, however, has not yet received confirmation from Planning, despite being asked several times.

Rural exceptions sites



- 5.62** Policy 77 (Rural exception sites) allows for the allocation of, or granting of planning permission for small sites comprising affordable housing only as an exception to normal policies. The policy sets out the criteria against which such proposals will be evaluated and under what circumstances schemes solely for affordable housing may be permitted.
- 5.63** In doing so, the Plan recognises the particular difficulties in securing an adequate supply of affordable housing for local needs in rural areas. As an exception to normal policy therefore, and where it can be demonstrated that a proposed development will meet a particular locally generated need that cannot be accommodated in any other way, the council may permit small scale residential development (20 dwellings or fewer) outside, but adjoining the settlement boundaries Local Service Centres and Large Villages, or adjacent to the existing built area of Small Villages and other settlements not identified in the settlement strategy. As such schemes are dependent upon local needs, it is anticipated that there would only be the need for one scheme at a settlement over the Plan period if necessary.
- 5.64** The council may also consider exception to site development that includes cross-subsidy from open market sales on the same site. However, these would be limited to defined settlements and in considering such schemes, the applicant would need to demonstrate to the council's satisfaction that the open market element is essential to the delivery of the development. A full, open-book financial appraisal will be required to accompany any application. The land values in the detailed financial appraisal should be benchmarked against those for agricultural land in the local area and historic values of exception sites.
- 5.65** For all proposals, it is important that the scale and type is appropriate to the nature of the settlement and will respect the character and setting of that settlement.

Policy 77

Rural exceptions sites

At settlements defined as Local Service Centres and Large Villages, housing development outside but adjoining settlement boundaries or, for Small Villages and those not identified within the settlement strategy, adjoining the built area, housing will be supported where its primary purpose is to provide affordable homes to meet the local needs of a settlement, provided:

- the proposal consists of 20 dwellings or fewer and will be no greater than 5% of the size of the settlement;
- the type, size and tenure reflect identified local needs as evidenced on Wiltshire Council's housing registers³² and/or through a local housing needs survey;
- the housing provided will remain in perpetuity to meet defined local needs, initially and on subsequent change of occupant secured by an appropriate legal agreement.

Cross-subsidy

Proposals at Local Service Centres, Large and Small Villages which include some market housing will be supported where it is necessary to enable development and can be demonstrated that the site would be unviable, as an exception site that meets the above criteria, without cross-subsidy. In these circumstances:

- The majority of the development is for affordable housing and up to 33% of the housing is market housing.
- It has been demonstrated through detailed financial appraisal that the scale of the market housing component is essential for the successful delivery of the development and is based on reasonable land values as an exception site.
- No additional subsidy for the scheme and its affordable housing delivery is required.

³² A register of people seeking housing in a local council's administrative area, it may include both those who are in affordable housing need and those who are not eligible for affordable housing but who are still seeking housing in the local authority area.

Housing in the Countryside

5.85 Policy 82 (Housing in the countryside) explains the approach that will be taken for housing in the countryside, unless it is for housing permitted by other policies in the Plan including rural exception sites or where permitted development rights allow for such development to take place under the prior approval process. Outside of these circumstances, additional dwellings in the countryside will only be justified in certain other situations. Broadly, these are:

- to meet essential housing needs to support a rural business;
- to enable viable re-use of heritage assets;
- to optimise re-use of redundant or disused buildings in the countryside; and
- through subdivision of existing residential buildings in the countryside.

5.86 The policy will support the objectives of: protecting the countryside and maintaining its local distinctiveness; supporting the rural economy; and supporting the sensitive reuse of built assets. In addition, national policy provides some flexibility for developments that are of an exceptional design quality, reflecting the highest standards in architecture. Such cases are to be judged on a case-by-case basis.

Policy 82

Housing in the countryside

Proposals for housing development outside of the defined settlement boundaries and outside of the built areas of Small Villages, on land that is not allocated in the development plan or subject to an exceptions policy will not be supported, unless it meets one of the following criteria:

1. The proposal would deliver onsite housing to accommodate employees that are essential for the viable operation of a rural business³⁶. In such circumstances, applicants will be expected to submit clear evidence to show:
 - i. the functional need for permanent onsite accommodation, including an assessment of alternative options at nearby settlements and/or as part of existing onsite accommodation; and
 - ii. that the enterprise will remain financially viable for the foreseeable future, to justify the development of permanent accommodation.
2. The proposal would enable a viable and sensitive alternative use of a heritage asset in a manner which secures its protection and longevity, and retains the characteristics for which it is valued as a heritage asset.

³⁶ Rural businesses include agricultural, forestry, equestrian or other similar land-based rural enterprises.

3. The proposal is for the conversion or re-use of a disused building in the countryside. In such circumstances, evidence will be required to show that the building is structurally sound and capable of conversion without major rebuilding, and that the development would enhance the character of the original building.³⁷ and its setting.
4. When the development would entail the replacement or subdivision of an existing residential dwelling, provided that the scale and design of the development is appropriate, having regard to the local landscape and design context.

In all cases, it must be demonstrated that safe and suitable access to the site is achievable for all users; that appropriate opportunities to promote sustainable transport modes have been considered; and that any adverse impacts on the transport network can be acceptably mitigated.

Health and wellbeing

- 5.87 The Plan has an important role to play in ensuring that opportunities exist for people to be able to make healthier lifestyle choices and address health inequalities.
- 5.88 Quality of life is essential to health and wellbeing and relates to every area of life. Challenges may include the lack of skills needed to secure productive employment; an unfit and poorly insulated home; poor access to public open space; not having access to affordable healthy food; reduced opportunities to be physically active as part of everyday life; having limited opportunities for food growing; lack of access to health care; fear of crime; or a lack of social interaction and sense of community.
- 5.89 Although not the entire solution, land-use planning is an integral part of improving health and wellbeing. Providing and improving a range of open space, sports and leisure facilities for physical activity, including active travel, are key to tackling obesity and improving physical and mental health and wellbeing. The provision of affordable homes and developments that encourage healthy lifestyle choices can also contribute to closing the gaps in life expectancy and addressing health inequality.
- 5.90 For significant developments, Policy 83 (Health and wellbeing) requires a Health Impact Assessment (HIA) to be submitted alongside planning applications to demonstrate that the potential impacts on health have been considered at the planning application stage. Guidance may be prepared to provide advice on what should be included in the HIA to demonstrate that any health-related impacts have been fully considered.

Policy 83

Health and wellbeing

Proposals should demonstrate that development will contribute positively to health and wellbeing by enabling and promoting healthy lifestyles and minimising any negative health and wellbeing impacts.

⁷ Proposals that would involve demolition and/or rebuilding work which would go beyond what is reasonably necessary for the conversion of the building to residential will not be supported

A

W

Melksham 1FE Primary School Design & Access Statement

September 2023

MKS-AWW-XX-XX-T-A-9200

Prepared for: ISG

Prepared by: Becki Woodhouse & Katie Sapsed
Client: Wiltshire Council

W

Records

Issue and approval schedule

Issue Draft 1	Name	Signature	Date
Prepared by:	Becki Woodhouse		18/09/23
Reviewed by:	Katie Sapsed		18/09/23
Approved by:	Jamie Furse		18/09/23

Revisions record

Issue	Date	Status	Description	By	Checked	Approver
P02	19/09/23	PL - Planning Issue	Issued for Planning	KS	KS	JF
P03	21/09/23	PL - Planning Issue	Issued for Planning	KS	KS	JF

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1.0 Introduction

1.1 Purpose of the Report

AWW have been appointed by ISG and Wiltshire Council (WC) to develop designs for a new-build 1FE Primary school in Melksham.

This document aims to explain the design process leading up to the planning application and should be read in conjunction with the drawings and other supporting documents forming part of the application.

1.2 Project Need

Pupil forecasting in the area indicates there is the requirement is for a single form entry primary school. To meet this need we are proposing to create a new school building with external play space and MUGA on the site. The new school will cater for nursery students and students aged 4 - 11 years at KS1 & KS2 level. The school will also provide provision for students with Special Educational Needs (SEN) at KS1 & KS2 level.

In the future should pupil forecasting numbers increase, WC has the aspiration to expand this facility in the future to a 2FE school.



Site Location Plan

This has been considered within the design of the 1FE school. This has manifested in sizes some key areas for a 2FE provision, allowing for future construction access as well as deciding where the extension would be sited. This aspiration is shown indicatively on plans.

1.3 Project Vision

The agenda for the Melksham Neighbourhood

Planning Key

- Reserved Matters Application boundary
- Planning Outline Boundary (16/01123/OUT)



Plan states insufficient facilities, particularly with primary school provision, to meet the need for the growing population of Melksham. Currently there is need for more housing development within the area in which the new school provision will cater for. Melksham Core Strategy states that the housing requirement includes Bowerhill.

2.0 The Site

2.1 Site Location

Land South of Western Way
Bowerhill
Melksham
Wiltshire
SN12 6TJ

2.2 Size

The school site is 2ha within the Taylor Wimpey Bowerhill Housing Development site. Access to the site is via Pathfinder Way.

2.3 Site History

Bowerhill is a village nearby the market town of Melksham, located in Wiltshire.

From the 1988 Local Plan, Melksham and the surrounding areas including Bowerhill have gone through residential development and employment area expansion. The Local Plan from this time also states that the use of the site had been utilised as a Buffer Area between Bowerhill and Melksham.

The site photos to the right shows the history of the site back to 2009. They document the development of the site from the Buffer Area to the current Housing development.



2021 Site Aerial View - Google Earth



2016 Site View from Pathfinder Way - Google Maps



2018 Site View from Pathfinder Way - Google Maps



2021 Site View from Pathfinder Way - Google Maps



2023 Site View from Pathfinder Way - Google Maps

2.0 The Site

2.3 Existing Site Photos

Photographs of the existing site.

Photo A shows the existing path outside of the site, with Western Way in the distance.

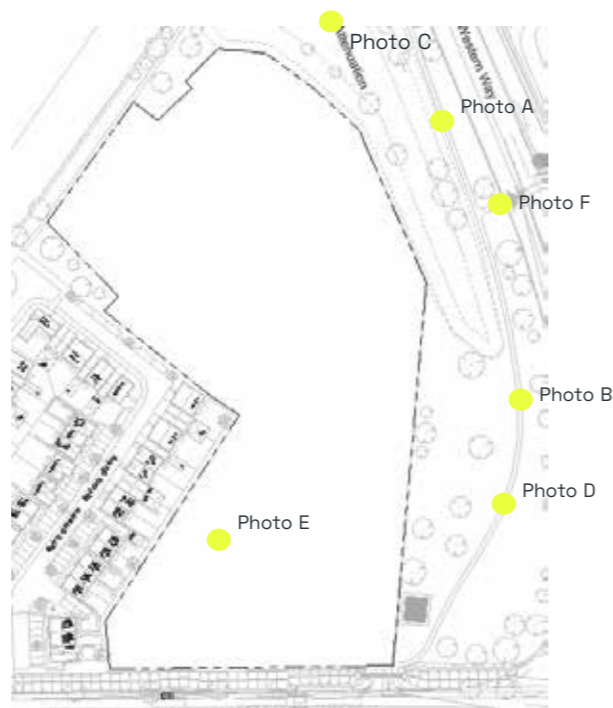
Photo B shows the existing path outside of the site, with Western Way in the distance.

Photo C shows the existing attenuation pond to the north-west just outside of the site.

Photo D shows the Taylor Wimpey housing development Maitland Place, to the south west.

Photo E is the view from the site towards the Taylor Wimpey housing development Maitland Place, to the south west.

Photo F is the view away from the site showing the pedestrian access to Western way.



Site Photo A



Site Photo B



Site Photo C



Site Photo D



Site Photo E



Site Photo F

2.0 The Site

2.4 Strategic Site Plan

The Strategic Site Plan with outline approval.



2.0 The Site

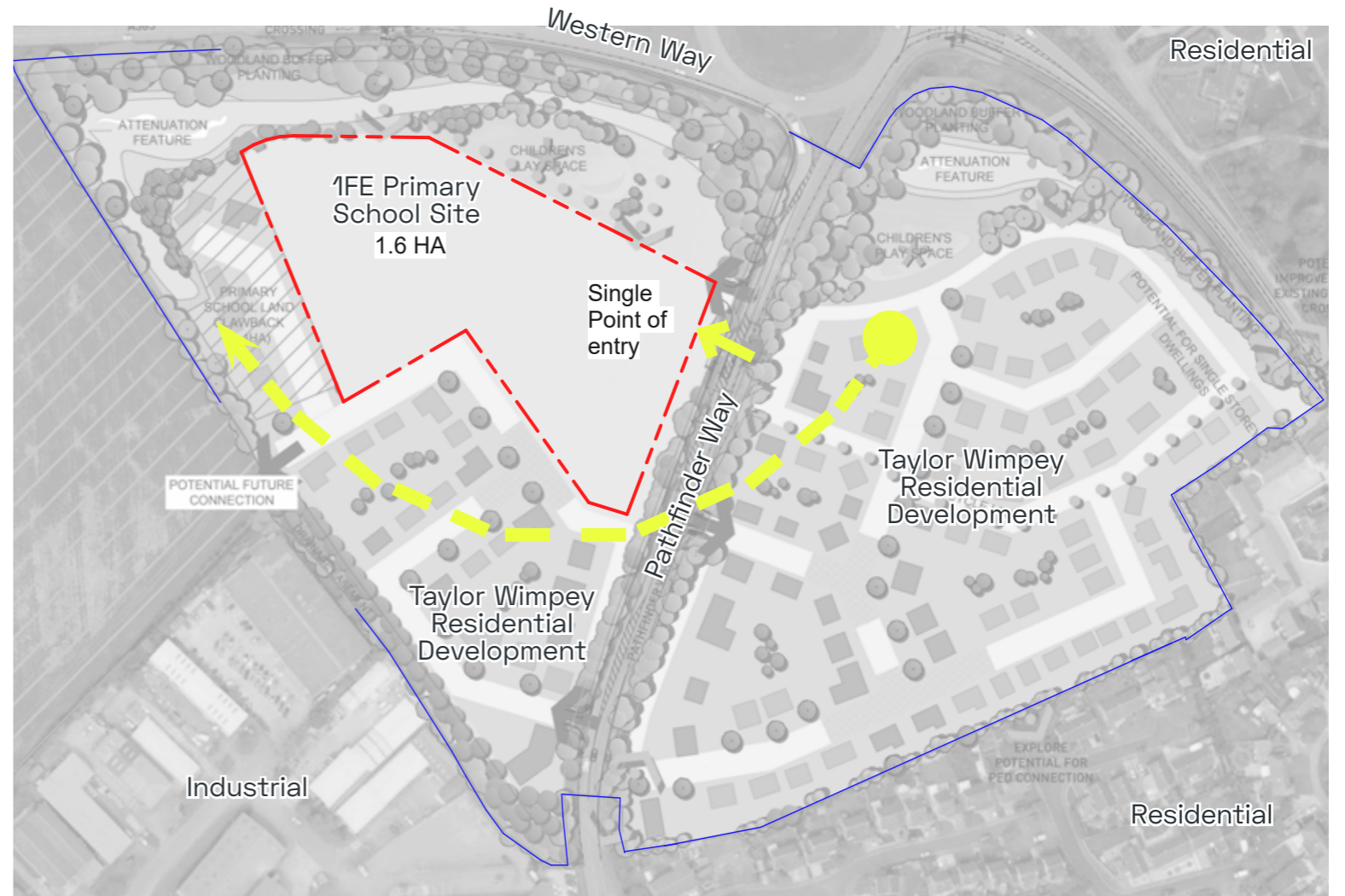
2.5 Access

Immediately to the north is the Western Way road, and east is Pathfinder Way road, heading towards/away from Melksham town. The perimeter of the site is proposed as part of the Taylor Wimpey development to be finished with tree cover/planting, which will provide shielding from these roads. Site Access is a single point of entry from Pathfinder Way.

2.6 Section 106 Agreement

The Council have entered into a Section 106 Agreement associated with the ongoing housing development at Pathfinder Way, Bowerhill, Melksham. The Developer is Taylor Wimpey. Under the terms of the S.106, 2.0 hectares of land is to be transferred to the Council for a new Primary School including 30 place Nursery and 20 place Resource Base and all necessary support accommodation including hard and soft play as well as staff and visitor parking which is the purpose of this opportunity.

The S.106 Agreement makes provision for 0.4 hectares of land to be returned by the Council to the Transfer or unless the Council



has demonstrated to the Transferor's reasonable satisfaction that there is a need for the land for the purposes of expanding the school to two form entry within 10 years of the date of transfer. The design takes this into account.

The S.106 Agreement makes provision for the landowner to carry out remedial works to the Playing Pitches Land if within 2 calendar years from the date of the Primary School Land Transfer, the Council notifies the owner that the Playing Pitches land is not fit for

- Planning Key
- Reserved Matters Application boundary
 - Planning Outline Boundary (16/01123/OUT)
 - ← Single Point of Entry
 - - - Sun Path (July)



purpose. In this eventuality, the Council will be required to provide sufficient evidence.

Site Analysis

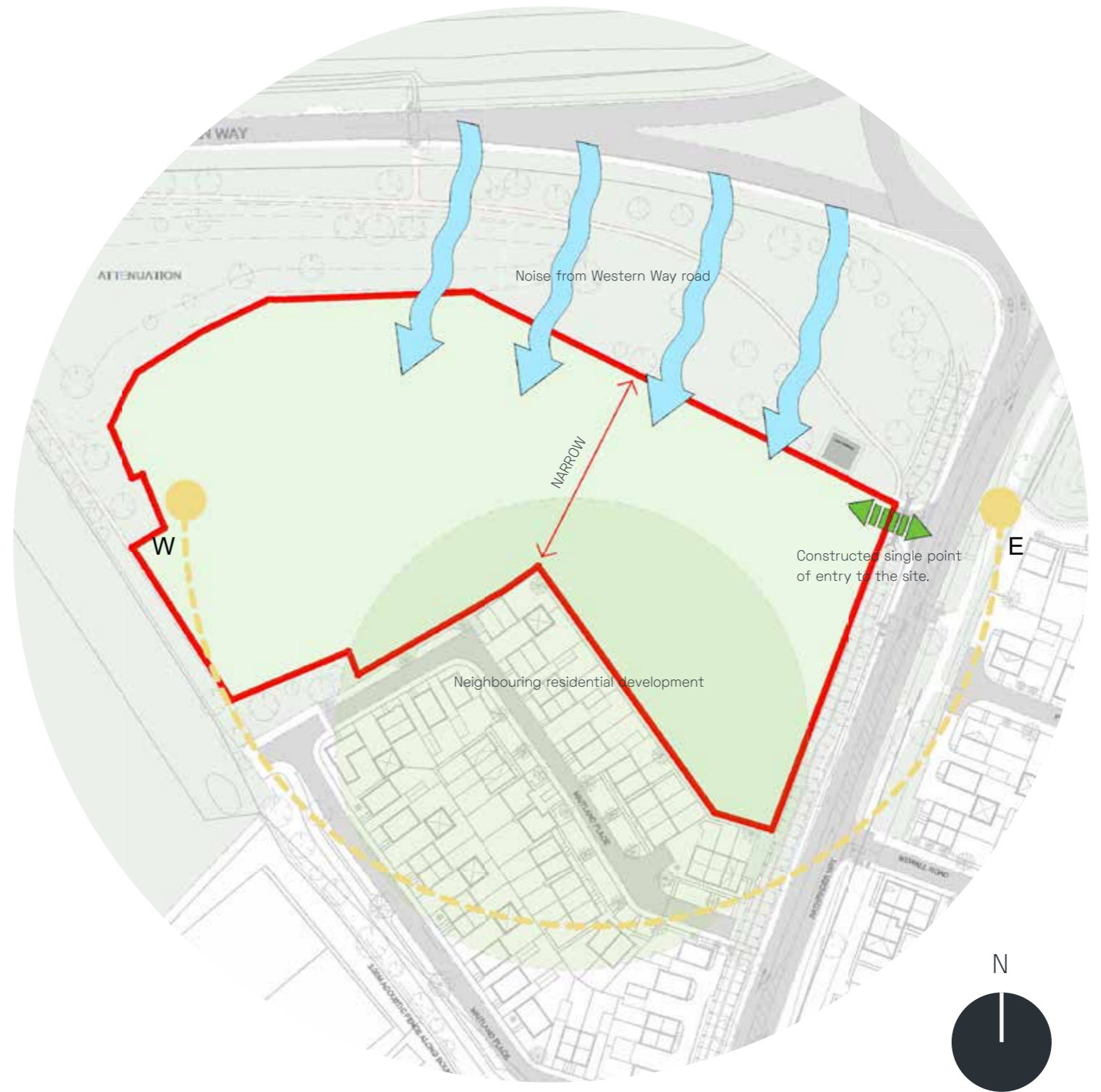
3.0 Site Analysis

3.1 Site Analysis

The site is an open green space with no existing trees or planting. Much of the area has been left to grass.

The site boundary narrows towards the west along the boundary with the residential development with the residential development with a single point of entry in the east corner from pathfinder way. Consideration of how both pedestrians and vehicle will access the site needs to be considered carefully.

There is heavy noise from Western Way, but this could be buffered by the proposed planting to this area by the residential developer. Acoustic analysis will need to be undertaken.



3.0 Site Strategy

3.2 Site Strategy

Building and amenity to be positioned near to the single point of entry:

- Minimise vehicle activity across the rest of the site
- Maximise external play space.
- Avoid the narrowest part of the site envelope.
- Create a strong secure line for the school.
- The majority of over shadowing created by the building will be within the school grounds.



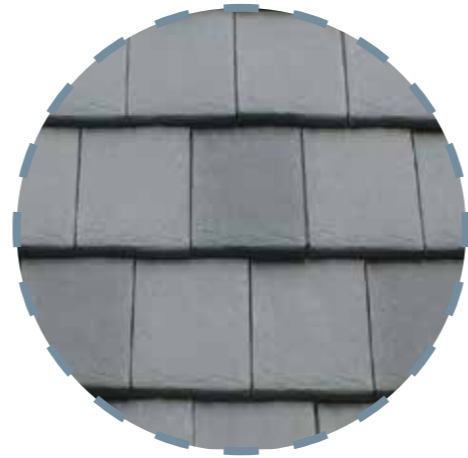
3.0 Site Context

3.3 Existing Materiality

Below shows the primary Facing Materials and Features to the surrounding context on Pathfinder Way & Maitland Place;



Recon Stone



Dark Grey Roof tiles



Weathered Buff Brick



White Render



View from Pathfinder Way facing north/east - Google Street View

Facing Materials & Architectural Features:

- Pitched roofs with clipped eaves.
- 2-3no. storey accommodation.
- Recon Stone facing materials with Render finish generally to Pathfinder Way.
- Brick Masonry facing materials with Render finishes generally behind.
- Cast stone lintels & quions facing details
- Dark-grey RWPs
- Mid-grey Roof tiles



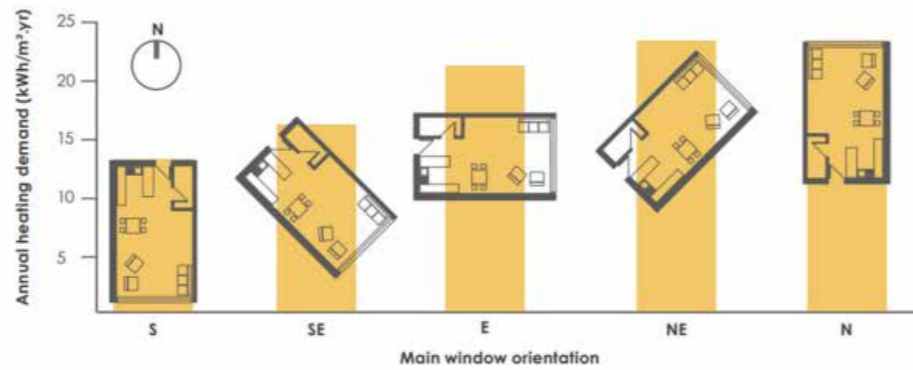
View from Pathfinder Way facing south/west - Google Street View

Facing Materials & Architectural Features:

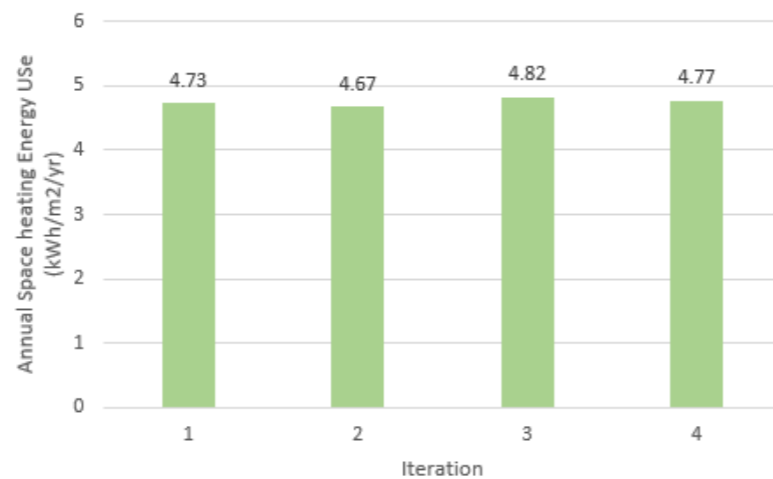
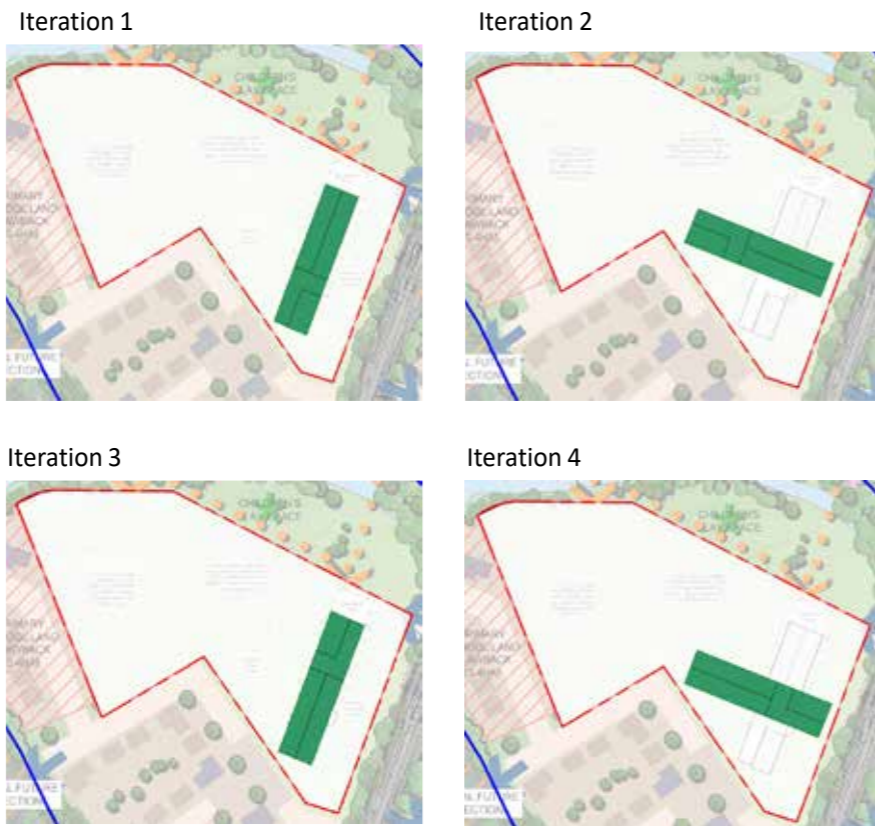
- Pitched roofs with clipped eaves.
- 2-3no. storey accommodation.
- Brick Masonry facing materials with Render finishes generally to Maitland Place.
- Cast stone window surrounds, lintels & quions facing details
- Mid-grey weatherboard facing details
- Mid-grey windows
- Dark-grey RWPs
- Mid-grey Roof tiles

Design Development

4.0 NZC10



EXTRACT FROM THE LETI GUIDE



BUILDING ORIENTATION STUDY ON THE SITE

4.1 Net Zero Carbon In operation

A driving factor in the design of the building is the Client requirements for the building to be Net Zero Carbon In Operation (NZC10). This has been considered throughout the design development process.

To achieve this, we are following the Leti guidance & adopting a fabric first approach considering: u-values, orientation, mass, glazing type/quantity, and air permeability.

Key is optimising orientation to maximise natural light and heat gains in the winter but minimising overheating in the summer. An initial study was undertaken of the building area on the site, this indicated there was little to no difference in energy required to heat the building.

Services –

- Utilise natural ventilation and natural daylight wherever possible.
- LED Lighting and automatic controls
- No gas – all electric heating and kitchen

Renewable –

- Roof mounted photovoltaic panels to generate electricity.
- Air source heat pumps (ASHP)

4.0 Internal Organisation

4.2 Brief

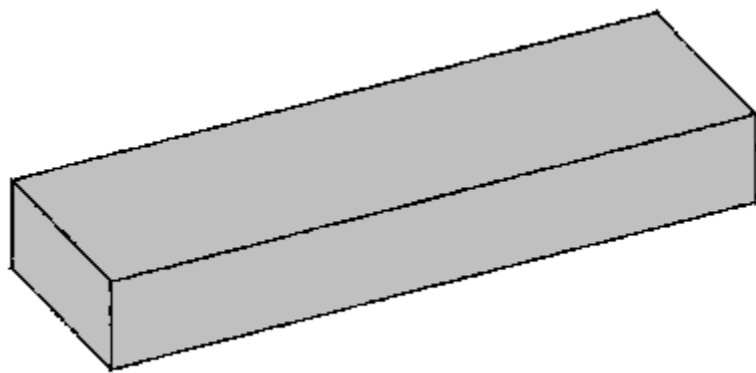
Along with achieving NZCIO, the design is to follow DfE guidance for a 1FE school.

Key items to consider:

- Rectangular overall mass.
- Younger years classrooms to be based on the ground floor with access to external space.
- Plant and building services to be provided at ground floor level.
- Hall location to be equidistant from the proposed classrooms & future expansion.

Ideal Massing

To achieve NZCIO we are proposing a simple building envelope & form to avoid unnecessary external facing elements and associated thermal bridges. Decreasing the surface area of the building results in reduced heat loss and therefore less energy consumption for space heating.

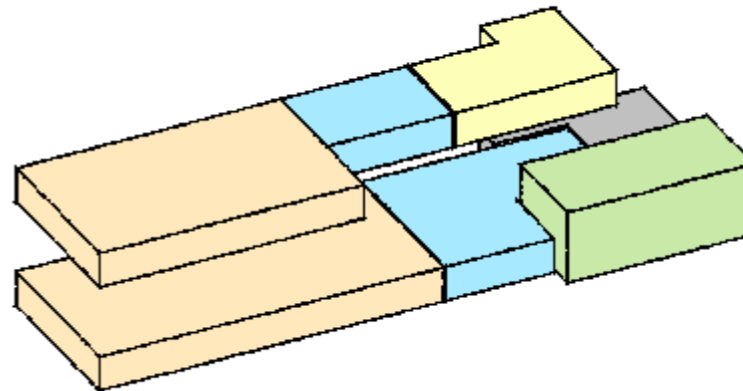


Schedule of Accommodation

Total Student Numbers FE1-
 210 - Primary Places
 20 - SEN Place
 30 - Nursery Places
 260 - Total number of student

Class Sizes (no. Of students per classroom)
 30 - Primary classroom
 10 - SEN classroom
 30 - Nursery space

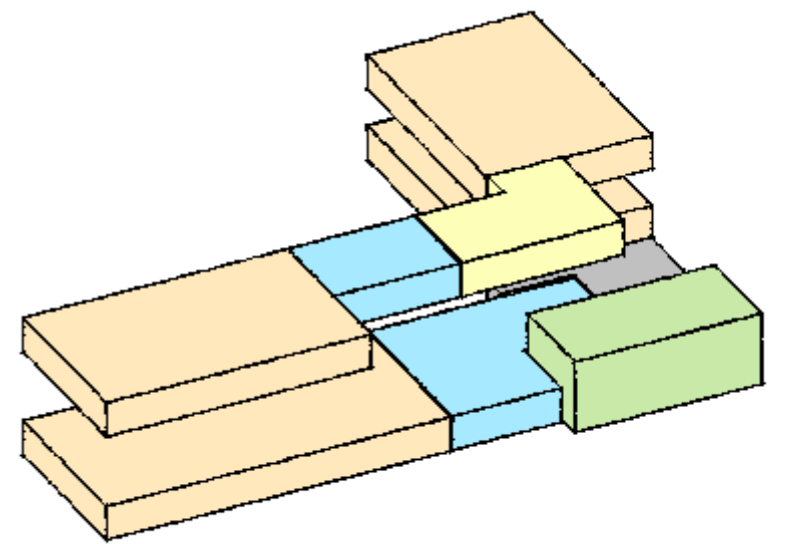
Classroom Numbers
 7 - Primary Classrooms
 2 - SEN Classrooms
 1 - Nursery



Future Expansion

Future Extension to a 2FE school:

- 1 Reception Classroom
- 2 Infant Classrooms
- 4 Junior classrooms



4.0 Site Organisation

4.3 Concept Design: Building Form Options

Key Design Moves - Layout Iteration 1

- 1FE Building (yellow) to the centre of the Site with the Hall (green) to the west.
- 1FE Building classrooms to the east.
- 2FE Expansion to the east. (red)
- Access to the external play space from the west.

PRO - The hall is adjacent to the residential development as opposed to the two storey teaching elements.

CON - School entrance far from the single point of entry. Limited room for 2FE expansion due to the shape of the site narrowing to the west. The school expansion is far away from the core facilities (green)

Key Design Moves - Layout Iteration 2

- 1FE Building to the centre of the Site with the Hall to the west.
- 1FE Building classrooms to the east.
- 2FE Expansion to the west.
- Access to the external play space from the east.

PRO - Hall centrally located to all Classrooms of 2FE expansion.

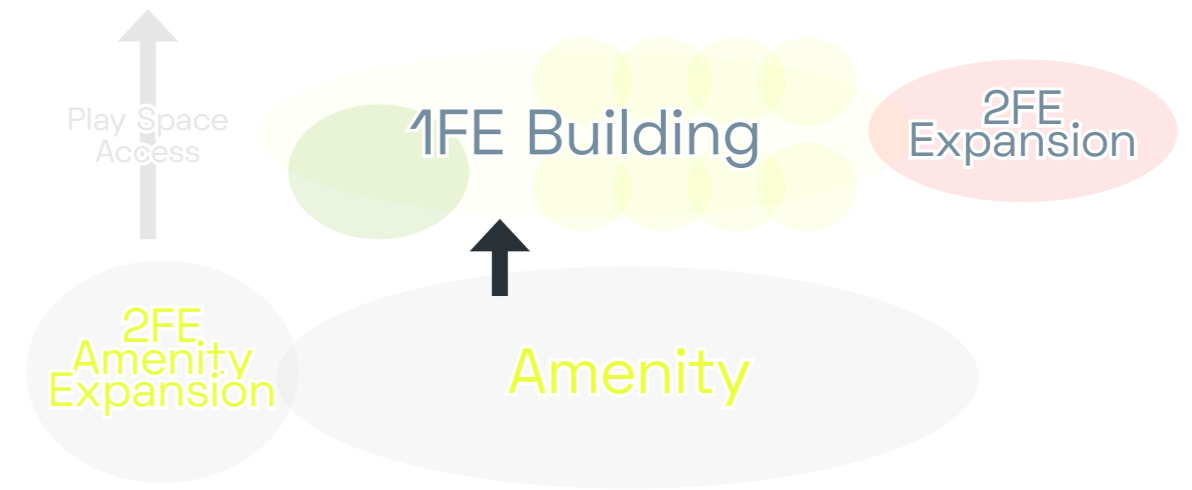
CON - School entrance far from the single point of entry. Limited room for 2FE expansion due to the shape of the site narrowing to the west. The school expansion is far away from the core facilities (green)

Key Design Moves - Layout Iteration 3

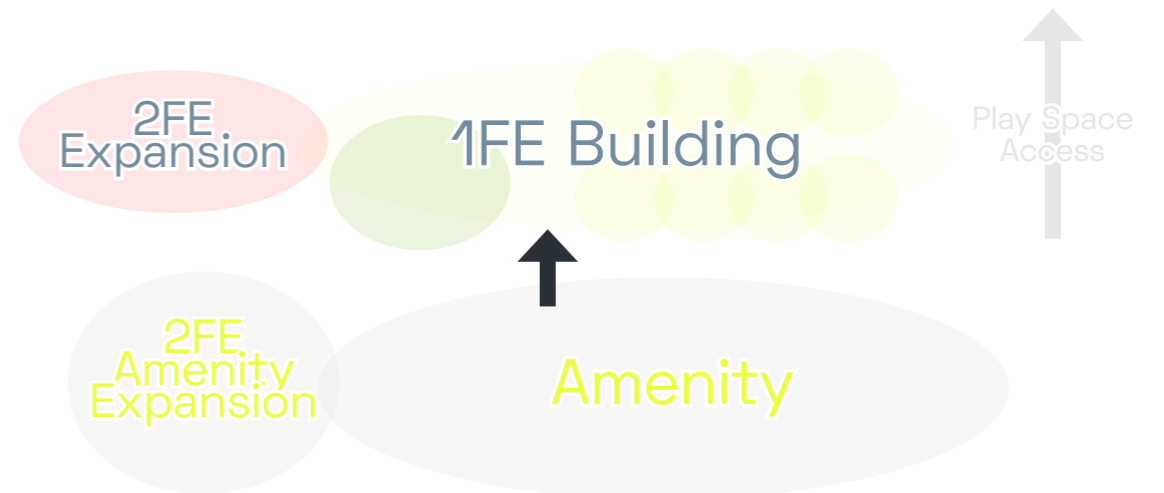
- 1FE Building to the centre of the Site with the Hall to the east.
- 1FE Building classrooms to the west.
- 2FE Expansion to the rear of the 1FE building and to the east.
- Access to the external play space from the west.

PRO - 2FE Extension situated to the rear of the 1FE building to provide 2 Classroom wings with Hall centrally located, and all Classrooms situated to avoid direct sunlight/solar gain. During construction of the expansion, the school/play space access can remain operational as classrooms are situated away from the works.

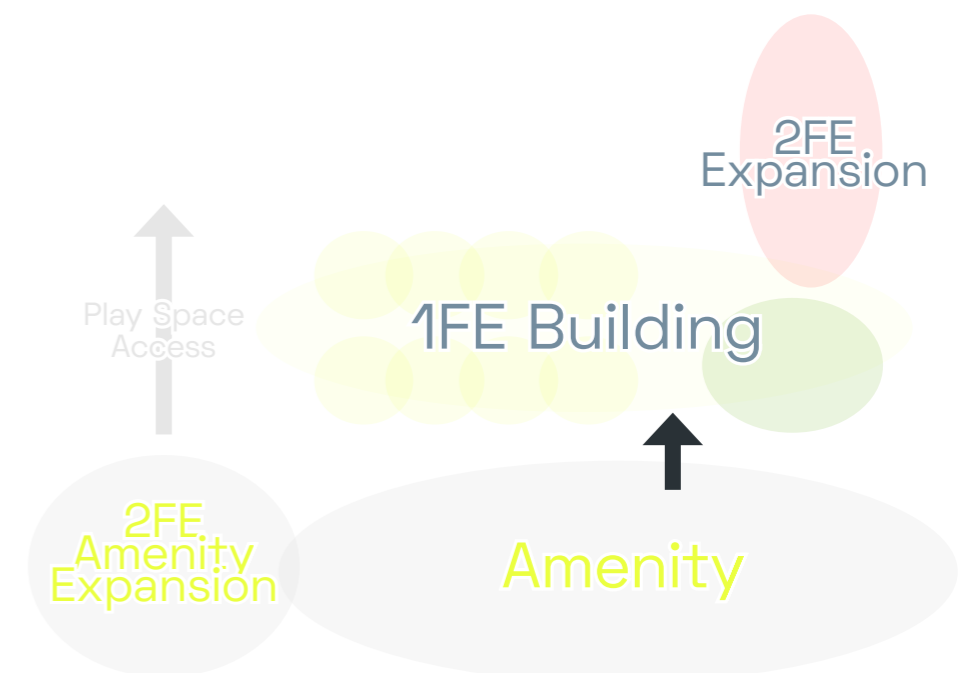
CON - Construction to the 2FE Expansion may have to use the Car-park for the works.



Layout Diagram Iteration 1



Layout Diagram Iteration 2



Layout Diagram Iteration 3

4.0 External Materials

4.4 Concept Design:

Building Materiality Options

Concept facing material options to the new school have derived from the surrounding facing materials and surrounding green space.

Materiality Options 1-3 show the facing material options that have been considered in time order.

Materiality Option 1

PRO - The timber style cladding makes the elevation appear light & inviting.

CON - Lacks colour with the consideration this is a primary school and should appear playful.

Materiality Option 2

PRO - The masonry & metal cladding add colour to the facade and could be used as part of the school branding colours.

CON - The shade of green and mass of colour to the cladding makes the elevation appear dark.

Materiality Option 3

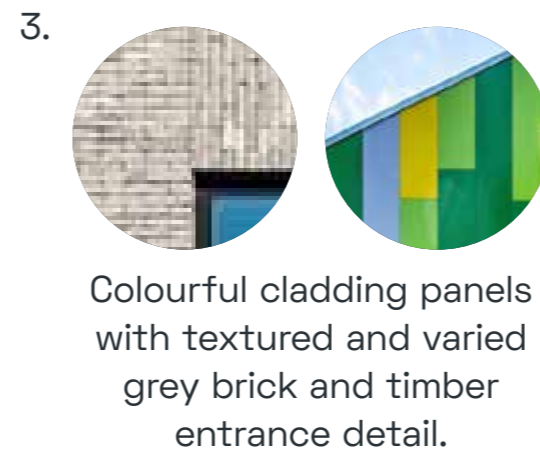
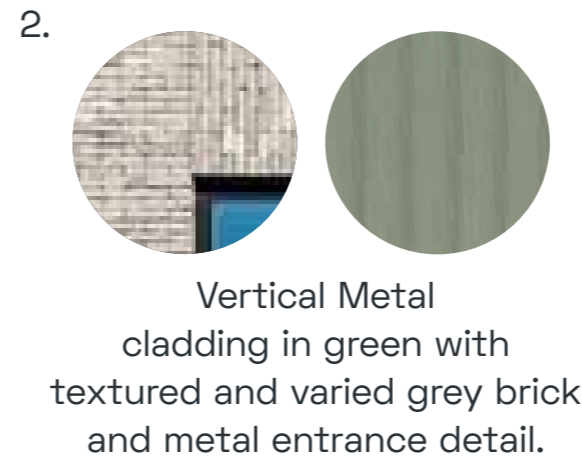
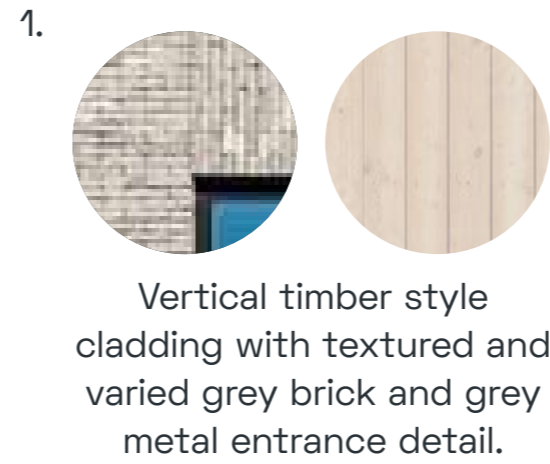
PRO - The colourful cladding makes the elevation appear light, engaging & inviting to students.

CON - The cladding may not be in line with the school branding colours as a Sponsoring Academy is not yet appointed. However colour selection could be adjusted to suit once appointed.

School Branding

At some point, an Academy with school branding will be appointed to manage and run the new school, however its not likely that the Academy will be in place before the end of RIBA Stage 4.

The varies colour cladding is designed to give the new academy banding options that are different to local school colours in the neighbouring area.



Option 1



Option 2



Option 3

Planning History

5.0 Planning History

5.1 Major Planning History

Outline Approval

(Outline Application Reference Number: 16/01123/OUT)

The Outline application for residential development of up to 235 dwellings, primary school with early years nursery and open space provision gained approval in 2016.

The development gained full planning permission in 2021.

Reserved Matters

(Reserved Matters Application Reference Number: 18/04477/REM)

The Reserved Matters applications for the erection of 213 Dwellings and Associated Works at Land South of Western Way gained approval in 2018.

5.2 Outline Approval Specific Points

There are planning conditions that will require discharge via a Reserved Matters Application:

- Condition 7 - Watercourse - **Confirmed with Case officer this relates only to the wider residential scheme.**
- Condition 11 - Scheme of hard and soft landscaping,
- Condition 13 - Foul water drainage strategy,
- Condition 14 - Storm water drainage strategy,
- Condition 15 - Water efficiency schemes,
- Condition 17 - BREEAM,
- Condition 19 - Written programme of Archaeological investigation including on-site and off-site work, **Confirmed with Case officer this relates only to the wider residential scheme.**
- Condition 20 - Noise mitigation strategy,
- Condition 21 - External lighting strategy,
- Condition 22 - Construction Method Statement,
- Condition 23 - Construction Environmental Management Plan,
- Condition 24 - Landscape and Ecological Management Plan,
- Condition 26 - School Travel Plan,

5.0 Pre App

Prior to the submission of the application, we have not received a formal response to our pre application submission. However, we have received comments from all statutory consultees and conducted a public consultation.

To address feedback from the public consultation, A Statement of Community Involvement has been prepared by DPP planning consultants.

The below feedback from the Planning Case Officer are formed from notes taken during a meeting held to discuss our pre application submission.

5.3 Informal Case Officer Feedback

Materials

Preference for the updated material combinations compared with initial scheme discussed prior to the submission of the pre app, would like to see greater differentiation between the colours of the timber style cladding and the brick – maybe more of a grey colour;

Provide a couple of different options for the brick/cladding combination;

Design Team Response: Visual option provided in the D&A statement.

No comments on the coloured panels on the design, would like to have confirmation on the colour choices in relation to neighbouring schools colours/branding.

Design Team Response: Please refer to Appendix 1... relating to neighbouring school colours.

Relationship with Residential – happy with this but would like to see some further information in the

Submission showing shadowing.

Design Team Response: Solstice sun diagrams provided within this D&A statement. The majority of over shadowing from the proposed school is with the school ground themselves.

Landscaping

The Landscape Strategy plan and detail to be agreed as part of the discharge of condition. Would, however, like to see details of:

- Boundary treatment (fences);
- Boundary planting; and
- Circulation areas

Design Team Response: Landscaping details provided within this D&A statement.

Circulation Areas

Sympathy with the urban Designer Officer's comments about sufficient space in external circulation areas – but more relating to the KS2 entrance adjoining the cycle store. Would like to see a bit more area here to avoid parents congregating on the access road.

Design Team Response: We have accepted this and widened the path in this area.



5.0 Pre App

5.4 EA feedback

No Comments

5.5 Urban Designer feedback

Introducing bold colours will have a profound impact upon the appearance of the building. Before this application can be determined or by way of a condition, we do need to see full details of the colour scheme. In this respect, I strongly recommend that the element of bold colour is restricted to only cladding the hall. The bold colours should not extend out to panels above windows. These should be clear glass or a neutral grey opaque glass.

Please ask the architects to submit options for the colour cladding scheme to the hall. The cladding can be of a single colour, or a subtle mix of shades from a narrow spectrum of the colour wheel such as shades of light blue or yellows, broken up with the occasional small splashes of a complimentary or contrasting colour, but green never seems to quite look right on buildings.

Design Team Response: Visual option provided in the D&A statement.

Consideration of options for the main external materials first identified a grey brick combined with Timber cladding. This is a good choice. However, other drawings illustrate the use of a buff brick. Given that bold coloured cladding is also proposed to this building, a subtle grey multi brick would serve as a better foil to the areas of bold colour, than buff brickwork. I would therefore seek the use of a multi grey brick and request that the architect propose different grey brick options for us to consider and approve.

Design Team Response: Grey/buff brick adopted in current proposal.

The pedestrian route including the two zebra crossings should aligned with the main entrance doors and not off-set. This will require the removal of the small shrub bed currently shown as being directly in front of the main entrance. However, I do not see this as a problem, as shrubbery in this bed could obscure the line of sight between motorists and pedestrians leaving the building and stepping

out over the zebra crossing. Furthermore, it will also create more of an external gathering/meeting space in front of the main entrance to the building.

In addition to creating a greater degree of external meeting/circulation space, it will also be beneficial if more space could be created internally alongside the Reception and store room. The initial arrival space at school buildings tends to be well used as an informal meeting, discussion and circulation space and can become very congested. If the short corridor alongside the Reception and store could be doubled in width, or better still expanded to being 6 metres in width, then that will help to facilitate this inevitable informal use.

Design Team Response: Parent drop off will be south of the building through the external gates directly into the external play space. The 3m shared path has been further widened at this point to provide an area informally congregate.

Internal areas and corridor widths are strictly defined by the DfE guidance, which has been followed.

5.6 Drainage Engineer feedback

The site is located within Flood Zone 1. No historic flooding incidents related to the site have been identified. Some parts of the site is under risk of surface water flooding (1 in 30 and 1 in 100). The site is in an area at low risk of groundwater flooding. Overall, the site is shown to be at moderate cumulative risk of flooding in the future from all sources.

Flood Risk Assessment (FRA) is required for this application.

The applicant should note that in all instances the preference should be to utilise blue-green SuDS which provide multi-faceted benefits to the site (in terms of water quantity, quality, amenity, and biodiversity); for example, for attenuation features preference should be given to use of swales / ponds / detention basins (if technically feasible) instead of attenuation tanks.

Other note outline what is required for the reserved matters application.

5.7 Highways feedback

- It is agreed that the walking and cycling connectivity of the proposed 1FE school has already been addressed and the mitigation measures are already in place. It is not anticipated that any additional physical measures will be required on the surrounding highway network, at this stage, although obligations may be attached to further residential developments to provide or improve connectivity to the school. The following comments are therefore based on the internal layout and connections to existing footways / cycleways.
- Provide a shared use path (3 metres) connecting to the shared use path on Pathfinder Way so that cyclists can reach the cycle parking.

Design Team Response: The 3m shared path has now been incorporated in to the design.

- All pedestrians/cyclists arriving from the north (Western Way) would be required to cross the school vehicular access to join the 'pedestrian route'. Ideally pedestrians/cyclists should have priority across the school vehicular access; however, this will create conflict between the crossing pedestrians/cyclists (children) and vehicles turning off Pathfinder Way and may result in vehicles queuing out onto Pathfinder Way during peak times. Therefore, a pedestrian route to the north of the site (from the northern side of the access to the main entrance) should be provided to reduce the need to cross the vehicular access and reduce the likelihood of pedestrians taking the shortest route by walking across the car park and mingling with the vehicles

Design Team Response: The land to the north of the site between the school boundary and Western Way is outside of the site boundary and as such we have not control over this area. This area is also contains a significant attenuation Swale which borders the school boundary. There is also a concern over breaking the proposed school secure line for safe



Extract of Site Plan from Pre App Submission

5.0 Pre App

guarding. The current design allows for a single point of entry for students which can be monitored and managed.

- The zebra crossing on the pedestrian route is likely to experience a high volume of pedestrians, being the shortest route to the main entrance. This could result in vehicles queuing out onto Pathfinder Way. The 'pedestrian route' middle section of the zebra crossing passes through parked vehicles and is likely to result in restricted intervisibility between pedestrians waiting to cross and vehicles circulating, particularly of small children

Design Team Response: School children are expected to enter the school via the left hand side of the building directly in to the external play space. This crossing point would be used by visitors as well as Nursery & Reception students who will enter via there external classroom play space.

- The car parking area has right angled un-radiused bends which may prove inconvenient to use, tracking would be beneficial.

Design Team Response: Tracking has been undertaken to ensure there are no issued. Please see Appendix 2. The end of the car park is shown with square corners to aid future expansion of the car park.

- With only one point of access proposed, all vehicles, pedestrians and cyclist activity will be concentrated in the one area. Are any other accesses proposed (vehicle emergency, pedestrian cycle) to ease the pressure on the single point of access onto Pathfinder Way? I was expecting to see a ped access from Maitland Place. It is outside of the redlining for the school site but it is not clear how the crossing on Western Way will link to the school, the Strategic Site Plan appears to show a large attenuation feature where the footpath would go.

Design Team Response: As previous response the land between the school boundary and Western Way is outside of the site boundary and as such we have not control over this area. This area is also contains a significant attenuation swale which borders the school boundary. There is also a concern over breaking the proposed school secure line for safe guarding. The current design allows for a single point of entry for students which can be monitored and managed

- An assumed allocation of 2 staff for the nursery seems low, what age children will this use be aimed at? Due to differences in rounding I have calculated a need for 12 spaces for the Parents – Primary, and 3 spaces for the Parents – Infants.

Design Team Response: The nursery will be for children of 3 and above.

- EV charging points are required.

Design Team Response: One EV charging point provided with provision for 7 spaces in future.

- Cycle parking to be provided in accordance with the Wiltshire Local Transport Plan Cycling Strategy (in particularly Appendix 4). On the basis of the forecasted staff figures and the pupil numbers, the proposed cycle parking provision is considered appropriate although details of the bike storage will be necessary. Scooter parking is also required.

Design Team Response: Scooter parking has now been incorporated in to the design.



Extract of Site Plan from Pre App Submission

5.0 Parish Council

5.8 Parish Council Feedback

Car Parking/Access

The need for additional car parking. Most people will be travelling by car from other parts of Melksham, particularly if not on an easy walking route to the school, such as children from Semington Road. A development of 150 dwellings at Bowood View (17/12514/REM) has recently been completed and approval just been given for 50 (PL/2023/00808) and 144 dwellings (PL/2022/02749) dwellings respectively. There is also an application for 53 dwellings (PL/2022/08155) on Semington Road awaiting a decision. It has already been suggested children from these developments will go to this school, and at present will have to use a circuitous route to get to the school, as there is no footpath along Western Way.

Design Team Response: Parking number has been provided in accordance with statutory guidance.

Members urge Wiltshire Council to start work on a safe walking route from Semington Road to the new school, particularly as it is understood s106 funds have been pooled from the recent developments (see map attached).

Design Team Response: This is outside the scope of this application.

There are concerns for pedestrian safety, due to the conflict between vehicles and pedestrians accessing the school at the one entry point. Therefore, this may cause a backlog of traffic due to vehicles waiting for pedestrians to cross the access point. This will be exacerbated if the proposed adjacent development of 210 dwellings and a 70 bed care home (PL/2022/08504) is approved at Appeal.

Given this conflict, an additional pedestrian access to the school is required. As mentioned at the meeting, there is a possibility of another pedestrian access off of the A365 (Western Way), particularly as there is already a crossing provided and it would provide a safer walking route to school via the hoggin path already installed in this area.

Highway Concerns

Potential for people to park on Pathfinder Way to access the school and the impact this will have, particularly as Pathfinder Way is used by HGVs to

access the industrial estate and people wishing to access the residential areas of Bowerhill, as well as being part of a bus route.

Therefore, Parish Council have applied to Wiltshire Council for traffic waiting restrictions on:

- Pathfinder Way (Whole length)
- On the entrances of Newall Road and Maitland Place with Pathfinder Way
- At the proposed new primary school access road on Pathfinder Way

Given the location of the school entrance, just off a roundabout, with a traffic island situated close by, there is potential for traffic to back up along Pathfinder Way, particularly at the beginning and end of the school day, which coincides with changes in shifts for several businesses on Bowerhill Industrial Estate.

There is potential for traffic to back up in the car park, due to vehicles waiting for a gap in the traffic, in order to turn right, the Parish Council therefore request No Right Turn signage is installed in order to stop this conflict.

Design Team Response: As per the highways comments - 'It is agreed that the walking and cycling connectivity of the proposed 1FE school has already been addressed and the mitigation measures are already in place. It is not anticipated that any additional physical measures will be required on the surrounding highway network, at this stage, although obligations may be attached to further residential developments to provide or improve connectivity to the school.' The site is located on land which has already been identified for the purpose of providing an educational facility and has outline planning consent (ref: 16/01123/OUT), with the single point of entry already agreed.

Other Matters

The proposed colour cladding be graduated to blend

in, given the semi-rural area, similar to nearby Great Bear Distribution (Cereal Partners) on the A350/Portal Road, Bowerhill.

Design Team Response: Colours have been selected to provide a lively design expected for a primary school and provide an array for colour options for the anticipated operating Trust. Please see appendix 1.

Scooter racks are provided for students.

Design Team Response: Scooter parking has now been incorporated in to the design.

Whilst a defibrillator is currently being installed on Pathfinder Way by the parish council for community use, Members ask that a defibrillator be provided at the school.

Members request that showers are provided in line with Wiltshire Council's draft Design Guide, which states:

'5.5.6: Showering facilities should generally be provided within any new development, which is to become a place of employment and to which someone may wish to commute by bicycle.'

Design Team Response: A fully accessible shower has now been added at ground floor to provide showering facilities for all,

Design Proposal

6.0 Building Strategy

6.1 Use

To provide a FE1 primary school to including 30 place nursery, 20 place SEN resource base and all necessary support accommodation. This equates to 7 General teaching Primary Classrooms, 2 SEN Classrooms & 1 Nursery space and places for 260 students.

Main support accommodation has been sized for allow for future expansion if required to a FE2 school:

- Multi Purpose Hall
- Kitchen & Servery
- Plant Room
- Incoming services and infrastructure

Externally all required play space in line with DfE guidance including MUGA, Habitat space & formal & informal play spaces.

6.2 Amount

The proposed school would provide 1931m² GIA, over two stories.

6.3 Building Layout

The layout of the building has been designed to provide an optimum building form to help achieve NZC10. All early year's classrooms have been provided on the ground floor

with access to external play spaces. The support facilities have been provided to the north end of the site, with the view that if extended to the rear as planned this would mean these core facilities are at the centre of the building equidistant from both the extension or proposed building.

All junior classrooms and staff facilities are provided at first floor level.

6.4 Elevations

Externally the building is brick clad up to first floor level for robustness. At first floor level timber style cladding has been introduced, this is likely to be a composite product to limit maintenance and dislocation associated with natural timber as well as limiting and issued associated with fire risks.

To enhance the building and provide interest the hall element is proposed to be clad with colourful Trespa cladding or similar. These same colours have been used to highlight windows at first & ground floor level, carrying colour across the façade.

6.5 External Space

We are proposing semi covered external classroom space to each classroom at ground floor level. There is a tarmac playground to the rear of the building to provide external

hard play space and grassed area adjacent for informal play. Beyond this is an enclosed tarmac MUGA & relating storage. At the far end of the site is an area to be used for formal games laid to grass and white lined to provide pitches as required.

6.6 Schedule of Accommodation (SOA)

The design has following the DfE guidance & SOA recommendations. As well as Building bulletin 104 external areas.

The building delivers a simple clear layout that is easily understood by all users, minimising corridors accessible to all students.

6.7 Internal Spaces

Circulation

Main circulations corridors are 1800mm, as defined by DfE guidance. A fire evacuation lift is provided to ensure access throughout the building for all.

Dining & Catering

A full catering kitchen is to be provided, with the intention for the school to make and serve meals on-site.



5.0 Building Strategy

WC provision

Unisex WC's are provided directly off classrooms for nursery and early years students on the ground floor, In addition to this changing WC's with a wall mounted changing bed and Doc M pack shower are provided. At first floor KS2 students are provided with communal unisex WC's with centralised hand washing troughs. Staff WC are provided on both floors.

Staff & Admin

The majority of staff spaces are provided at first floor level, with only the reception & head teachers office located on the ground floor.

Specialist teaching spaces

In additional to the general teaching spaces a food technology, science, design technology room is provided. A library & adjacent shared group room facilities for teaching in smaller groups.

6.8 NZCIO

Heating

The design utilises Air Source Heat Pumps (ASHP) to provide heating via NVHR units.

Ventilation

Classroom and Hall ventilation shall be provided by Natural Ventilation Heat Recovery (NVHR) units which shall provide the tempered fresh air to the classrooms/ Hall and extract stale air from the space. Occupied rooms and sanitary accommodation shall be ventilation using Mechanical Ventilation Heat Recovery (MVHR) units which shall provide the tempered fresh air to the rooms and extract stale air from the spaces. Openable windows will be provided in conjunction with the ventilation units to mitigate the overheating risks of the occupied spaces.

Hot water

Hot water shall be provided from an indirect calorifier (fed from the ASHP) with electric immersion elements for top up when required.

Building Fabric

Proposed U-values far exceed building regulations requirements providing a fabric first approach.

Electric

The roof is proposed with 75% PV coverage to service the schools operation energy

during normal operating hours. Small Power & Data allowances shall be provided in line with the DfE Output Specification recommendations

6.9 Future Expansion

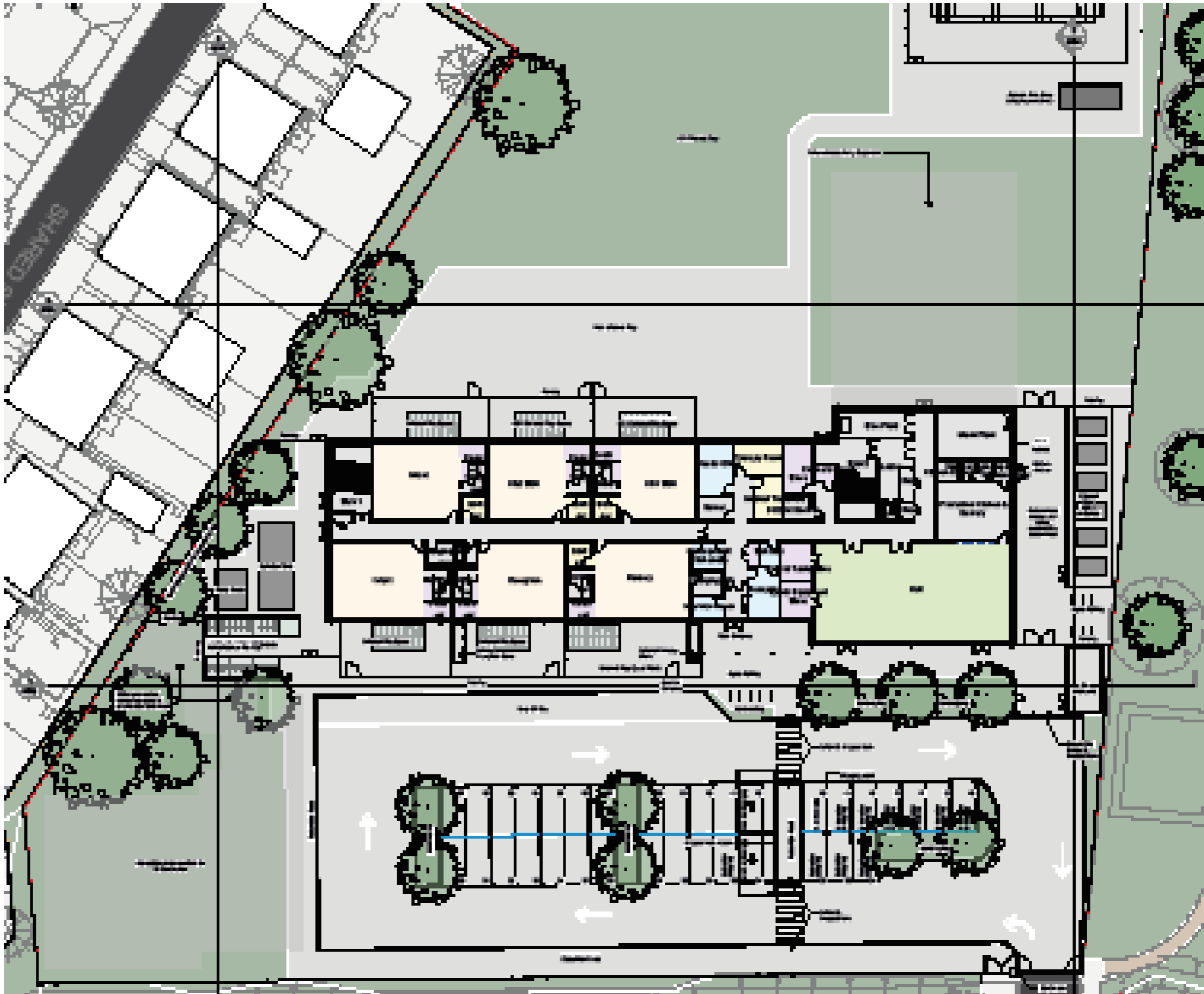
Part of our brief was to ensure the school could easily be expanded to a 2FE facility if required in future. The extension would provide the below over two stories:

- 1 Reception Classroom
- 2 Infant Classrooms
- 4 Junior classrooms
- Support spaces

This has been planned to be provided to the rear of the north end of the building. The size and layout of the car park has also been designed to allow for expansion. Please see this in plan on the next page.

To allow for future construction with minimal disruption to the school a wider vehicle access to the north of the building has been provided to allow for construction access. This also allows for access for access and maintenance to the proposed school & external grounds.

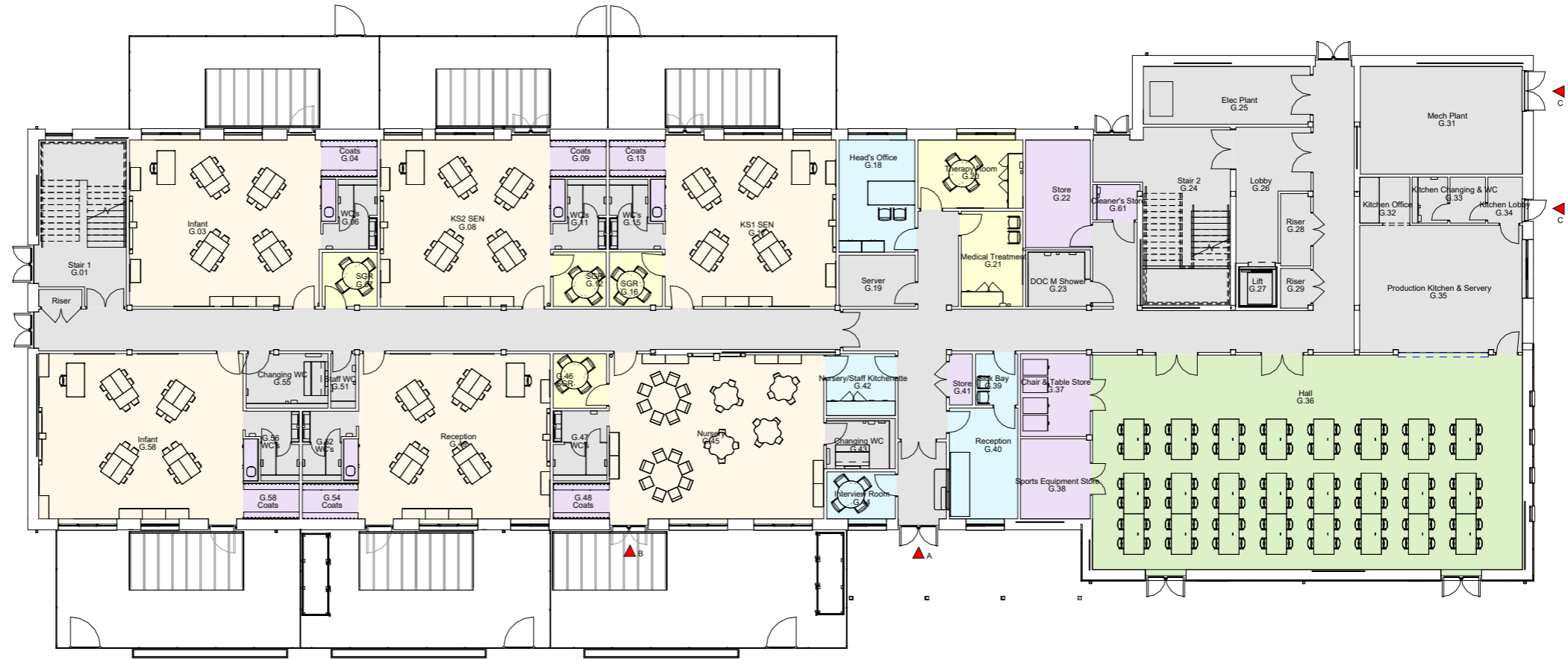
6.0 Future Expansion



Site plan illustrating proposed location of future expansion



6.0 Building Plans



Proposed Ground Floor Plan
NTS



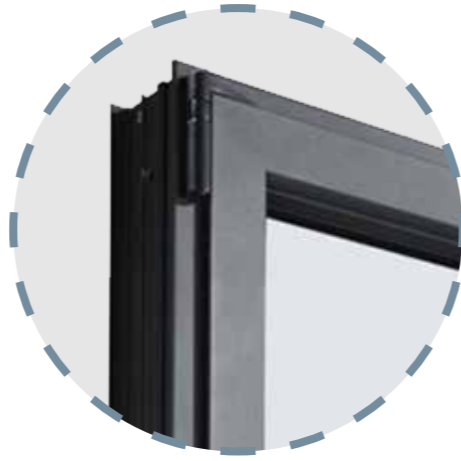
Proposed First Floor Plan
NTS



6.0 Materials



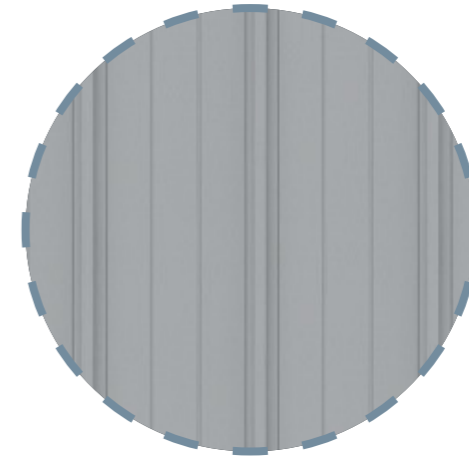
External Finish:
Grey Buff Brick
Cladding



Window Finish:
RAL 7030 Mid-grey
Windows/trims/RWPs



External Finish:
Horizontal
Timber Style Cladding



Roof Finish:
Grey Metal
Profiled sheet



External Finish:
Coloured Trespa Style
Cladding Panels



Entrance View
showing facing
materials

Hall Cladding Colours:



6.0 Material Options

Hall Cladding Options

As a part of the Pre App, we have been request to present different option for the hall cladding. Following this feedback, we have looked at option 1 moving the emphasis on to more of the pastel colours in the current colour pallet. Option 2 looks at removing the bolder colours and replacing these with muted blues & greens. It is expected that material choice will be a condition of approval, as the current delivery date for the project is not defined.



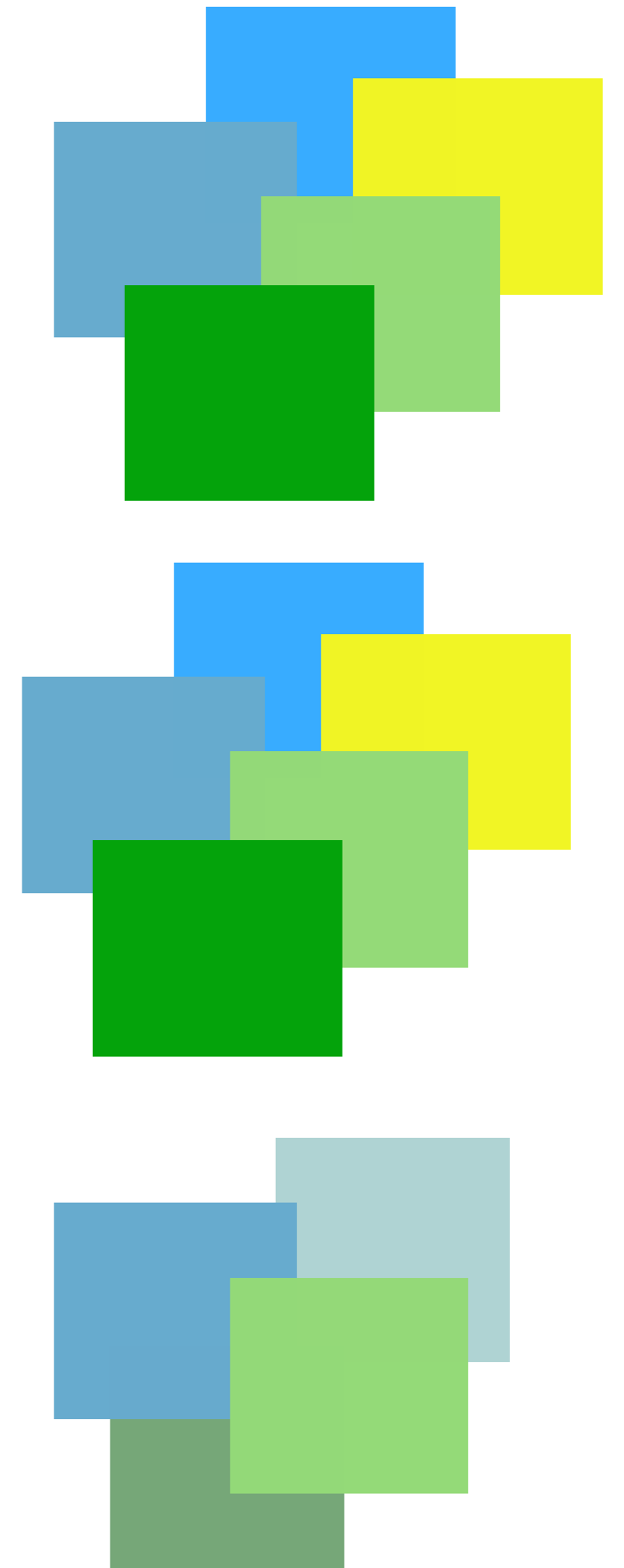
Current Proposal



Option 1 - More emphasis on pastel colour in the Pallet.



Option 2 - Calmer muted pallet of colours



6.0 Landscaping

Landscaping Strategy

The below outlines our proposals for the landscaping across the site, to be further detailed at the next design stage. Please refer to Appendix 2 listing proposed planting species.



Formal Soft Play Space

- Grass pitches with white line marking.

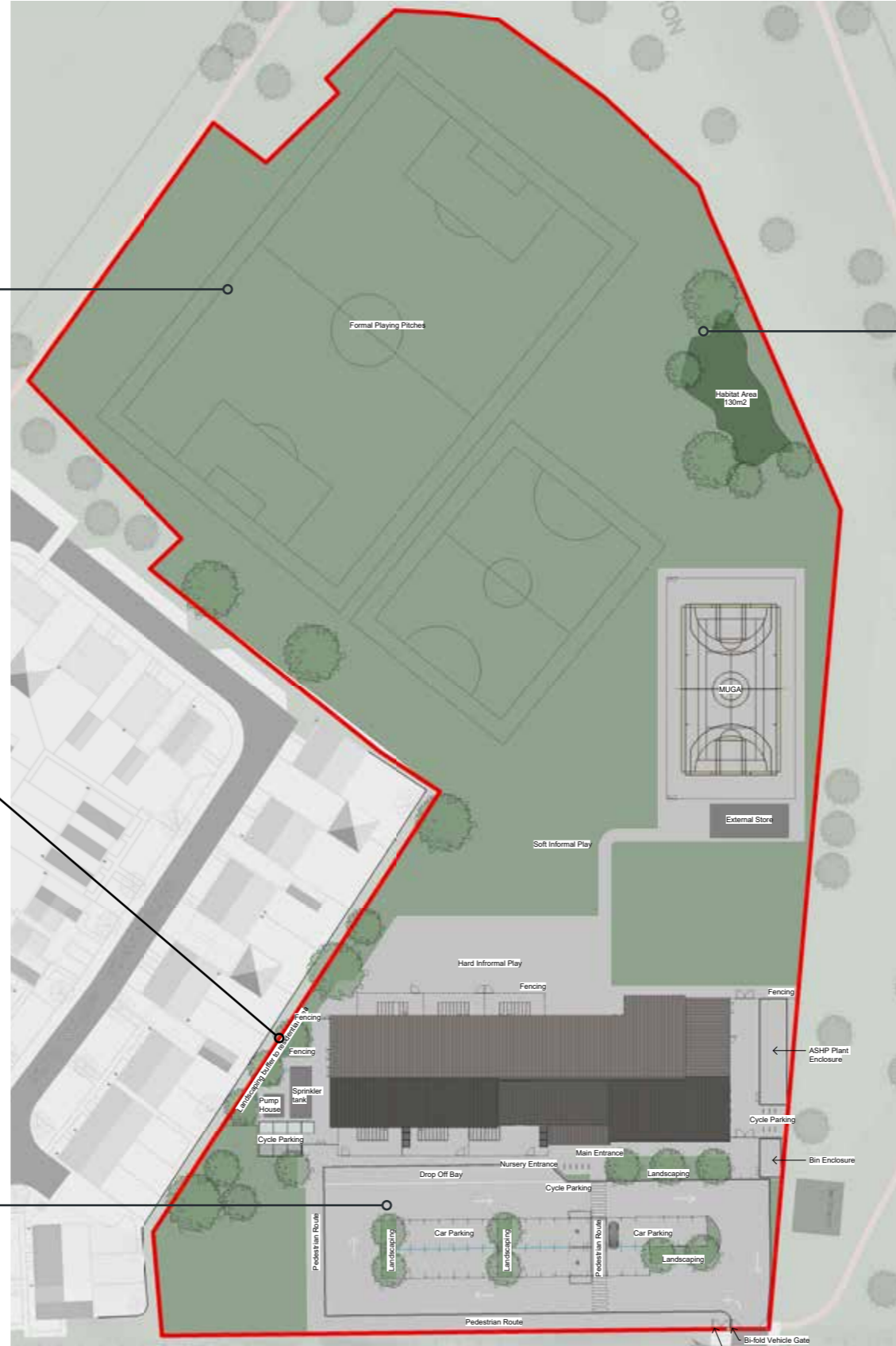
Soft Landscaping to residential boundary

- Medium trees



Soft Landscaping to Car park

- Medium trees
- A mixture of shrub & herbaceous planting.



Extract of Proposed Site Plan



Habitat Area

It is proposed that the habitat area includes the following:

- A small number of standard trees.
- Small areas of shrub planting.
- Mixed herbaceous planting, to provide nectar for pollinating insects and resources for other stages of invertebrate life cycles.
- A gravel garden – herbaceous species planted into a free-draining substrate, with the intention that pupils could sow annual species (poppies, for example) here very year.
- A seating / teaching area accessible via a path.
- Logs / tree trunks to provide both wildlife habitat and seating / scrambling for children.

6.0 Access



Nursery children & parents are to enter the nursery directly through the external play space via the pedestrian crossing.



Visitors are to enter through the main reception via the pedestrian crossing.



3D Proposed Site View



KS1 & KS2 students and parents are to use the 3m Shared pedestrian path adjacent to the car park and enter the school on the left side of the building in to the secure play space to the rear of the building.

6.0 Access

Car Parking

The car park has been designed from the pre-determined single point of access from Pathfinder Way. It follows a circular route, with the parking centrally and drop off bay adjacent to the building entrance. It is anticipated this drop off point will primarily be for Nursery and SEN students. All other students will be encouraged to walk to the site. Further details of this will be provided in the school Travel Plan.

In line with Wiltshire Council guidance, 34 car parking spaces have been provided, with the methodology below:

- 17 Staff
- 4 Visitors
- 11 Primary parents
- 2 Infant parents

Cycle Parking

In line with Wiltshire Council guidance, a total of 29 Sheffield type stands are provided around the site with 18 stands provided within a covered store behind the school secure line. 5 stands are provided for visitor use directly outside the entrance & 6 stands provided to the right hand side of the building for staff use. This equates to 58 cycle parking spaces total across the site.

Following feedback from the Pre App we have also provided 36 scooter parking spaces adjacent to the cycle parking.



3D View of Car park



Extract of Proposed Ground Floor Context Plan

Tracking for the largest vehicle to enter the site has been undertaken to ensure compliance. The adjacent image shows the tracking for a coach.

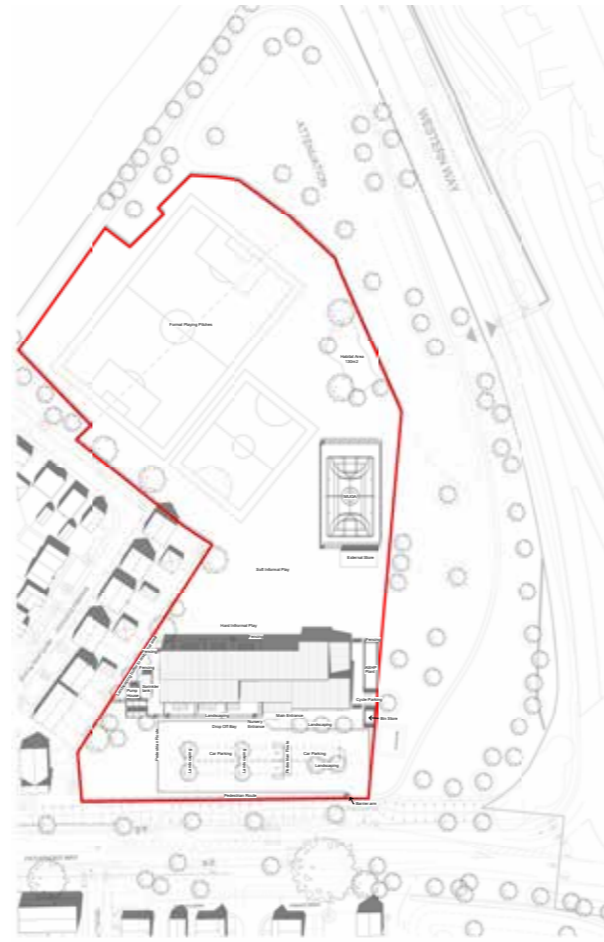
6.0 Over Shadowing

Over shadowing

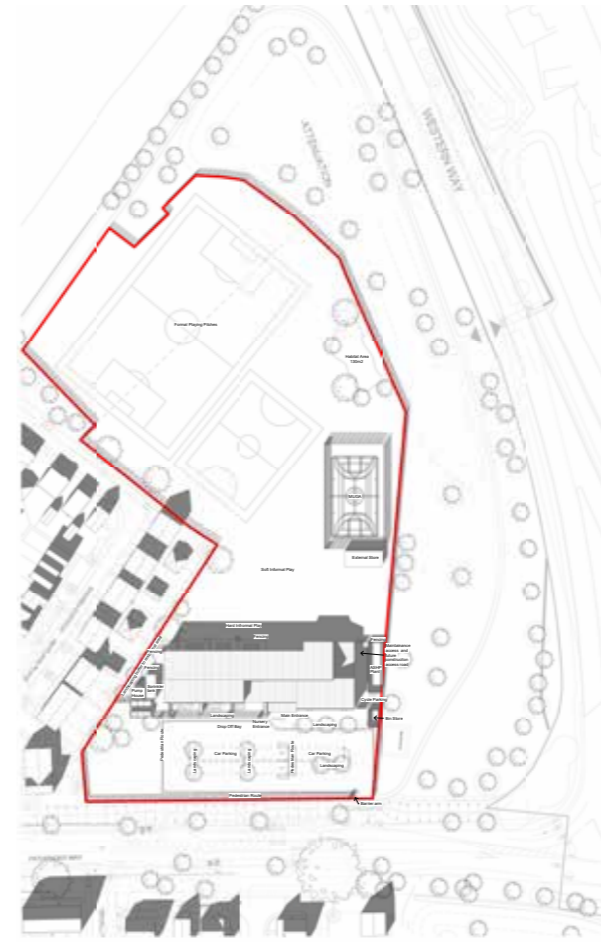
Due to the proximity of the school the neighbouring residential development, we have undertaken a shadow study to review the impact proposed building.



Spring Equinox



Summer Solstice



Autumn Equinox

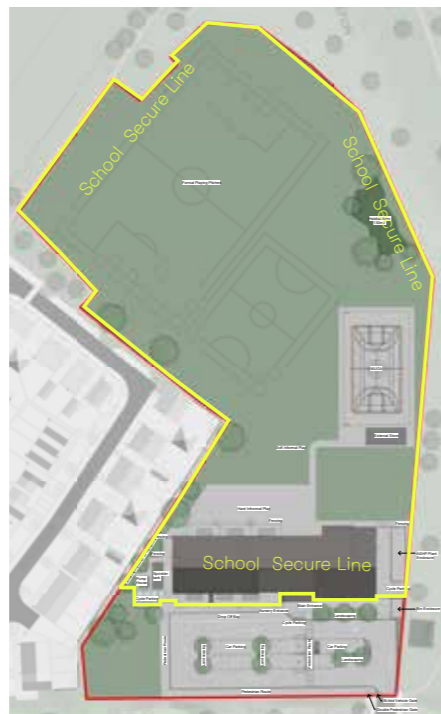


Winter Solstice

6.0 Boundary Treatment

Boundary Treatments

The site is proposed to be enclosed with a 2m high weldmesh fence, this is proposed along the boundary line. In areas where this is in tight proximity to the residential development, a 2m wide service area has been allowed for between the residential fencing to gardens and the school perimeter fence.



Extract of Proposed Site Plan

Secure Lines

The school is designed to manage school security by having a secure line from the school building separating the car park and amenity from the rest of the school & play space. The adjacent diagram illustrates this.



3D view of Proposed Site

MUGA fencing

- 3m weldmesh fencing suitable for sports
- RAL 6005

Bin Store & ASHP enclosures

- 2m Close Boarded Treated Timber fence

Perimeter fencing

- 2m high Weldmesh Fence
- RAL 6005.

6.0 External Buildings

The timber bin enclosure has been located to be within easy access of key building elements such as the kitchen as well as being directly accessible from the single point of access on to the site. To provide storage for recycling and general waste with water supply for wash down facilities.



3D view of North Elevation



Shipping Container Example Image

Shipping container to provide external storage for play equipment. Located adjacent to the MUGA



ASHP Example Image



Grey Sprinkler Tank Example Image

Sprinkler not expected to generate noise unless in use during a fire.



3D view of South Elevation



Grey GRP Pump House Enclosure Example Image

Pump house not expected to generate noise unless in use during a fire.

Secure and covered cycle and scooter parking, please refer to transport statement for further information on numbers provided.

8.0 APPENDIX 1

Hi Lisa

Further to our meeting yesterday I am writing to advise on the probable colour selection for the new Melksham Primary School. The eventual choice of school name, uniform colour etc will be made by the appointed academy trust however they will take into account the colours of the other surrounding schools in making this decision. Wherever possible they will choose a colour that is not already "taken" in the local area.

The closest school is Bowerhill Primary School. This school's colour theme is royal/bright blue – pic below. As this is the nearest school we need to avoid blue for the new primary school.



The next closest school is Aloeric Primary School. This school's colour scheme is bright red – pic below.



The Manor Primary school in the town uses purple as below –



River Mead Primary school in Melksham has a turquoise colour scheme as pic below –



The final school in the town in Forest and Sandridge, they have a dark green colour scheme as shown in the pic below-



All of these schools use their colour schemes on their websites, newsletters, uniforms, branding etc. Given the most common uniform colours have already been used by these other schools it leaves limited options for the new school. They could choose yellow, burgundy, or jade green as shown in the pics below.



They also need to bear in mind Government requirements to limit the cost of school uniform for parents by picking colours that have readily available items in supermarkets. I have done a quick google search and all of these three colours have availability at one or more of the major supermarkets. I must admit that I am not a fan of the yellow and can't see this paired with grey or buff brick on the externals. Either of the other 2 colours could work though. If

it's the burgundy, it needs to be this dark burgundy and not a bright red as this is used by Aloeric as above. The green would need to be light/jade green and not the darker green used by Forest and Sandridge.

Many thanks

Clara Davies
Head of School Place Commissioning
School Buildings & Places Team
Wiltshire Council
Tel : 01225 713872
Email : clara.davies@wiltshire.gov.uk



Wiltshire Council

Please read our latest SEND newsletter at [SEND newsletter - Local Offer \(wiltshire.gov.uk\)](#)

8.0 APPENDIX 2

HABITAT PLANTING PROPOSALS

Standard Trees

Species selected offer high ecological value and are relatively small.

- 2 no. Silver birch (*Betula pendula*)
- 2 no. crab apple (*Malus sylvestris*)
- 2 no. rowan (*Sorbus aucuparia*)

Shrubs

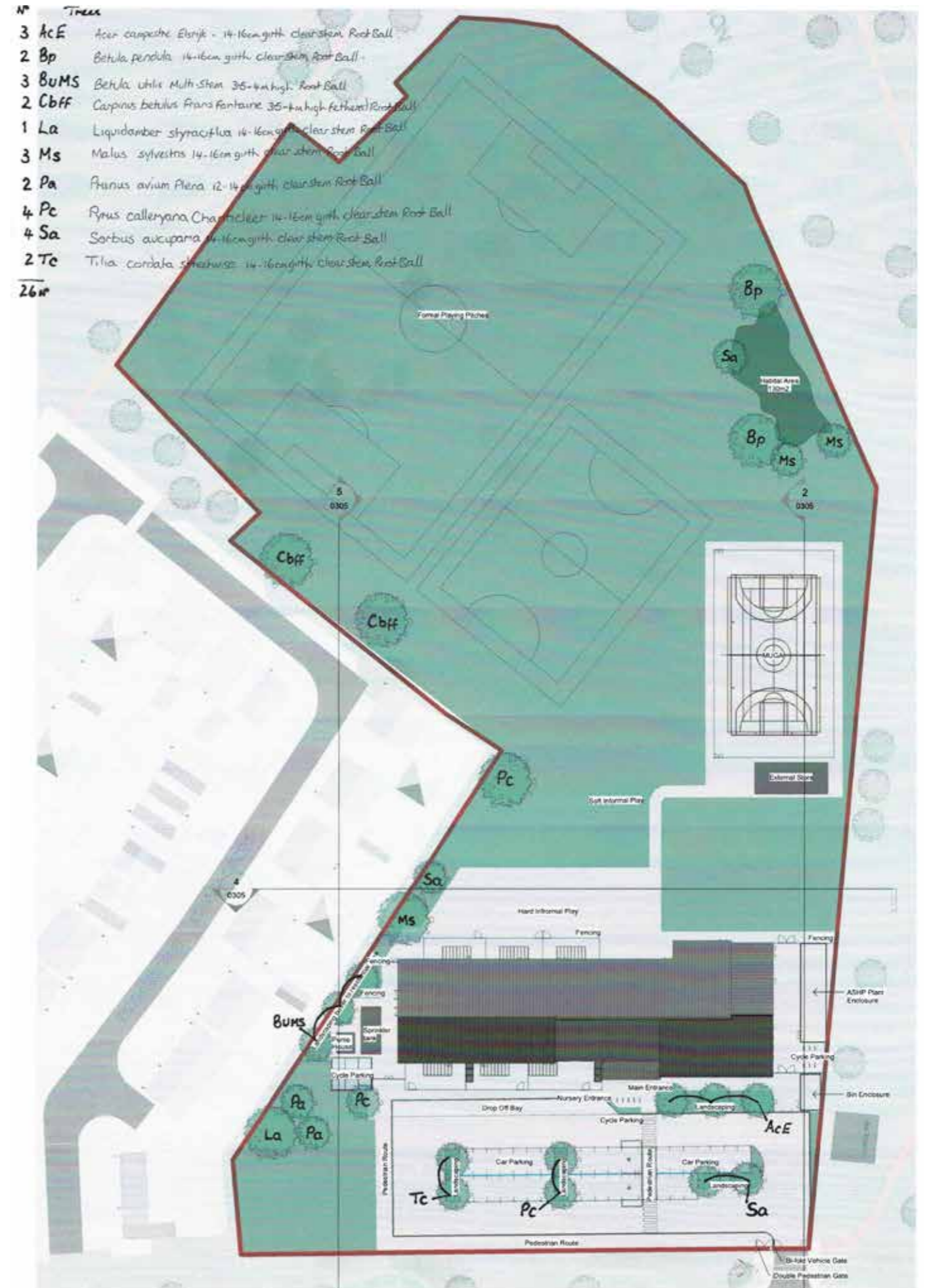
- 30% hazel (*Corylus avellana*)
- 30% hawthorn (*Crataegus monogyna*)
- 20% wayfaring tree (*Viburnum lantana*)
- 20% grey willow (*Salix cinerea*)

Herbaceous planting

- Meadow cranesbill (*Geranium pratense*)
- Hedgerow cranesbill (*Geranium pyrenaicum*)
- Common knapweed (*Centaurea nigra*)
- Greater knapweed (*Centaurea scabiosa*)
- Mullein (*Verbascum spp*)
- Bistort (*Bistorta officinalis*)
- Soft shield fern (*Polystichum setiferum*)
- Tufted hair-grass (*Deschampsia cespitosa*) – or other tussock-forming grasses
- Ox-eye daisy (*Leucanthemum vulgare*)
- Yellow archangel (*Lamium galeobdolon*)
- Ice plant (*Hylotelephium*, formerly *Sedum*, *spectabile*)
- Broom (*Cytisus scoparius*)
- Sweet wood ruff (*Galium odoratum*)
- Sage (*Salvia officinalis*)
- Rosemary (*Rosemarinus officinalis*)
- Wild parsnip (*Pastinaca sativa*)

Gravel Planting

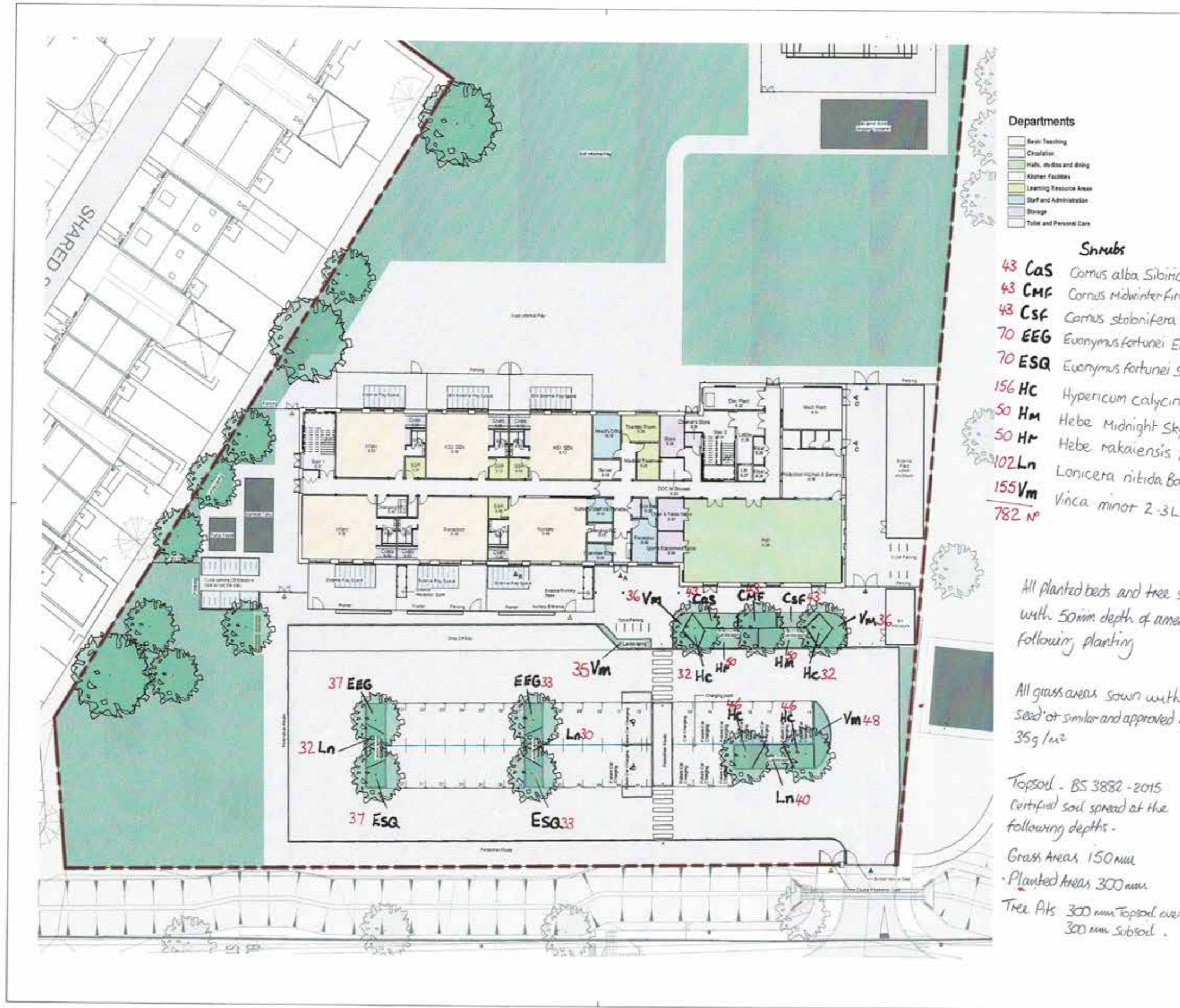
- Fennel (*Foeniculum vulgare*)
- Wild carrot (*Daucus carota*)
- Wild thyme (*Thymus polytrichus*)
- Common rockrose (*Helianthemum vulgare*)
- Common bird's-foot trefoil (*Lotus corniculatus*)
- Kidney vetch (*Anthyllis vulneraria*)
- Poppy (*Papaver rhoeas*)



TREE PLANTING PROPOSALS

8.0 APPENDIX 2

PLANTING PROPOSALS



- Departments**
- Basic Teaching
 - Crestation
 - Halls, studies and dining
 - Kitchen Facilities
 - Learning Resource Areas
 - Staff and Administration
 - Storage
 - Toilet and Personal Care

- AWW Site Plan Key**
- Site Boundary
 - Proposed Tarmac
 - Proposed Tree
 - A - Main Entrance - Reception
 - B - Secondary Entrance - Nursery
 - C - Services Door
 - Pedestrian Entrance Gate
 - Vehicle Entrance Gate

- Shrubs**
- 43 CaS *Cornus alba Sibirica* 2-3L
 - 43 CMF *Cornus Midwinter Fire* 2-3L
 - 43 CSF *Cornus stolonifera Flavrimea* 2-3L
 - 70 EEG *Evonymus fortunei Emerald 'n' Gold* 2-3L
 - 70 ESQ *Evonymus fortunei Silver Queen* 2-3L
 - 156 HC *Hypericum calycinum* 2-3L
 - 50 HM *Hebe Midnight Sky* 2-3L
 - 50 HP *Hebe rakaiensis* 2-3L
 - 102 Ln *Lonicera nitida Baggensen's Gold* 2-3L
 - 155 Vm *Vinca minor* 2-3L
 - 782 N

All planted beds and tree surrounds to be covered with 50mm depth of amenity grade bark mulch following planting

All grass areas sown with *Geminal A19* grass seed or similar and approved at the rate of 35g/m²

Topsol - BS 3882 - 2015 certified soil spread at the following depths -

- Grass Areas 150 mm
- Planted Areas 300 mm
- Tree Pits 300 mm Topsoil over 300 mm Subsoil

AWW logo and project information including scale, date, and project name.

AWW

London 120 Water Street, SE 1 3UG
 Registered and Chartered: P12 2017
 Member: RIBA, RIBA Chartered Practice, RIBA Chartered Practice

Scale: 1:200

Project Name: Melksham IFE School
 Pathfinder Way, Sowerbit, Melksham

Proposed Ground Floor Context Plan

Scale: 1:100

As Indicated: IS - Suitable for Information

Project	Drawn	Checked	Approved	Date	Scale	Sheet	Total
MKS	AWW	XX	XX	D	A	0101	P02

Get In Touch

Becki Woodhouse
Architectural Assistant
Becki.Woodhouse@aww-uk.com

Katie Sapsed
Senior Architect
Katie.Sapsed@aww-uk.com

Lorraine McRandle

Subject: FW: PL/2023/07756 Variation to Existing Consent

From: Sims, Steven <Steven.Sims@wiltshire.gov.uk>
Sent: 21 November 2023 10:56
To: Holder, Nick <Nick.Holder@wiltshire.gov.uk>
Cc: Teresa Strange <clerk@melkshamwithout-pc.gov.uk>
Subject: RE: PL/2023/07756 Variation to Existing Consent

Dear Councillor

The above application has been withdrawn by the applicant. I suspect a new application will be submitted in the new year.

Kind Regards

Steven Sims
Senior Planning Officer
Place Directorate
Wiltshire Council
Tel: 01225 770238

-----Original Message-----

From: Sims, Steven
Sent: Thursday, November 2, 2023 3:52 PM
To: Holder, Nick <Nick.Holder@wiltshire.gov.uk>
Cc: Green, Kenny <Kenny.Green@wiltshire.gov.uk>; Teresa Strange <clerk@melkshamwithout-pc.gov.uk>
Subject: RE: PL/2023/07756 Variation to Existing Consent

Dear Councillor

To advise I have looked over the above application and spoken to my team leader Kenny Green and it is agreed that the current proposed development for housing goes substantially beyond was previously agreed under application 20/01539/FUL (varied by PL/2022/05895) which was for office use on site. As such I have requested the applicant withdraw the current application and re submit as a full planning application.

I trust the above is accessible.

Kind Regards

Steven Sims
Senior Planning Officer
Place Directorate
Wiltshire Council
Tel: 01225 770238

-----Original Message-----

From: Holder, Nick <Nick.Holder@wiltshire.gov.uk>
Sent: Tuesday, October 31, 2023 3:02 PM
To: Sims, Steven <Steven.Sims@wiltshire.gov.uk>
Cc: Green, Kenny <Kenny.Green@wiltshire.gov.uk>; Teresa Strange <clerk@melkshamwithout-pc.gov.uk>
Subject: PL/2023/07756 Variation to Existing Consent

Hi Steve,

You may remember we discussed this briefly when we were in Melksham last week. The parish council and I would like some guidance about the application to vary the original consent and whether or not the applicant should be asked to submit a new application rather than rely on a Section 73 dispensation.

Whilst there is no objection to development on this site, made up of redundant farm buildings which are an eyesore, we just wanted to check the applicant is not trying to force through a development Of 6 houses where there is a material difference to the historic approval.

Would you be able to have a look through the history on the site and either you or Kenny provide a definitive response.

Thanks

Nick

Nick Holder

Councillor for Bowerhill

Cabinet Member for Environment and Climate Change Wiltshire Council | County Hall | Trowbridge | Wiltshire | BA14 8JN

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-----Original Message-----

From: Teresa Strange <clerk@melkshamwithout-pc.gov.uk>

Sent: Monday, October 30, 2023 1:51 PM

To: Holder, Nick <Nick.Holder@wiltshire.gov.uk>

Cc: Lorraine McRandle <office@melkshamwithout-pc.gov.uk>

Subject: FW: Thank you for your comments PL/2023/07756

Hi Nick

This relates to the planning application for Woolmore Farm..... I am sending to you for info, as the parish council are objecting to it.

I am not sure if you can call in a variation of condition? I think that is why Mike Sankey couldn't call in the Verbena Court one, but not 100%.

The parish council didn't actually say they wanted it called in, but to be fair, I didn't think to stop and ask them.....

All the best, Teresa

-----Original Message-----

From: Wiltshire Council <planning@sf.wiltshire.gov.uk>

Sent: 27 October 2023 11:04

To: Teresa Strange <clerk@melkshamwithout-pc.gov.uk>

Subject: Thank you for your comments PL/2023/07756

This email is confirmation that Wiltshire Council has received your comments as set out below. Your response to this consultation will be reviewed prior to it being made public and whilst every effort is made to publish comments as soon after receipt as possible, sometimes there can be a delay of up to 48 hours for which we apologise and for any inconvenience the delay may cause. During this time your comment is available for inspection by the Planning Officer.

Melksham Without Parish Council
Consultee (Statutory)
Stance : Object

Your Comment:

Members feel this application represents a significant change in proposals and is now effectively for residential use, with only office space in garages. They regret the loss of workshops as included in the original design. They OBJECT to this application and ask that the applicant submit a new planning application as they feel it is too far from its original consent to be considered as a variation of condition.

If Wiltshire Council is minded to approve this application, there needs to be conditions imposed that the work spaces must remain as such for both its initial use, and subsequent house purchases and that adequate parking is provided in accordance with statutory guidance to cover their use as habitual rooms if used as a bedroom/additional living space and not a work space.

Planning Team
Wiltshire Council

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The Planning Inspectorate

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Melksham Without Parish Council

Your Ref:

Our Ref: APP/Y3940/W/23/3324031

14 November 2023

Dear Sir/Madam,

Town and Country Planning Act 1990
Appeal by Hallam Land Management
Site Address: Land South of Western Way, Melksham

I enclose a copy of our Inspector's decision on the above appeal(s).

If you have queries or feedback about the decision or the way we handled the appeal(s), you should submit them using our "Feedback" webpage at <https://www.gov.uk/government/organisations/planning-inspectorate/about/complaints-procedure>.

If you do not have internet access please write to the Customer Quality Unit at the address above.

If you would prefer hard copies of our information on the right to challenge and our feedback procedure, please contact our Customer Service Team on 0303 444 5000.

Please note the Planning Inspectorate is not the administering body for High Court challenges. If you would like more information on the strictly enforced deadlines for challenging, or a copy of the forms for lodging a challenge, please contact the Administrative Court on 020 7947 6655.

The Planning Inspectorate cannot change or revoke the outcome in the attached decision. If you want to alter the outcome you should consider obtaining legal advice as only the High Court can quash this decision.

We are continually seeking ways to improve the quality of service we provide to our customers. As part of this commitment we are seeking feedback from those who use our service. It would be appreciated if you could take some time to complete this short survey, which should take no more than a few minutes complete:

https://www.surveymonkey.co.uk/r/Planning_inspectorate_customer_survey

Thank you in advance for taking the time to provide us with valuable feedback.

Yours faithfully,

Alison Dyson

Alison Dyson

<https://www.gov.uk/government/publications/planning-inspectorate-privacy-notice>

Where applicable, you can use the internet to submit documents, to see information and to check the progress of cases through GOV.UK. The address of the search page is - <https://www.gov.uk/appeal-planning-inspectorate>



Appeal Decision

Inquiry Held on 24 October 2023

Site visit made on 24 October 2023

by Peter Mark Sturgess BSc(Hons), MBA, MRTPI

an Inspector appointed by the Secretary of State

Decision date: 14th November 2023

Appeal Ref: APP/Y3940/W/23/3324031

Land to the South of Western Way, Melksham, Wiltshire

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant outline planning permission.
 - The appeal is made by Hallam Land Management against the decision of Wiltshire Council.
 - The application Ref PL/2022/08504, dated 2 November 2022, was refused by notice dated 27 April 2023.
 - The development proposed is outline application (with all matters reserved except for access) for the erection of up to 210 residential dwellings (class C3) and a 70-bed care home (class C2) with associated access, landscaping and open space.
-

Decision

1. The appeal is allowed and planning permission granted for an outline application (with all matters reserved except for access) for the erection of up to 210 residential dwellings (class C3) and a 70-bed care home (class C2) with associated access, landscaping and open space, in accordance with the details submitted with planning application Ref: PL/2022/08504 on land South of Western Way, Melksham, Wiltshire (Easting 390741 Northing 162689), subject to the conditions set out in Annex A.

Main Issues

2. The main issues in this appeal are:
 - the suitability of the location for the proposed development having regard to the policies of the development plan;
 - the position of the Council with regard to a 5-year supply of deliverable housing sites, including the status of the Neighbourhood Plan;
 - whether the requirements of the Council in terms of the need for affordable housing, the provision of open space, the provision of public art, healthcare provision, public transport provision, strategic transport provision and waste collection provision are necessary in terms of paragraph 57 of the National Planning Policy Framework (the Framework) and Regulation 122 of the Community Infrastructure Levy Regulations 2010 and, if these requirements are found to be necessary, whether they are capable of being addressed through an agreed planning obligation.

Reasons

Location of the development

3. The development is located to the south of Melksham town centre and close to two main roads (the A350 and the A365). To the north are footpaths and roads which focus on Melksham's town centre.
4. To the east is a site which appears to be under development which will accommodate a school. To the south is the Bowerhill Industrial Estate. The site is proposed to be accessed via the recently completed Maitland Place. Overall, the site appears as an isolated pocket of agricultural land surrounded by major roads, an established industrial estate, new development and the established area of Melksham itself to the north.
5. In planning policy terms, the site lies outside the settlement boundary of Melksham. However, it appears to me that this boundary is becoming blurred in this location given the amount of new development that has taken place to the south. Furthermore, more construction is due to take place immediately to the east of the appeal site.
6. The development plan for the area is comprised of the Wiltshire Core Strategy (WCS), adopted in 2015 and the Joint Melksham Neighbourhood Plan (MNP) 2020-2026 made in July 2021.
7. The policies that are particularly relevant to this appeal are Policies CP1 and CP2 of the WCS and Policy 6 of the MNP. Policies CP1 and CP2 of the WCS work together in order to achieve the delivery of the Council's housing targets. Policy CP1 sets out a settlement hierarchy and Policy CP2 distributes the required housing across this hierarchy. This distribution is predicated on allocated sites and allowing settlements to take other growth, within the settlement limits.
8. The appeal site is located on the edge of Melksham. Melksham is identified in the policies as a market town which, according to Policy CP1, have potential for significant development to increase the jobs and homes in each town in order to help sustain and where necessary enhance their services and facilities. Therefore, the policy expects Melksham to accommodate growth and sees the benefits of growth for the town. However, Policy CP2 restricts this growth to those sites which lie within the defined development limits.
9. The MNP was made in July 2021 therefore the criteria set out at Paragraph 14 of the Framework do not apply. Policy 6 of the MNP deals with housing in defined settlements and repeats the requirement of Policy CP2 of the WCS where new development will not be permitted outside settlement boundaries.
10. Since April 2022, the Council has had in place a briefing note¹ which states, amongst other things, that it will '*positively consider speculative applications where there are no major policy obstacles material to the decision other than the site being outside settlement boundaries or unallocated*'. Whilst this approach is not part of the development plan it is a material consideration in this decision.
11. Overall, the site lies outside the development limits/settlement boundary of Melksham where the current policies of the development plan restrict new housing development. However, the recently adopted briefing note weakens

¹ Briefing Note On 5-Year Housing Land Supply And Housing Delivery Test (April 2022)

the Policy stance regarding the importance of settlement boundaries. Consequently, whilst I find that the proposal is in conflict with Policy CP2 of the WCS and Policy 6 of the MNP and therefore the development plan, I find that I cannot give full weight to this policy conflict.

5-year supply of deliverable housing sites

12. It is common ground between the parties that the Council cannot currently demonstrate a 5-year supply of deliverable housing sites. There is however a disagreement between the parties about the degree of the shortfall. The Council have calculated that the housing supply in the area lies at around 4.6 years. The appellant on the other hand has calculated that the Council has a land supply of around 3.9 years. The difference in the figures appears to be mainly due to whether some of the sites the Council have identified as 'deliverable' are actually deliverable within the 5-year period.
13. Having heard and read the appellant's evidence on this matter it appears that at least some of the sites the Council is relying on to justify its calculation of the supply of deliverable housing sites do not fall within the definition of 'deliverable' as set out in Annex 2 of the Framework. Therefore, I regard the current position in relation to the 5-year supply of deliverable housing sites in the Council's area as lying somewhere between the appellant's figure of 3.9 years and the Council's figure of 4.6 years. In any event the Council cannot demonstrate a 5-year supply of deliverable housing site as required by the Framework.
14. In cases where the Council cannot demonstrate a 5-year supply of deliverable housing sites the most important policies for determining the proposal are deemed to be out of date. None of the policies in the Framework that relate to protected areas or assets of particular importance apply to the site's location in this case. Therefore, I have to assess whether any adverse impacts of allowing the appeal would significantly and demonstrably outweigh the benefits when assessed against the policies of the Framework taken as a whole. I shall carry out this balancing exercise later in this decision.

The Planning Obligation

15. A planning obligation made under s106 of the Town and Country Planning Act 1971 has been submitted in order to make the proposal acceptable in planning terms. However, an assessment needs to be made as to whether the requirements of the obligation comply with paragraph 57 of the Framework and Regulation 122 of the Community Infrastructure Levy (CIL) Regulations 2010. In order to do this the obligations, need to be necessary to make the development acceptable in planning terms, directly related to the development and fairly and reasonably related in scale and kind to the development. The Council has supplied a CIL compliance statement to support its position that the obligations it requires meet the requirements set out above.

Affordable Housing

16. In terms of affordable housing, it is clear that this is needed throughout the Council's area and policies within the development plan require certain housing developments to provide affordable housing. The 63 houses proposed to be provided within the scheme complies with the Council's requirements on sites such as this. Therefore, I find that the affordable housing required by the

planning obligation meets the tests set out in the Framework and the Regulations

Education

17. It is clear that the appeal proposals will increase the pressure on educational facilities in the area. The consultation replies received from education providers in the area confirmed that early year's provision in Melksham is at capacity. Therefore, the necessity and the relationship of the contribution to the development has been confirmed.
18. In terms of the scale of the required provision this has been calculated in accordance with a formula so that the contribution will relate directly in terms of scale and kind to the impact the development will have on the need for early years provision in the area.
19. I therefore find that this contribution meets the requirements of the CIL Regulations (2010) and the tests set out in the Framework.

Public Art

20. The WCS contains policies relating to the provision of public art in new developments. These policies relate to improving the public realm. The amount which is required for public art is calculated in accordance with a formula and the public art itself will be provided within the appeal site.
21. I therefore find that the requirement in the obligation for a contribution for public art to be provided within the development to comply with the requirements of the CIL Regulations (2010) and the tests set out in the Framework.

Open Space and Leisure

22. Core Policy 3 of the WCS contains requirements for open space and leisure facilities to be provided within new developments. This requirement is consistent with paragraph 98 of the Framework. The precise requirement is based on standards which have been adopted by the Council and the facilities will be provided within the proposed development.
23. I therefore find that the requirement for public open space and leisure facilities comply with the CIL Regulations (2010) and the tests set out in the Framework.

Waste and recycling

24. Core Policy 3 of the WCS requires new bins and recycling boxes to be provided within new developments. Each new property will be required to have waste bins and recycling boxes and the contribution required reflects the cost of providing these facilities to each of the dwellings.
25. I therefore find that the requirements comply with the CIL Regulations (2010) and the tests set out in the Framework.

Highways and safety

26. The obligation requires a contribution towards creating safe cycling and walking routes from the appeal proposal into the centre of Melksham. This approach is supported in planning policy and directly relates to the pedestrian and cycling

movements generated by the proposal. Moreover, the contribution has been calculated in accordance with a formula.

27. I therefore find that the proposed contribution complies with the CIL Regulations (2010) and the tests set out in the Framework.

Public transport

28. There is a requirement that the appeal proposal is served by a bus service which will give its residents satisfactory access to the services in the town. The contribution is required in order to ensure that bus services serve the appeal proposal.
29. I therefore find that the requirement complies with the CIL Regulations and the tests set out in the Framework.

Rail accessibility

30. The contribution relates to providing a safe cycling route between the appeal site and Melksham railway station. It is necessary in that it helps to develop safe transport links, it is directly related to the development as it will improve its accessibility to the station, and it is fairly and reasonably related to the development as the development is only expected to fund part of the costs of its provision.
31. I therefore find for the reasons given above that the contribution meets the requirements of the CIL Regulations (2010) and the tests set out at paragraph 57 of the Framework.

Residential travel plan

32. Part of the implementation of the sustainable travel arrangements planned for the proposal is to use a residential travel plan to publicise the sustainable travel options available to residents. This will be distributed to every new household created by the development.
33. I therefore find that the provisions for a residential travel plan comply with the requirements of the CIL Regulations (2010) and the tests set out at paragraph of 57 of the Framework.

Travel monitoring plan

34. This part of the obligation is related to the delivery of the sustainable transport provisions. It allows the effectiveness of the measures to be assessed. It is therefore necessary, directly related to the development and fair and reasonable in scale and kind. Therefore, it complies with the provisions of the CIL Regulations (2010) and the tests set out at paragraph 57 of the Framework.

Healthcare contribution

35. It is clear from the consultation responses received in relation to the planning application that the appeal proposal will place additional pressure on the healthcare facilities in the area. Moreover, there appears to be no existing '*spare primary care floorspace capacity in the local area*'. Therefore, the necessity for the contribution and its direct relationship to the appeal proposal has been demonstrated. The contribution has also been calculated in

accordance with a formula which also indicates that it is fairly and reasonably related in scale and kind to the proposal.

36. I therefore find that the requirement complies with the provisions of the CIL Regulations (2010) and the tests set out in paragraph 57 of the Framework.

Other Matters

Highways and traffic

37. The vehicular access to the proposed development would be taken from Maitland Place. Maitland Place is currently a cul de sac which serves a number of recently constructed houses and links to Pathfinder Way, a main distributor road. The part of Maitland Place that would give access to the appeal proposal is around 5.5m wide and has recessed parking bays. It has also been designed to incorporate traffic calming measures in order to help regulate traffic speed. The Maitland Place link between Pathfinder Way and the proposed access to the appeal site is also relatively short.
38. Given the configuration of Maitland Place, its width and the distance between the entrance to the appeal site and Pathfinder Way I find that it could reasonably accommodate the additional traffic generated by the proposed development without compromising highway safety or lead to unacceptable congestion. The overall 5.5m width is consistent with the standard for this type of road set out in Manual for Streets. Moreover, the Framework states at paragraph 111 that development should only be prevented or refused on highway grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe.
39. In terms of roads around the proposed development these have been designed to accommodate not only local traffic, but traffic passing through Melksham. Whilst the provision of an additional pedestrian/cycle crossing could slow down passing traffic it is unlikely to lead to an unacceptable increase in congestion in the area.
40. In terms of construction traffic, whilst I can appreciate that the residents of Maitland Place might be caused some short-term inconvenience during the construction period this would be temporary. Furthermore, the impact of construction traffic on residents is capable of being mitigated through a Construction Management Plan imposed by an appropriate condition should the appeal be allowed.
41. Overall, for the reasons set out above I find that the appeal proposal is acceptable in terms of its impact on highway safety and congestion in the area.

Living conditions of existing residents

42. I have had regard to the comments regarding the impact of the proposed development on the living conditions of existing residents, both in Maitland Place and elsewhere around the proposal, in terms of noise, air pollution and effects of additional traffic on the stability of houses. The site is already partly surrounded by main roads and is not located in an area which suffers from poor air quality. In terms of the amount of traffic using the roads around the site the contribution the appeal proposal would make to worsening air quality would be marginal and would not take levels of air pollution to unacceptable levels. I therefore do not consider that the appeal proposal in itself would materially

affect either the noise or air pollution levels experienced by those people living in the area or the stability of houses next to roads.

Impact on local infrastructure – Doctors Surgery

43. I heard evidence that the local Doctor's surgery and medical centre is at or over capacity. This has been accepted in the consultation responses received and will be dealt with through a contribution to additional facilities should the appeal be allowed which I have dealt with above.

Economic development more appropriate

44. It was put to me at the Inquiry that the site would be more suitable for economic development and accessed through the existing industrial estate located to the south. I have to deal with the application that is before me which is as described in the planning application submitted to Wiltshire Council. Therefore, whilst economic development might well be suitable for the site I have to consider whether it is also suitable for the quantum of houses proposed and the proposed care home. Moreover, from my site visit I noted that there is no direct access between the site and the Bowerhill Industrial Estate to the south.

Status of the Neighbourhood Plan

45. The current Neighbourhood Plan is the Joint Melksham Neighbourhood Plan 2020-2026 which was made in July 2021. I understand from submissions made at the Inquiry that this plan is under review and a draft of a reviewed plan has been issued, the Joint Melksham Neighbourhood Plan 2020-2038, Pre-Submission Consultation Draft October 2023. Whilst the draft of the reviewed plan is capable of being a material consideration in this appeal, given the stage it is at it is afforded limited weight in this decision.
46. I also understand the effort local people put into producing Neighbourhood Plans, however once made they become part of the development plan for the area and are subject to the same consideration as all other elements of the development plan in the planning system as a whole. One of the aims of the system is to ensure that areas maintain a 5-year supply of deliverable housing sites so that they meet their housing need. Therefore, policies in the development plan are considered to be out of date where the local planning authority cannot demonstrate a 5-year supply of deliverable housing sites. That applies to the whole of the local planning authority's area and not just part of it.
47. In this case it is accepted by the Council that it cannot demonstrate a 5-year supply of deliverable housing sites. Therefore, the policies that are most important for determining the application are out of date, in particular those policies in the MNP that relate to settlement boundaries. This does not mean that they are set aside or ignored it simply means that they do not carry full weight in this appeal.

The Planning Balance

48. The policies of the development plan that apply to the appeal site are those set out above in the WCS and MNP. The most important policies for determining this application are Policies CP1 and CP2 of the WCS and Policy 6 of the MNP. The heart of the objection to the proposal is that it lies outside the settlement

boundary, and this is set out in these policies. However, the Council has accepted that it does not have a 5-year supply of deliverable housing sites. Moreover, it has published a briefing note in order to assist in delivering more houses which sets aside development boundaries where this is the only objection to a proposal. I therefore find that the most important policies for determining the appeal are out of date. Furthermore, and in view of the Council's briefing note and their only substantive objection to the proposal is that the site is outside the settlement boundary, I give these policies limited weight in this decision.

49. In support of the appeal proposal the appellant has set out a range of benefits it would bring, including, a contribution to the 5-year supply of deliverable housing sites, a contribution towards the Council's affordable housing requirement, the delivery of a 70 bed care home, economic benefit through the creation of jobs at the care home and support of local businesses in the area once the development is complete. I give substantial weight to these benefits.
50. In addition, the appellant has outlined that the development would bring jobs during the construction phase. These benefits would be transient. Therefore, I give them limited weight in this decision.
51. I also give limited weight to the benefits related to bio-diversity net gain (BNG), the provision of green infrastructure and the provision of new play areas as these are policy requirements and therefore would be required in order to make the development acceptable in any case.
52. Overall, for the reasons given above, I find that the adverse impacts of allowing the appeal would not significantly and demonstrably outweigh the benefits, when assessed against the policies in the Framework taken as a whole.

Conditions

53. In addition to the normal conditions relating to times for commencement, the submission of reserved matters and referencing the approved plans, for the avoidance of doubt and to comply with the relevant legislation, I consider that further conditions are necessary in order to make the development acceptable.
54. Whilst the main access to the site is under consideration in this appeal conditions are necessary to control the design of the internal road layout, footpaths, junctions and verges, including street furniture, drainage, materials and surface finishes in order that the development is finished in an acceptable manner. In addition, and in order to achieve this a further condition is necessary to secure the implementation of the approved details.
55. A condition is necessary to ensure that the Toucan Crossing on Western Way is implemented to ensure that the development has safe and convenient access to Melksham town centre.
56. A condition is necessary to ensure that a footpath is delivered along the southern side of Western Way, to an appropriate standard, to ensure that the development has safe and convenient access to Melksham town centre.
57. A condition triggering the installation of the emergency vehicle access and routing is necessary in order to ensure that emergency vehicles have access to

- the site at the appropriate stage of the development in the interests of highways and public safety.
58. A condition is necessary to ensure that a scheme for the installation of electric vehicle charging points is capable of implementation on the site. This condition should also ensure that the approved scheme is implemented in a timely manner. In order to assist in controlling emissions from vehicles to protect public health and to contribute to mitigating the effects of emissions from vehicles on climate change.
 59. Conditions requiring the production, distribution, implementation and monitoring of travel plans to cover the care home and the dwellings are necessary in order to help mitigate the impact of vehicles using the development on the local road network.
 60. Conditions dealing with the disposal of foul and surface water drainage are necessary in order to manage flood risk and to ensure that sewage from the proposed development is adequately dealt with.
 61. A condition requiring the submission of a Landscape and Ecology Management Plan to be submitted and implemented prior to the start of construction is necessary in the interests of nature conservation and the character and appearance of the area.
 62. A condition requiring the submission of a Construction Environmental Management Plan (CEMP) prior to the commencement of work is necessary in order to ensure that ecological assets present on site are protected during the period of construction.
 63. A condition is necessary to control the installation of external lighting within the development in order to protect the habitats used by wildlife species from intrusive light.
 64. A condition is necessary in order to control how the construction of the site is managed through the submission and implementation of a Construction Management Statement which shall be adhered to throughout the construction period in order to minimise the effects of the construction of the proposed development on the living conditions of nearby residents, the natural environment and the safety of those using surrounding public highways.
 65. In order to protect the occupants of the proposed dwellings from unacceptable levels of noise a condition is necessary to ensure that no dwelling is occupied until a scheme for protecting the dwellings from unacceptable noise has been submitted to and approved by the Council.
 66. In order to ensure that the approved landscaping scheme is implemented in a timely manner, a condition is necessary to ensure that a timetable for the implementation of all soft landscaping is submitted to and approved by the Council.
 67. In order to record anything on the site that is of archaeological interest a condition is necessary to ensure a written programme of archaeological work be submitted to and approved by the Council, together with a requirement that it be carried out in accordance with the approved scheme.

Conclusions

68. I have found above that whilst the proposal is in conflict with the policies of the development plan that relate to developments outside settlement boundaries, material considerations relating to the lack of a 5-year supply of deliverable housing sites, accepted by the Council, and the benefits of the proposal are sufficient to outweigh the harm that is caused to these policies. Therefore, the appeal is allowed.

Peter Mark Sturgess

INSPECTOR

ANNEX A – CONDITIONS

1. The development hereby permitted shall be begun either before the expiration of three years from the date of this permission, or before the expiration of two years from the date of approval of the last of the reserved matters to be approved, whichever is the later.
2. No development shall commence on the residential area and care home area or the site respectively until details of the following matters (in respect of which approval is expressly reserved) for each respective area have been submitted to, and approved in writing by the Council:
 - (a) the scale of the development;
 - (b) the layout of the development;
 - (c) the external appearance of the development;
 - (d) the landscaping of the site.

The development shall be carried out in accordance with the approved details.

3. An application for the approval of all of the reserved matters shall be made to the Council before the expiration of three years from the date of this permission.
4. The development hereby permitted shall be carried out in accordance with the following approved plans:
 - site location plan, scale 1:2500 – 22497 – 1000A
 - land use parameter plan, scale 1:2500 – 22497 – 4010C
 - scale parameter plan, scale 1:2500 – 22497 – 4030C
 - landscape parameter plan, scale 1:2500 – 22497 – 4050C
 - density parameter plan, scale 1:2500 – 22497- 4020C
 - access and movement parameter plan, scale 1:2500 230209 – 22497 -4040D
 - proposed access strategy 16307-019-P3
5. No development shall commence on site until details of the estate roads, footways, footpaths, verges, junctions, street lighting, sewers, drains, retaining walls, service routes, surface water outfalls, vehicle overhang margins, embankments, visibility splays, accesses, carriageway gradients, drive gradients, car parking and street furniture, including the timetable for the provision of such works have been submitted to and approved by the Council. The development shall not be first occupied until the works have been undertaken in accordance with the approved details and timetable.
6. The roads, including footpaths and turning spaces, shall be constructed so as to ensure that before it is occupied, each dwelling has been provided with a

properly consolidated and surfaced footpath and carriageway to at least base course level between the dwelling and the existing highway.

7. Prior to commencement of the construction of the development the design of the Toucan Crossing off Western Way as detailed on drg no. 019 rev P3 'Proposed Access Strategy' (contained in Appendix L of the Transport Assessment) shall be submitted to and approved in writing by the Council. The Toucan Crossings shall thereafter be provided in full prior to the occupation of the first dwelling on the site and maintained as such thereafter.
8. Prior to the occupation of the first dwelling on the site a minimum of a 2m wide footway connection along the southern side of Western Way (as detailed on drg no. 019 rev P3 'Proposed Access Strategy') shall be designed, submitted to and approved in writing by the Council. The footpath connection shall be provided in full in accordance with the submitted details before the final dwelling on the site is occupied and maintained as such thereafter.
9. Prior to the occupation of the 50th dwelling on the site, the design of the proposed emergency vehicle access and routing shall be submitted to and approved in writing by the Council. The approved design shall be completed before the final dwelling on the site is occupied and thereafter maintained.
10. No development shall commence on site until a scheme, including details of the timing of its implementation, of Electric Vehicle Charging infrastructure has been submitted to and approved in writing by the Council. The approved scheme shall be implemented in accordance with the approved details and in accordance with the approved timescale and thereafter permanently retained.
11. Prior to the first occupation of the Care Home Facility, a Care Home Travel Plan, in broad compliance with the submitted Framework Travel Plan shall be submitted to and approved by the Council. The Travel Plan shall include measures to reduce vehicle trips by staff and visitors and these shall include but not be exclusive to the provision of travel information for staff and visitors, personal travel planning for staff, the employment of a Travel Plan Coordinator and the monitoring of travel arrangements through agreed survey methods on every anniversary of first occupation, up to and including the fifth anniversary, with a summary of success or failure and details of all proposed remedial measures to be implemented.
12. Prior to occupation of the first residential dwelling, a Residential Travel Plan, in broad compliance with the submitted Framework Travel Plan shall be submitted to and approved by the Council. The Travel Plan shall include measures to reduce vehicle trips by residents and these shall include but not be exclusive to the provision of Green Travel Vouchers, travel information, offer personal travel planning, the employment of a Travel Plan Coordinator and the monitoring of travel arrangements through agreed survey methods.
13. No development shall commence on site until a scheme for the discharge of surface water from the site, including sustainable drainage systems and all third-party approvals, has been submitted to and approved in writing by the Council in consultation with the Lead Local Flood Authority.

14. No development shall commence on site until details of the works for the disposal of sewerage including the point of connection to the existing sewer have been submitted to and approved in writing by the Council. No dwelling shall be occupied until the approved sewage disposal measures have been fully implemented in accordance with the approved details.
15. Prior to the start of construction, a Landscape and Ecology Management Plan (LEMP) shall be submitted to and approved in writing by the Council. The LEMP will include long term objectives and targets, management responsibilities and maintenance schedules for each ecological feature with the development, together with a mechanism for monitoring the success or the management prescriptions, incorporating review and necessary adaptive management in order to attain targets.

The LEMP shall also include details of the legal and funding mechanism(s) by which the long-term implementation of the plan will be secured. The LEMP shall be implemented in full and for the lifetime of the development in accordance with the approved details.

16. Prior to the commencement of works, including demolition, ground works/excavations, site clearance, vegetation clearance, boundary treatment works, a Construction Environmental Management Plan (CEMP) shall be submitted to and approved in writing by the Council. The CEMP shall provide details of the avoidance, mitigation and protective measures to be implemented before and during the construction phase including but not limited to the following:

- identification of ecological protection areas/buffer zones and tree root protection areas and details of physical means or protection e.g., exclusion fencing;
- working method statements for protected/priority species such as bats, nesting birds, reptiles, great crested newts (GCN), badgers and small mammals;
- mitigation strategies already agreed with the Council prior to the determination, such as for reptiles, GCN, birds and bats, this should comprise the preconstruction/construction related elements of strategies only;
- work schedules for activities with specific timing requirements in order to avoid/reduce potential harm to ecological receptors, including details of when a licensed ecologist and/or ecological clerk of works (ECoW) shall be present on site;
- key personnel, responsibilities and contact details (including site manager and ecologist/ECoW);
- Timeframe for the provision of compliance report to the Council to be completed by the ecologist/ECoW and to include photographic evidence;
- The fencing off of the watercourses surrounding the development site to protect them from pollution during construction and to retain a corridor for wildlife;

- a buffer from the top of the river bank towards the development site within the fenced area with riparian vegetation retained.

Development shall be carried out in strict accordance with the approved CEMP.

17.No external lighting shall be installed on the site until detailed plans showing the type of external light appliances, the height and position of the fittings, the illumination levels and light spillage levels in accordance with the appropriate Environment Zone standards as set out by the Institute of Lighting Engineers in their publication 'Guidance Note 1 for the Reduction of Obtrusive Light 2021', have been submitted to and approved in writing by the Council. All external lighting shall be installed and maintained in accordance with the approved details.

18.No development shall commence on site (including any works of demolition), until a Construction Management Statement (CMS), together with a site plan has been submitted to and approved in writing by the Council. The CMS shall include the following:

- point of access into the site for construction vehicles;
- the parking of vehicles of the site operatives and visitors;
- loading and unloading of plant and materials;
- storage of plant and materials used in constructing the development;
- the erection and maintenance of security hoarding including decorative displays and facilities for public viewing, where appropriate;
- wheel washing facilities;
- measure to control the emission of dust and dirt during the construction;
- a scheme for the recycling/disposing of waste resulting from demolition and construction work;
- working hours, including deliveries
- details of drainage arrangements during the construction phase;
- large vehicle and delivery routing plan;
- communication procedures with the Council and local community regarding key construction issues (newsletters, fliers etc.)

The approved CMS shall be adhered to throughout the construction period. The development shall not be carried out otherwise than in accordance with the approved CMS.

19.Notwithstanding the Noise Assessment by Brookbanks dated September 2022 no dwelling shall be occupied until a scheme for protecting the occupants from unacceptable internal noise levels has been submitted to and approved in writing by the Council. The development shall be implemented in full accordance with the approved scheme.

20. A timetable for the implementation of all soft landscaping comprised in the details of landscaping approved under condition 2 shall be submitted to and agreed in writing with the Council alongside the first reserved matters application for the residential area and the care home area of the site. The works shall be carried out in accordance with the timetable. All shrubs, trees and hedge planting shall be maintained free from weeds and shall be protected from damage by vermin and stock. Any trees or plants which, within a period of 5-years, die, are removed or damaged, seriously damaged or diseased shall be replaced in the next planting season with others of a similar size and species. All hard landscaping shall also be carried out in accordance with the approved details prior to the occupation of any part of the development.
21. No development shall commence on site until a) a written programme of archaeological investigation, which shall include on-site and off-site work such as analysis, publishing and archiving of the results, has been submitted to and approved in writing by the Council, and b) the approved programme of archaeological work has been carried out in accordance with the approved details.

END

APPEARANCES

FOR THE COUNCIL:

Gary Grant	Barrister
He called:	
Alwyn Thomas	Solicitor at Wiltshire County Council ²
Steve Sims	Planning Officer, Wiltshire County Council ³

FOR THE APPELLANT:

Christopher Young	Kings Counsel
He called:	
Nick Matthews MA, MTCP, MRTPI	Director (Planning), Savills
Matthew Grist BSc(Hons), Dip UD, CILT, CIHT	Director, Jubb
Ben Pycroft BA(Hons), Dip TP, MRTPI	Director, Emery Planning

INTERESTED PARTIES WHO SPOKE AT THE INQUIRY

Mrs B Lukes	Local Resident
Nick Holder	Councillor
Alex Jones	Local Resident – Pathfinder Place, Chair of the Residents Association
Richard Wood	Local Resident – Melksham without Parish Council, Chair of Planning Committee
Edward Pafford	Local Resident and Joint Neighbourhood Plan Steering Group (Chair)
Sue Tweedie	Local Resident and Bowerhill Residents Action Group (Secretary)
Mr Lukes	Local Resident
Jane Green	Local Resident
Dion Green	Local Resident
Claire Skelton	Local Resident
Teresa Strange	Local Resident – Melksham without Parish Council

² S106/conditions RTS only

³ S106/conditions RTS only

DOCUMENTS SUBMITTED AT THE INQUIRY

ID1 Opening statement on behalf of the LPA

ID2 Letter dated 11 October 2023 from the local MP, the Rt. Hon. Michelle Donelan MP.

ID3 Appeal decision APP/X2410/W/21/3271340, Land at Maplewood Road, Woodhouse Eaves, LE12 8RA

ID4 Appellant's closing submission



20 November 2023

Development Services
Wiltshire Council

Tel: 0300 456 0114

www.wiltshire.gov.uk

PlanningAppeals@wiltshire.gov.uk

Dear Sir/Madam,

**TOWN AND COUNTRY PLANNING ACT 1990 (AS AMENDED) -
PLANNING APPEAL AGAINST REFUSAL OF A HOUSEHOLDER APPLICATION**

APPELLANTS NAME:	Adam Surmacz
APPEAL SITE:	16 Halifax Road, Bowerhill, Melksham, Wilts, SN12 6SL
PLANNING APPLICATION REF:	PL/2023/01275
PROPOSED DEVELOPMENT:	Retrospective application for the installation of new feather fence to side and front of house, 2 no. garden gates and proposed installation of black steel chimney to side of house
INSPECTORATE REFERENCE:	APP/Y3940/D/23/3329249
APPEAL START DATE:	20 November 2023

I am writing to let you know that an appeal has been made to the Planning Inspectorate in respect of the above site.

The appeal is Against a Refusal in respect of the above site, and is to be decided on the basis of Householder procedure. The procedure to be followed is set out in Part 1 of the Town and Country Planning (Appeals) (Written Representations Procedure) (England) Regulations 2009.

As this appeal is proceeding under the Householder Appeals Service, there is no opportunity for you to submit further comments. We will however forward copies of all representations made to us in relation to the application, before it was determined, on to the Planning Inspectorate and the appellant. The Inspector appointed by the Secretary of State will consider these representations when determining the appeal. You have a right to withdraw any representations you made so that they are not taken into consideration by the Inspector. If you wish to do so you should make this request to the Planning Inspectorate within 4 weeks of the appeal's starting date by contacting the Customer Services Team either by emailing enquiries@planninginspectorate.gov.uk or by writing to, The Planning Inspectorate, Room 3c, Temple Quay House, 2 The Square, Bristol BS1 6PN.

The Planning Inspectorate will publish appeal documentation, including copies of representations received, on the Planning Portal website. All information provided in your representation, including your name and address, will be published. If you object to publication in this way, please contact the Planning Inspectorate directly.

The Planning Inspectorate aims to deal with appeals which follow the procedure described above within 8 weeks of the appeal starting date. The Planning Inspectorate will publish copies of appeal decisions on the Planning Portal website at www.planningportal.gov.uk/pcs.

Yours faithfully

Head of Development Management

Melksham Without Parish Council's response to Wiltshire Council's draft Local Plan consultation

Sent Wednesday 22nd November 2023 at 1.30pm

Strategic Housing Requirement Methodology

Policy 2

Melksham Without Parish Council (MWPC) support that Wiltshire Council has undertaken additional work to inform the approach to identifying housing need and that the updated overall housing requirement contained within the draft Wiltshire Local Plan (WLP) has now been calculated in accordance with the standard method.

The overall approach is therefore considered to be **sound, as it is consistent with national policy**.

Table 4.1

It is evidenced in the Sustainability Appraisal that a range of alternative approaches to the distribution of housing have been tested and MWPC support the proposed approach to the redistribution of the draft housing requirement between the four HMAs (Housing Market Areas) which would lead to reductions in the Chippenham and Trowbridge HMAs. As this takes into account the most up to date ONS small area population estimates and has been checked against dwelling completion data.

It is welcomed that in considering the implications of the delivery of different strategies the constrained nature of settlements was assessed as well as recent housing delivery. It was concluded that whilst Melksham was not significantly constrained when compared to other towns, housing growth has been above what the Core Strategy planned, furthermore with concerns regarding the adequacy of local infrastructure, it was concluded that the town would benefit from a period of slower growth.

As a result, it is therefore considered to the proposed distribution of housing across the HMA is considered to be **sound**, as it is **positively prepared** and **justified**.

Neighbourhood plan area designation housing requirements (paragraphs 3.45-3.49, 4.107, 4.111, 4.113, policy 17, table 4.4)

Paragraph 66 of the NPPF requires strategic policy-making authorities to establish a housing requirement figure for their whole area and within this overall requirement, strategic policies should also set out a housing requirement for designated neighbourhood areas. The neighbourhood area requirement should reflect the overall strategy for the pattern and scale of development and any relevant allocations.

Whilst the draft WLP has identified the overall housing requirement figure for Wiltshire and the HMAs, it has not identified the overall housing requirement for designated neighbourhood areas, it defines individual requirements for each settlement (explained in paragraphs 3.47 and 3.48). Paragraph 4.107 states that the neighbourhood area designation housing requirement is set at 270 dwellings, with the expectation that 200 homes would be delivered at Melksham and 70 homes at Shaw/ Whitley. This figure does not reflect the level of housing that is proposed to take place over the plan period within the neighbourhood area.

National policy is clear that the draft WLP must clearly define the housing requirement for designated neighbourhood areas – this should be for the area as a whole. The current approach of the draft WLP does not provide the housing requirement for the NA as a whole – it defines requirement that the neighbourhood planning body is required to plan for.

The scope of a neighbourhood plan is for the neighbourhood planning body to determine, there is no requirement for neighbourhood plans to plan for housing. NPPG states:

*“The scope of neighbourhood plans is up to the neighbourhood planning body. Where strategic policies set out a housing requirement figure for a designated neighbourhood area, **the neighbourhood planning body does not have to make specific provision for housing, or seek to allocate sites to accommodate the requirement** (which may have already been done through the strategic policies or through non-strategic policies produced by the local planning authority). The strategic policies will, however, have established the scale of housing expected to take place in **the neighbourhood area**.”*

*Housing requirement figures for neighbourhood plan areas are not binding as **neighbourhood planning groups are not required to plan for housing**. However, there is an expectation that housing requirement figures will be set in strategic policies, or an indicative figure provided on request. Where the figure is set in strategic policies, this figure will not need retesting at examination of the neighbourhood plan. Where it is set as an indicative figure, it will need to be tested at examination.”*

(NPPG paragraph 104, reference ID: 41-104-20190509)

In order to be sound, the draft WLP should include a policy which defines the neighbourhood area housing requirements for the whole Melksham Neighbourhood Area – this should be informed by the strategic approach to the distribution of housing. The plan should clearly set out the level of housing that has been delivered in the neighbourhood area since the start of the plan period, as well as that which is in the pipeline (sites with permission/ minded to approve and under construction). This will ensure clarity.

As the strategic approach appears to be reliant on neighbourhood plans allocating housing sites, MWPC have concerns as to whether the approach is sound. The Housing Delivery Paper (figure 4) details the sources of housing supply. Whilst it could be appropriate to include within the supply allocated sites within existing plans, there should not be the expectation that emerging or reviewed plans will deliver housing – there are a number of references within the draft plan and its evidence base where it is stated that neighbourhood plans will allocate sites e.g., policy 2, paragraphs 3.24 and 4.111 of the draft WLP and paragraph 1.27 of the Housing Delivery Paper.

Paragraph 68 of the NPPF is clear that strategic policy making authorities should have a clear understanding of the land available in their area and that planning policies should identify a supply of specific, deliverable sites for years one to five of the plan period, as well as specific, developable sites or broad locations for growth, for years 6-10 and where possible years 11-15 of the plan. This should not rely on sites coming forward through neighbourhood plans.

The proposed approach is therefore **unsound as it is not consistent with national policy**.

Notwithstanding or without prejudice to the NHP area comment above, the stated 200 requirement for Melksham is **not sound because it fails to take account of homes completed or in the pipeline and is not justified**. It should take into account the decision on the Appeal for Land South of Western Way (PL/2022/08504) which was upheld in November 2023. Georgina Clampitt-Dix indicated in an email on 15/9/23 attributed a number of 248 additional homes to reflect the 210 dwellings and 70 bed care home. This substantially increases supply in the short term and constitutes a significant change in circumstances that justifies a lower housing requirement for the Neighbourhood Plan.

Whilst the WLP explains that neighbourhood plan areas have their number calculated on their separate requirements, you can see from Table 4.2 page 45 of the WLP the growth and residual numbers for the towns in the Chippenham HMA. Whilst its clear that a

figure of approx. 10% of the Housing Growth number has been used for the NHP allocations across the towns such as Melksham, Devizes, Calne, Corsham etc, there is an anomaly for Chippenham, whose figure is much lower than 10%. **This is a further unjustified inconsistency in the methodology or methodologies applied to different places and further evidence that the requirement for Melksham is not sound.**

Extract from Table 4.2:

Settlement	Housing Growth	Completions & Commitments	Residual
Chippenham	5,850	3,759	2,090
Melksham	2,160	1,036	1,120

The Neighbourhood area designation for Chippenham is 200 dwellings. (4.44 page 53 WLP) and is much lower than 10%. The Neighbourhood area designation for Melksham is not known but for Melksham its 200 and for the Large Village of Shaw & Whitley 73.

The role of windfall/ small sites (paragraphs 3.36-3.39)

The Housing Delivery Paper (1.8) highlights that a significant component of housing land supply is not identified in the plan, either because it was not known about when the plan was prepared (windfall) or is too small for it to be considered (sites of less than 10 dwellings). Paragraph 2.12 of the Housing Delivery Paper states that the estimate of the number of homes delivered from small sites is 'deliberately conservative'.

MWPC therefore have concerns that if the allowance of the contribution from small sites are too low the draft WLP could be proposing allocations which are not required.

The proposed approach is therefore **unsound as it is not sufficiently justified**. In order to be sound, there should be clear evidence to demonstrate that sufficient weight has been given to the level of housing that could be delivered on small sites and whether this would impact on the level of housing allocations required.

With regard to windfall sites, Paragraph 3.37 on page 28 concerns Large Windfall Sites and states that if they come forward over the Plan period, they will provide contingency and will help Wiltshire maintain its housing land supply across the Plan period.

It does not clearly state that the numbers of housing permitted will actually be counted as a commitment against the overall housing number allocated. So, for the Melksham outstanding number of 1,120 (Table 4.2, Page 45 of WLP) how is the recently approved (upheld at Appeal) decision on 210 dwellings and a 70-bed care home treated? PL/2022/08504 Land south of Western Way. As well as current planning applications awaiting decisions:

Blackmore Farm (PL/2023/01949). Outline permission with some matters reserved for demolition of agricultural outbuildings and development of up to 650 dwellings; land for primary school; land for mixed use. **NOTE that the allocation in the WLP Policy 18 Page 75) s for approx. 425 dwellings.**

Snarlton Farm (PL/2023/07107); Outline planning application with all matters reserved except for two pedestrian and vehicle accesses (excluding internal estates roads) from Eastern Way for the erection of up to 300 dwellings (Class C3); land for local community use or building (incorporating classes E(b), E(g) and F2(b) and (c)); open space and dedicated play space and service infrastructure and associated works.

Land to the West of Semington Road (PL/2022/08155): Outline application for up to 53 dwellings including formation of access and associated works, with all other matters reserved. 100% affordable.

Upside, Bath Road (PL/2022/06221): Demolition of existing structures and erection of 112 dwellings and 675sqm of flexible employment space

Policy 3 - Identification of broad locations for growth

Policy 3 identifies Chippenham, Melksham and Trowbridge, as settlements which should be strategically planned for in the longer-term, referred to as 'broad locations for growth'. The policy states that in these areas there will be additional significant urban extensions identified towards the end of the plan period. The limited justification refers to the need to provide certainty over the direction of future growth.

It is unclear where the evidence is located to justify the identification of these areas or how growth relates to the identified housing needs, the spatial strategy, or neighbourhood area housing requirements.

Furthermore, there are no details contained within the policy or supporting text to explain whether there would be a specific policy trigger for the preparation of the subsequent development plan document (referred to in policy 3). The ORS report does not identify a need for further growth and the sustainability appraisal does not test this element of the policy or consider reasonable alternatives.

MWPC therefore have significant concerns that the identification of broad locations for growth within a policy could result in unjustified and unsustainable development being proposed in these areas. Given the significant strategic implications of the proposed approach, if it can be demonstrated that there is a need for additional growth, this is something that should be fully assessed and tested through a future review of the local plan.

The proposed approach is therefore **unsound** as it is **not positively prepared** (it will not achieve sustainable development), it is **not justified** (there is no detail to explain how this is an appropriate strategy), **nor is it effective** (it is unclear what the trigger(s) would be for the preparation of an additional development plan document). For the plan to be sound, this proposal either needs to be accompanied by appropriate robust evidence or deleted.

Paragraph 1.6

Paragraph 13 of the NPPF states that neighbourhood plans should support the delivery of strategic policies contained within local plans, with paragraph 17 stating the development plan must include strategic policies to address each LPA's priorities for the development and use of land in its area. Paragraph 21 states that plans should make it explicit which policies are strategic policies and that these should be limited to those necessary to address the strategic priorities of an area. They should not extend to detailed matters that are more appropriately dealt with through neighbourhood plans or other non-strategic policies. Paragraph 1.6 of the draft WLP states that all of the policies are strategic – whilst it is acknowledged that several of the policies are strategic, it is not accepted that all policies are strategic. The glossary of the NPPF is clear that strategic policies are those, with site allocations, which address strategic priorities in line with the requirements of section 19 (1BE) of the Planning and Compulsory Purchase Act 2004. The plan is therefore **unsound** as it is **not consistent with national policy**.

Review of draft Wiltshire Local Plan by policy (non-strategic housing number elements)

Policy 1

The settlement strategy defines the different tiers of settlements (principal settlements, market towns, local service centres, large villages and small villages) and how they relate to their wider hinterland. Settlement boundaries are proposed around all but small villages.

Whilst it is acknowledged that settlements have overlapping roles. It is submitted that the proposed settlement strategy and then the related distribution of housing is somewhat confused.

Policy 1 clearly defines the different tiers of settlements. However, there are contradictions within the supporting text. For example, 3.10 states that market towns serve a wide hinterland and notes that as they are smaller than the principal settlements, they each have different characteristics, which need to be considered when planning for their development. The following paragraph (3.11) refers to principal settlements and market towns being referred to as 'main settlements', which appears to somewhat contradict the preceding paragraph. There are numerous references to main settlements within the supporting text throughout the plan – but these are not referred to within policy.

This approach is therefore **unsound** as its lack of clarity will result in it **not being effective**.

Policy 2

Policy 2 defines the overall housing requirement for Wiltshire. It then groups principal settlements with market towns and local service centres with large villages and then states that the scales of growth and priorities for development are set out within area strategies. It is submitted that this approach could result in a lack of clarity. It is unclear why policy 2 repeats (and regroups) elements of policy 1. It is considered that a more appropriate strategic approach would be for policy 2 to clearly set out overall housing requirements for each of the four areas.

Further confusion is created in the final paragraph of policy 2, under the 'local service centres and large villages' heading – it is unclear what is meant by 'A scale of housing growth is set for each Local Service Centre and Large Village, with Tables 4.1, 4.2 and

4.3 of the Area Strategies, that forms the housing requirement for a neighbourhood area designation in whole or part.’ Where a policy includes the housing requirement for a neighbourhood area, for clarity this should be for the whole NA.

Other concerns with the policy include:

- The statement that settlement boundaries can only be updated by the LPA, when in practice these could be reviewed through neighbourhood plans.
- The reference within the first sentence under the ‘local service centres and large villages’ heading to what neighbourhood plans will do – it is suggested this is amended to clarify that this could be a role of neighbourhood plans.
- The suggestion that proposals for development adjacent to the built area of small villages can only be determined by the local planning authority. This is something that a neighbourhood plan could consider/ include.
- The text below the ‘development outside defined settlements’ heading should also include a reference to relevant policies within made neighbourhood plans.

Policy 2 is therefore **unsound** as it is **not effective nor is it consistent with national planning policy**.

Berryfield – request for Settlement Boundary

Extract of: Page 20 3.14 Small Villages are generally smaller and have a low level of services and facilities. There are 148 Small Villages designated in total across Wiltshire. They may accommodate some very modest development to respond to local needs and to contribute to their vitality. Although they don’t have settlement boundaries, they have built up areas where infill may take place. This recognises a more limited scope for development and a role more limited than larger settlements.

Extract of: Page 24 of the WLP 3.26 At Small Villages, infill proposals will be supported consistent with their character and will support their vitality. To further support these communities, policies allow for housing that meets a settlement’s identified need or will support appropriate employment, services and facilities. Schemes will be smaller scale than Large Villages and housing developments geared are closely to meeting community needs in perpetuity.

Despite the definitions of small villages in the draft WLP above, and the definition of Berryfield being a Small Village in the adopted Core Strategy the village of Berryfield has seen unprecedented development approved in the last few years. Bowood View (150 dwellings built and occupied), Buckley Gardens (144 dwellings approved and started on site), Land to the rear of Townsend Farm (50 approved at Appeal and clearance started on site, and outstanding application awaiting decision for 53 more dwellings as Phase 2).

MWPC has little faith that the Small Village policy of the new WLP will hold to prevent even further speculative, not plan led development at much higher numbers than “infill”, none of which is to respond to local need of the village, **and therefore requests that there should be a settlement boundary for Berryfield.**

Policy 5 Securing infrastructure provision from new development

Pages 34 – 38 of the WLP detail Infrastructure Delivery

MWPC supports this policy, but sees no current evidence to support two strands that are detailed:

3.65 Timely delivery of new infrastructure to support development proposals must be secured.

It sees time and time again, s106 triggers or planning conditions are missed, delayed, often for many years (such as pedestrian crossings several years too late across busy A roads (Taylor Wimpey/Pathfinder Place 16/01123/OUT), play areas several years late (East of Melksham consortium) – all down to Wiltshire Council enforcement not having the will, or teeth, to make the developers adhere to the legal requirements. Often too it's Wiltshire Council who hold the money and they are the ones that are very slow in providing the required infrastructure, again as detailed in a s106. Or inform that they did not secure enough funds in the s106 (Footpath to the rear of Melksham Oak school, finally about to have a planning application, again, secured in East of Melksham s106 many years ago). There are other examples where the s106 details something that then conflicts with the planning application (so for a village hall or community centre but it's compromised by proximity to new housing (Bowood View) or with access considered not suitable by Highways (The Acorns/Hunters Wood).

The second strand detailed in Policy 5, delivery responsibility iv) liaison through the Area Boards **with town and parish councils** and appropriate local stakeholders to identify community infrastructure requirements to help establish local priorities – this is something that MWPC asks for on a regular basis, it comments and requests on planning applications for large developments, and is rarely taken account of. A very recent example is that of Land south of Western Way (2022/08504) upheld at Appeal in November 2023. The request for MWPC to be considered for adopting the play area was not pursued due to the tight timeframes of the Appeal.

This policy is supported but is **unsound as there is no evidence to demonstrate that this will actually take place.**
See also policy 84 comments on public open space and play facilities

Policy 17

Table 4.2 outlines the distribution of housing growth for the area between 2020-2038. For Melksham the 2,160 dwellings have been identified to be delivered to contribute to the HMA requirement. Of these 1,036 were completed and committed up to the end of March 2022, leaving a residual requirement of 1,120. It is unclear whether the 2,160 dwellings cover the whole of the neighbourhood area or Melksham Town. The supporting text and title of the document refers to the Melksham Town and yet the allocations are all in Melksham Without as are many of the completed and committed numbers.

Policy 17 should be clear that whilst over the plan period there is a need to deliver the residual requirement.

It is submitted that the suggested neighbourhood area designation requirement of 270 dwellings (which is incorrectly defined, see representations regarding NA requirements) is hidden within the policy and despite the supporting text (4.107), it is unclear:

- How this relates to the 1,120 homes that are identified for the town;
- Whether this is the residual requirement for the whole plan area or just Melksham town;
- If the requirement is for the full plan period;
- How the requirement relates to the proposed allocations (Land East of Melksham, Land off Bath Road and Land North of the A3102)
- What the relationship is between the requirement and the proposed identification of the broad location for growth.

It is noted that the 'Planning for Melksham' paper is designed to be a guide to how the draft WLP relates to Melksham and explain the evidence base. However, there is a lack of clarity over the area to which this document applies – references are interchangeable between the town and the neighbourhood area. There should be clarity and consistency. **Refer to Planning for Melksham comments detailed further in the document.**

Paragraph 66 of the NPPF is clear that strategic policy making authorities should set out a housing requirement for designated neighbourhood areas which reflects the overall strategy for the pattern and scale of development and any relevant allocations. As previously set out, this approach is unsound.

Chippenham Rural Area (4.108 and 4.111)

The draft WLP again makes the suggestion that neighbourhood plans within the rural area should be addressing local housing needs and provide new homes. It is for Neighbourhood Plan Steering Group to determine the scope of their plans. **As previously set out, this approach is unsound.**

Table 4.4

Table 4.4 defines the distribution of housing growth for the Chippenham rural area. This identifies 73 dwellings to be constructed within Shaw/ Whitley, given the commitments/ completions, the residual requirement is identified as 50. It is unclear how this figure relates to the remainder of the neighbourhood plan area. As highlighted above, the local plan should include clearly defined housing requirements for neighbourhood areas. **As previously set out, this approach is unsound.**

In addition, there are local constraints at Shaw & Whitley.

It conflicts with several aspects of the draft Wiltshire Council School Places Strategy 2023-2027 (consulted on in March 23). Firstly, it states that Shaw Primary School is full, and cannot be expanded further to meet the needs of the proposed local plan housing (Page 89 Housing Development)

Therefore, any new housing developments would require parents to drive their children to other primary schools, this conflicts with several of the policies/statements in the draft School Places Policy namely:

Page 17 C4 Primary schools	Wiltshire Council believes that: <ul style="list-style-type: none">• Parental preference is a key consideration and ability to access a school place close to home within the local community is an important factor.
Page 21 C8 Location of new schools	The fundamental aim in planning school places is to provide places near to where children live, to meet parental preferences as far as possible; to locate schools at the heart of their communities and to minimise travel to school distances. Wiltshire Council believes that where additional school places are needed because of new housing development, as far as possible

	<p>the costs should fall on the landowners and/or developers, by way of contributions falling within the concept of planning obligations. Wiltshire has an agreed methodology for calculating the infrastructure needs arising from new development. A policy for requesting contributions from developers and for the use of such funding is in place.</p> <p>It is Wiltshire Council policy that where significant number of new places are needed, new primary schools should be provided, wherever possible, within major new housing developments.</p> <p>The site should ideally be within walking distance of most the development and Wiltshire Council will seek, through the planning processes, to provide for safe routes to school for pedestrians and cyclists. Sites of a suitable size to enable future expansion will be sought where the school can provide a natural focus for the local community, possibly in association with other local facilities such as shops or other community buildings.</p>
<p>Page 22 C8 Location of new schools</p>	<p>Wiltshire Council recognises the importance of considering distance of travel from home to school when planning new developments to reduce dependence on subsidised bus travel and encourage safe walking and cycling to school.</p>
<p>Page 23 C12 Schools in the wider community</p>	<p>Wiltshire Council recognises that schools should act as a focus for the local community in a way that extends beyond the education of children who attend the school. The council recognises the importance of schools engaging with their local communities to promote social inclusion and community cohesion as an integral part of ensuring success for all children. This is particularly important for communities with a high proportion of vulnerable families.</p> <p>In co-operation with agencies and other organisations, many schools have facilities which are made available to the wider community including sports and leisure complexes, ICT facilities, playgroups, childcare facilities, adult education and youth provision. School facilities are increasingly being made available for evening, weekend and holiday use making more effective use of the resources available.</p>

It also conflicts with the following statements in the Planning for Melksham document:

Page 12 Paragraph 33 Growth planned for Melksham:

“Where development takes place is also a consideration. If it can be located as near to the centre as possible this will help it to capitalise on growth. If there are opportunities to improve connections, to and between the town centre and sites for new development, this can also help.”

Page 13/14 Paragraph 39. Bypass:

“39. Careful consideration has therefore been given to the potential impacts of any new development on traffic congestion along the A350. For these environmental reasons, as well as benefits for town centre trade (see above), **development proposals are as well connected to the town centre as possible**, allied to scope for provision **for sustainable transport and active travel routes to the town centre**,

Any cars travelling to the new proposed school at Pathfinder Way in the south of the parish, will have to travel on the A350 to get there. What new improved bus routes and pedestrian and cycling routes will there be, and how will they be provided? The pavement on the A365 into Town from Shaw & Whitley is physically not wide enough already, as evidenced by lots of LHFIG (Local Highways & Footpath Improvement Group) requests for clearing back the verge, trying to make the narrow pavement safer for those walking to school already (most in the opposite direction from George Ward Gardens to Shaw primary school, Shaw pre school at the Village Hall and Toddler Group at Whitley Reading Rooms.) If they did manage to get into town, there is no cycle way through the centre until you get to the south at Longford Road. How will these new pedestrian and cycle ways be put in when there is physically no land available (pavement width) to do so.

The housing allocation for Shaw & Whitley is not sound as not positively prepared in line with other Wiltshire Council policies due to its constraints.

Strategy for the Chippenham Housing Market Area - Melksham Constraints

Extract of: WLP page 44 4.22 Melksham is one of the five Market Towns in the area. Compared with other settlements it is relatively less constrained and its location on the A350 makes it attractive for business investment. An eastern bypass is proposed at the town to improve the functionality of the A350 as part of the strategic road network.

Extract of: WLP page 73 4.91 Melksham is not significantly constrained in environmental terms but there are concerns over the adequacy of local infrastructure to be able to support future growth with the A350 recognised as particularly constrained at peak times, leading to traffic congestion. A bypass to the east of the town is under consideration to relieve traffic pressure and secure improvements to the A350 strategic corridor, which in turn could lead to improved efficiency of the transport network and other social, environmental and economic benefits for the town.

MWPC do not agree with the statement made at 4.91.

Whilst there are no national landscape designations, flood risk is a significant constraint within Melksham Town (and Shaw and Whitley).

Within Melksham, Environment Agency Flood Mapping, Planning for Melksham and draft policy 95 (Flood Risk) has defined c10 hectares of redundant employment land at Cooper Tires as being within flood zone 2 and 3 where “development should (be) avoid(ed)” See Cooper Tires below.

From the Sustainability appraisal on page 62:

“Melksham is at high risk of river flooding and at moderate risk of surface water and groundwater flooding. The cumulative impact of development is assessed as moderate.”

Highway Infrastructure

“.....the A350 recognised as particularly constrained at peak times, leading to traffic congestion.”

The A350 strategic transport routes (ref Policy 75 (Strategic Transport Network)) is identified as a route prioritised for improvement “to support development”. Reps suggest this is confused with Planning for Melksham justification. However, it is congested and continues to impact on local traffic movement and environmental quality.

It has areas in the Neighbourhood Plan area that are not on mains drainage or connected to gas.

In the south west of Melksham (in Berryfield, in Melksham Without) the land is Grade 2 Very Good Quality agricultural land.

Further comments on Constraints are detailed by topic review of the WLP below, with comments on flood risk, lack of health facilities, bypass, education etc.

Distribution of housing growth for the Chippenham area

Table 4.2 Distribution of housing growth for the Chippenham area

What an odd way of presenting the figures for distribution of housing allocation numbers, this is a key table, and yet the 3rd column says “Completions and commitments (1st April 2020 – 31 March 2022) with an asterix and a line below to say it includes major permissions post 1 April 2022, up to 31 May 2023. Please update it to read the Completions and commitments (1st April 2020 – 31st May 2023) so it’s meaningful and accurate.

Policy 68 Managing Town Centres – Transition Town

Whilst this is the response of MWPC, and does not cover the Town Parish, it does have a joint NHP with Melksham Town Council and also has a relationship with the town, it surrounds it in a “donut” arrangement. It notes on page 190 of the WLP that Table 5.1 Settlement Classifications denotes Melksham as a Transition Town but we can see no description of what that classification practically means, or what evidence there is to justify this. Paragraph 5.27 states that this is a functional description that influences the type of renewal projects that are being delivered with the aim of ensuring that change is delivered in a manner that reflects the nature and character of the place.

This policy is unsound as not justified.

Policy 76 Affordable housing – Designated Rural Areas in Wiltshire

MWPC support the policy intention to provide 40% affordable housing for 10 dwellings and above.

MWPC understand that the definition of a “Designated Rural Area” is a legal definition from the Housing Act 1985, but wants to query why this designation was used as the eligibility criteria for providing affordable homes in rural areas at either 5 rather than 10 dwellings. Using a 1985 designation seems to not fit what the current rural status of villages in Wiltshire may be. We are lay

people, but could a differing designation be used, for example the Government's Rural Urban Classification <https://www.gov.uk/government/collections/rural-urban-classification> which was brought in 2016 and updated in 2021?

This policy is unsound as not positively prepared, and not justified.

Policy 81 Community facilities

MWPC support this policy, but it must be backed up by Wiltshire Council when they are approving housing developments at outline stage with village halls/community centres as part of the outline application. We have two examples where the parish council has come forward with an application for the actual village hall and its design is critically compromised due to the closeness to the housing, space available for parking etc which can lead to the design not being sustainable in terms of providing a decent enough facility with opening hours etc, or no opening windows etc (e.g. Bowood View) or in the area now transferred to Melksham Town Council under the latest Community Governance Review at Hunters Wood/The Acorns, where highways refused the access for a community centre as per the approved outline application. These community facilities mainly come from s106 and CIL contributions, and so getting this right at outline application as part of the wider scheme must come first. How can this policy be improved to ensure that it's got right in the first place?

This policy is unsound as not effective.

Policy 83 Health and wellbeing

Whilst welcoming this policy, the section on Healthy food environment (page 216 of the LWP) needs to go further, as otherwise it will just be land for community gardens, orchards or allotments. There needs to be s106 contributions for fencing, a car park for deliveries, a water supply, details of who will manage them, otherwise these are meaningless.

This policy is unsound as not effective.

Policy 84 Public Open Space and Play Facilities

5.94 on page 217 of the WLP states that "Developers will be **encouraged** to discuss with town and parish councils, in the first instance, before setting up a company to manage new public open space...>"

Can this not be stronger than encourage? Otherwise, it's just paid lip service. The difficulty often is that the s106 is signed at outline stage, and then sold to the actual housebuilder and so the s106 is at the wrong time for this discussion.

This policy is unsound as not effective.

Recent applications have approved plans for “wildlife cuts” or wildlife areas (eg Bowood View and Pathfinder Place). Whilst admirable in intention, they often mean that there is no available green public open space on a development for children to just play, and kick a ball. It all becomes either designated equipped play areas, attenuation or wildflower cut. This policy should include some space for informal play. Management companies are hamstrung by Landscape plans that do not include this and designate as wildflower area – this also applies to Policy 88.

Policy 88 Biodiversity in the built environment

Page 231 of the WLP “1. Provision of wildflower verges and meadows throughout the development managed to ensure their longevity” should not be at the expense of some informal play.

This policy is unsound as not effective.

Policy 86 Renewable energy

Whilst supporting renewable energy, MWPC are pleased to see the policy wording on page 223 of the WLP

“f. the cumulative environmental effects of proposals with other renewable energy installations”

Does “k..... visual amenity.... Include glare?”

This policy is unsound as not effective, if it does not include impact on visual amenity such as glare.

Policy 90 Woodland, hedgerows and trees

MWPC welcomes this policy but has seen examples of existing hedgerows (including an ancient one) being included as part of the private boundary of new residential properties and as soon as the dwelling is privately owned, they rip out the hedgerow and replace with a fence. These must be in the public realm areas, and not in gardens of private dwellings.

In addition, any trees planted in the public open space, must be not right up against the boundary of rear gardens, as they cause major havoc in years to follow, cutting off light to gardens, not maintained properly, often cut down by frustrated residents. For example, the public open space in Bowerhill with houses built and trees planted decades ago. Management companies do not want copses in the centre of public open spaces, or dotted around, it's easier to mow if all planted at the boundary.

We have been to many new developments where the trees and planting is done by the developer, and then there is a gap of a couple of years before the management company is in place and no maintenance at all is done, it all dies, and then the management company try and blame external influences so they don't have to replace. So, MWPC welcome the maintenance plans as detailed in 5.153 on page 237 of the WLP, but they must ensure they are from initial planting and not from adoption.

Soil conditions must be taken into account, most of Bowerhill is built on clay and the trees are cut down and blamed for the cracks in buildings but it's often the clay soil structure. Existing tree lined streets have dangerous pavements where the roots have uplifted the pavements, e.g., Halifax Road in Bowerhill. This policy must detail how this is contained and manageable in years to come; otherwise, the policy will not be improving the health and wellbeing of the local communities, but doing the opposite making it impossible for push chairs, mobility scooters and the less mobile to use the pavements.

This policy is unsound as not effective.

Policy 91 Conserving and enhancing Wiltshire's Landscapes

MWPC believe that this policy does not go far enough and is weak.

5.156 page 238 of WLP speaks to the erosion of the separate identify of settlements and their coalescence, character, visual and functional amenity, which can degrade their setting to the detriment of the character of the rural countryside.

It does not go far enough, and should be designating the landscape buffers between settlements. This cannot be done at NHP level (as you suggest in 5.161) as they can only designate areas in their own parish or neighbourhood plan area, and not in the neighbouring area. This can only be done strategically by the Local Authority between settlements in different parishes e.g., Melksham Without and Semington, Melksham Without and Seend.

It also removes some specific prevention of coalescence wording that were previously listed in the Core Strategy, such as Melksham & Bowerhill, although the gap has pretty much disappeared by recent approvals due to the lack of 5-year land supply. This is why it needs a stronger protection at strategic levels. **This policy is unsound as it is not effective.**

The adopted Core Strategy says: Page 130 5.83 “Melksham and Bowerhill village have a functional relationship and are considered together for the purposes of this strategy. Therefore, the housing growth identified for Melksham town will also serve to meet the needs of Bowerhill. **The identity of these separate communities will need to be preserved through the planning process.** Berryfield is considered separately and is identified as a small village. However, it is recognised that both Berryfield and Bowerhill have strong functional links to Melksham and have important individual characteristics which should be protected where practicable.”

Extract from Planning for Melksham Page 11 28. Place Shaping Priorities

“PSPs therefore provide a succinct strategic context within which to better understand the spatial strategy for the main settlements. They also set a framework to co-ordinate the high level and strategic role of the Local Plan, with the function of neighbourhood plans, prepared by town and parish councils, that set more detailed visions for the future of each community. The two sets of plans therefore work in harmony.”

With regards to Landscape Gaps the Local Plan is not working in harmony with the NHP as its not picking up the strategic elements between settlements in other parishes that can only be done at LP level.

Where is the evidence to support Policy 6 Chippenham Principal Settlement?

6. Respect the individual identities of villages within the landscape setting of Chippenham and their relationship to the town

Why can't Melksham have the same policy line? The policy is unsound as not justified if the same methodology has not been applied to all settlements.

Policy 94 Wiltshire's Canals and the boating community

This policy seems to have taken away the safeguarded route which is now ambiguous? It just talks about the creation of a new link from the Kennet & Avon at Semington and River Avon at Melksham to facilitate the re-opening of the Wilts & Berks as navigable waterway. Where has the onward link across Queensfield towards Lacock gone? The onward route is not protected?

It also only talks about the impact on the cultural, historic and natural environment, and yet there is no mention of the impact on the existing community of Berryfield that the route will go straight through the middle of.

5.201 regarding the historic line “the council will support its identification and historical significance by signage where appropriate”. MWPC have discussed this with developers in the past, who were agreeable, and then it was not put as a planning condition in the approval, once sold to the new housebuilder once outline permission is gained there is no hook to ensure that the housebuilder then does this. This is despite the Archaeology response from Wiltshire Council asking for this condition at outline, but not backing it up at Reserved Matters. **This policy is not sound, it is not positively prepared.**

Review of draft Wiltshire Local Plan by Topic

Employment Land

The Wiltshire Employment Land Review Update (WELRU) has suggested the need for additional employment space. However, this does not account for the capacity created by the closure of Cooper Tires (end of 2023) despite mentioning it on Page 14.

The WLP spatial strategy for Melksham's growth to meet identified strategic housing, community and employment needs provides sites for nearly 90% of all forecast development needs and have not had regard to the potential of Cooper Tires or prioritised the un-let capacity of Avonside Enterprise Park.

Planning Practice Guidance sets out guidance (as detailed in the WELRU page 2) on assessing the need for and supply of employment land. The assessment of need should be evidence based. “The assessment should consider:

- Recent gains and losses to the stock

- Evidence of market demand, including market intelligence, surveys and discussions”

This approach is therefore **unsound as it is not consistent with national policy.**

In the conclusions on Employment Land in the SA (page 45) it states “Retention of existing and allocated employment land is often challenging to manage. Consider inclusion of policies that safeguard against incompatible uses or unnecessary loss of employment sites but also set out criteria against which, in exceptional cases, an existing site or allocation that is clearly and demonstrably no longer suitable for employment development can be de-allocated or developed for an alternative use.”

There has been no mention of trying to account for the capacity created by the closure of Cooper Tires. It is not yet currently available, but the only site in Melksham that was reviewed was the Golf Course Land which the WELRU states is not currently available.

This approach is therefore **unsound as a result of not being justified.**

MWPC are struggling to understand the context and reasoning for 5 hectares of employment land to be allocated at Land East of Melksham in Policy 18. On the WLP list of unallocated sites, the only one in Melksham listed is the “Golf Course” land, why not, Cooper Tires (perhaps as not available yet, but very clearly coming forward at the end of 2023, with its closure noted in the Planning for Melksham document, and what about SHELAA 1025 Land South West of Western Way, adjacent to the Bowerhill Industrial Estate with potential access from the industrial estate, and alongside the A365/A350 junction, so in prime position as part of the A350 catchment.

Page 70 of the WELRU states that the golf course land is not available as they are awaiting a decision from Wiltshire Council Strategic Property on a location for a new highways transfer station. We note that the land East of Melksham in Policy 18 is not on the list of unallocated sites that were reviewed.

The WLP should have considered spatial options for employment land and tested reasonable alternatives, ideally through the SA process. We can see no evidence of this being done. All the SA does is look at the number of hectares of Employment Land for Melksham (page 43), it does not look at any reasonable alternatives. What is the justification and evidence for allocating it in Land East of Melksham?

The employment land allocation in Policy 18 is **unsound as a result of not being justified.**

Education

Wiltshire Council should have considered and tested reasonable alternatives, ideally through the Sustainability Appraisal process for the extension to Melksham Oak secondary school (Policy 19 Land off Bath Road), the proposed new primary school in Policy 18 Land east of Melksham (Blackmore Farm) and the new 100 place nursery (Policy 20) Land North of the A3102. **MWPC can see no evidence of this being done and therefore the proposals are unsound as a result of not being justified** as this requires what is being proposed to be an appropriate strategy, taking into account the reasonable alternatives.

The Local Plan sets out the strategic plan for the Melksham area for the next 15 years, where is the strategic thinking and planning, it looks like it has just plopped one in each of the 3no. land allocations in the WLP, so nursery in one site, primary in another and secondary in a further site. Whilst neat for land allocations, this does not work for the local community. The children attending the new primary school and the nursery (most likely for siblings in the new developments) will have to cross the A3102 to access.

With regards to the secondary school expansion, where is the evidence that this is the best strategic option for Melksham, as this will make Melksham Oak school too big for future expansion, according to Wiltshire Council evidence, and would it not be better now to start a new secondary school or satellite provision, now, rather than moving the problem on until 2038?

Evidence re Melksham Oak:

Extract from: Sustainability Appraisal Objective 9: Reduce poverty and deprivation and promote more inclusive communities with better services and facilities

Page 30 of the Sustainability Appraisal Report Annex 1.1 Chippenham HMA states “There is limited capacity available at Melksham Oak School, with the it being expected that the school reaches capacity in the near future. Additionally, expansion is planned for the school to meet known emerging demand. Further expansion risks creating a very large school. More substantial levels of housing, in the region of 4500 homes would be able to support new secondary school provision. New primary provision has been secured and expansion is being pursued currently, but beyond this additional primary provision would have to be delivered, with around 1300 homes being able to support a new primary school.”

Where can Wiltshire Council evidence that they have given careful consideration to the expansion of Melksham Oak school?

Extract from the draft Wiltshire Council School Places Strategy 2023-2027 (March 23)

<p>Page 90 Implications for Secondary Provision from 2022/23</p>	<p>The number of pupils attending Melksham Oak is forecast to grow significantly over the next few years as larger cohorts begin to feed through from primary schools and as new housing is completed. The recent expansion means that the school now has a PAN of 300, which will be sufficient to meet the needs of current housing.</p> <p>If the proposed 2712 local plan houses are taken forward, there would be a significant shortfall of secondary places. Whilst the school site is large, expanding the school over 12FE would make it the largest school in the Country and would probably be considered too large to operate from one site.</p> <p>The number of additional places required would not be sufficient to make a whole new secondary school viable. As the Local Plan process moves forward and the final number of houses is determined, the provision of secondary places in the town will need to be given careful consideration by the Local Authority and Academy Trust.</p> <p>Demand for resource base provision in West Wiltshire is high and consideration needs to be given for the creation of 2 additional secondary resource base classes, based on current and predicted demand. The Special School Transformation Team are exploring opportunities to expand resource base provision with existing secondary schools in Melksham and the surrounding areas.</p>
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Where can Wiltshire Council evidence that this review has been undertaken:

Extract from the draft Wiltshire Council School Places Strategy 2023-2027 (March 23)

<p>Page 20 C7 School Organisation Review</p>	<p>Educational viability, efficiency and effectiveness are all potential triggers for considering a review of school organisation and subsequent re-organisation of school provision in an area. The 'triggers' that might provide an indication that a review is necessary are set out below.</p> <p>4. Where there is population change in an area (to include growth from new housing)</p>
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Paragraph 94 of the National Planning Policy Framework (NPPF) states that it is important that a sufficient choice of school places is available to meet the needs of existing and new communities, and that local planning authorities should take a proactive, positive and collaborative approach to meeting this requirement, and to development that will widen choice in education. This includes local planning authorities giving great weight to the need to create, expand or alter schools when preparing plans and making decisions on planning applications.

Where have Wiltshire Council provided a secondary school choice for parents in their Local Plan in line with the NPPF?

The policy to allocate Policy 19 in the Local Plan to secure 2 hectares for an extension to Melksham Oak **school is not sound as not consistent with national policy, or Wiltshire Council draft School Places Strategy.**

In addition, there are no details of how this allocation meets the strategic outcomes of the Local Plan as detailed on Page 11 of the WLP:

Extract from: page 11 of the WLP 2.5 Outcomes

- Provision of 16+ education, including higher education, will have been enhanced to provide trained employees necessary to deliver economic growth from target sectors

Mentioned again on page 13, 2.13 there is a need to improve the level of skills beyond the age of 16 and to retain those skills within local communities.

From Page 11 of the WLP Infrastructure

2.6 Challenge: The Plan will ensure that services and infrastructure, to meet the needs of Wiltshire's growing population and economy are brought forward in a **timely and responsive manner** through new development proposals. Appropriate and sustainable modes of transport, highway improvements, **school facilities**, water management, green spaces, power supply, high speed and affordable internet connectivity, access to emergency services, sustainable waste management facilities are all essential components of daily life and therefore **critical to delivering the strategic goal** of building strong and healthy communities.

2.7 Objective: Infrastructure requirements need to be appropriately planned, secured and implemented to ensure the timely delivery of development proposals

Health and Wellbeing

Sustainability Appraisal Objective 9: Reduce poverty and deprivation and promote more inclusive communities with better services and facilities

Extract from Page 30 of the Sustainability Appraisal Report Annex 1.1 Chippenham HMA states “**Despite a hospital being situated in Melksham**, there is an existing GP capacity issue”.

MWPC believe that this is misleading, and in fact, disingenuous. It implies that it is a hospital available for residents to access like others in West Wiltshire at Chippenham, Trowbridge and Devizes. It may host some ancillary services such as wheelchair repairs but if you check the list of departments and services on the NHS website <https://www.nhs.uk/service-search/hospital> it lists **NONE AVAILABLE**, whilst the Trowbridge Hospital has a Minor Ailments department and Chippenham and the new Devizes Practice Plus Group Surgical Centre both list a whole host of services from Dentistry, to Gynaecology to Orthopaedics and Urology.

The statement is misleading and not sound as not justified, and should not be used to as part of the Sustainability Appraisal measures.

Biodiversity and Climate Change

MWPC support the comments prepared by the Centre for Sustainable Energy prepared on behalf of the Wiltshire Climate Alliance (copy attached).

Bypass

Sustainability Appraisal Report Annex 1.1 Chippenham HMA

Extract from Sustainability Appraisal Objective 10: Reduce the need to travel and promote more sustainable transport choices

Melksham's existing transport infrastructure mainly lies with the A350 with other routes including the A3102 and A365. These routes confluence on the A350 which cause significant peak hour congestion and delays, particularly through the town.

Extract of: WLP page 44 4.22 Melksham is one of the five Market Towns in the area. Compared with other settlements it is relatively less constrained and its location on the A350 makes it attractive for business investment. An eastern bypass is proposed at the town to improve the functionality of the A350 as part of the strategic road network.

Extract of: WLP page 73 4.91 Melksham is not significantly constrained in environmental terms but there are concerns over the adequacy of local infrastructure to be able to support future growth with the A350 recognised as particularly constrained at peak times, leading to traffic congestion. A bypass to the east of the town is under consideration to relieve traffic pressure and secure improvements to the A350 strategic corridor, which in turn could lead to improved efficiency of the transport network and other social, environmental and economic benefits for the town.

Extract of: WLPC Policy 75 Ref to A350 improvements... “.....**to support development growth**....”

Planning for Melksham Place Shaping Priority 3 defines the outcomes of the A350 bypass as improving the efficiency of the transport network and other social, environmental and lead to economic benefits for the town. NB These should be the Neighbourhood Area.

There is not a stated direct connection between the delivery of the bypass and the accommodation of growth.

The purpose and link between the A350 by pass and growth needs clarifying.

If the Bypass business case illustrates the link, then it should be a direct infrastructure requirement prior to delivery of eastern area allocations (and further growth)

There is confusion, insufficient clarity and evidence of the role of the A350 bypass improvements in supporting the growth at Melksham, and therefore Policy 75 Strategic Transport Network is **unsound as not effective**.

Flood Risk

Sustainability Appraisal Report Annex 1.1 Chippenham HMA

Sustainability Appraisal Objective 5: Minimise impacts on climate change (mitigation) and reduce vulnerability to future climate change effects (adaptation)

Page 62 states:

DAQ 3: Minimise vulnerability to surface water flooding and other sources of flooding, without increasing flood risk elsewhere?

Fluvial flood-risk, along with surface and groundwater flood risk form part of the settlement-level analysis below. The cumulative impact of development was also considered in order to identify those catchments where an increase in flows as a result of growth would have the greatest impact on downstream flood risk. This analysis is based on a strategic assessment of flood risk. Local knowledge will be applied when specific development locations are identified. In terms of flood-risk potential at settlements the following can be stated:

Melksham is at high risk of river flooding and at moderate risk of surface water and groundwater flooding. The cumulative impact of development is assessed as moderate.

	higher amount of development to Malmesbury.		
	Likely effects: moderate adverse	Likely effects: minor adverse	Likely effects: minor adverse
Melksham	Melksham is at high risk of river flooding and at moderate risk of surface water and groundwater flooding. With specific development locations not known this leads to moderate adverse effects likely at the town.	As regards Melksham there are vulnerabilities associated with the potential for especially fluvial flooding. Given the proposed lower growth quanta under scenario CH-B, minor adverse effects are considered likely for the town.	Melksham has its highest level of growth proposed under CH-C. The town possesses some areas of flood risk, mainly fluvial due to the course of the River Avon, but moderate risk of surface water and groundwater flooding. As a result, moderate adverse effects are estimated here.
	Likely effects: moderate adverse	Likely effects: minor adverse	Likely effects: moderate adverse
Rest of HMA	Development quanta for Rest of HMA, whilst not location-specific, are moderately high and therefore estimated to lead to minor adverse effects, which will be clarified as site-level proposals emerge.	Development quanta for Rest of HMA, whilst not location-specific, conserve the moderately high levels proposed under Core Strategy Continued, and are therefore estimated to lead to minor adverse effects, which will be clarified as site-level proposals emerge.	Development quanta for Rest of HMA, whilst not location-specific, are moderately high, and therefore estimated to lead to minor adverse effects, which will be clarified as site-level proposals emerge.
	Likely effects: minor adverse	Likely effects: minor adverse	Likely effects: minor adverse
Overall HMA score	-1.6 Core Strategy Continued exhibits likely moderate adverse effects overall, with moderate adverse effects considered likely in Calne, Devizes, Malmesbury and Melksham.	-1.3 The overall judgement for this strategy is minor adverse effects. There are less settlements where significant adverse effects are likely – namely Chippenham and Devizes.	-1.4 Likely minor adverse effects are likely overall. There are less settlements where significant adverse effects are likely – namely Calne, Devizes and Melksham.
Conclusions/Recommendations:			
<p>Strategy CH-B is considered to be the more sustainable strategy with significant adverse effects considered likely in two settlements - namely Chippenham and Devizes.</p> <p>Strategy CH-A is considered to be the less sustainable strategy with significant adverse effects considered likely in four settlements - namely Calne, Devizes, Malmesbury and Melksham.</p> <p>Whilst all areas across Chippenham HMA demonstrate some areas at risk of flooding, some places are more constrained than others. Alternative strategy CH-B, which focuses on Chippenham, offers the best opportunities to achieve flood-resilient development and mitigation.</p> <p>Devizes is particularly constrained by groundwater flood-risk, which limits the areas of the settlement that might be suitable for further growth. This leads to an outcome of there being likely moderate adverse effects at the town under the more substantive growth scenarios (CH-A and CH-C). Under strategy CH-B growth here is more restrained and this contributes to making this scenario the most feasible for this HMA.</p> <p>Calne, Melksham and Malmesbury also perform less strongly under this objective. This notwithstanding, these settlements tend to offer greater resilience under this objective via strategy CH-B, which directs reduced growth levels to these places.</p>			

MWPC dispute this evidence, its referring to the risk of river flooding to the town, and the allocations (housing and employment) are all in Melksham Without and so not justified.

It particularly contests the evidence for the Rest HMA as this includes the “Large Village” of Shaw and Whitley, and the “Small Village” of Beanacre, which have consistently received internal property flooding from surface water on repeated, numerous occasions. Whilst we can’t comment on aspects out of our parish particularly, we are very aware that the surface water flooding that affects Shaw and Whitley also affects Box and Corsham, with it all coming down the hills from the Neston estate.

For Shaw and Whitley this is especially important as it has a housing allocation of 73 dwellings in the Chippenham HMA Rural Large Village allocation.

We can supply a host of evidence on the flooding in Shaw & Whitley, and all of this can be collaborated by the Drainage team/Atkins at Wiltshire Council. It looks like Wiltshire Council's own drainage team were not consulted on the flood risk, as they would certainly have commented on the surface water flooding risk at these locations. Other evidence is the Northern Operational Flood Working Group minutes who meet every two months, with Melksham Without consistently on the agenda.

Substantial mapping was undertaken by residents following some 14 internal properties being flooded in September 2014, regular closures of the Shaw Primary School due to flooding across the Corsham Road, including as recent as earlier in 2023. Telemetry installed by the Environment Agency on Corsham Road. See example during this plan Reg 19 consultation period, when at the time of writing on 9th November 2023, the volunteer flood wardens have been deployed twice already.

Latest at 8:30pm on 28 October ⓘ

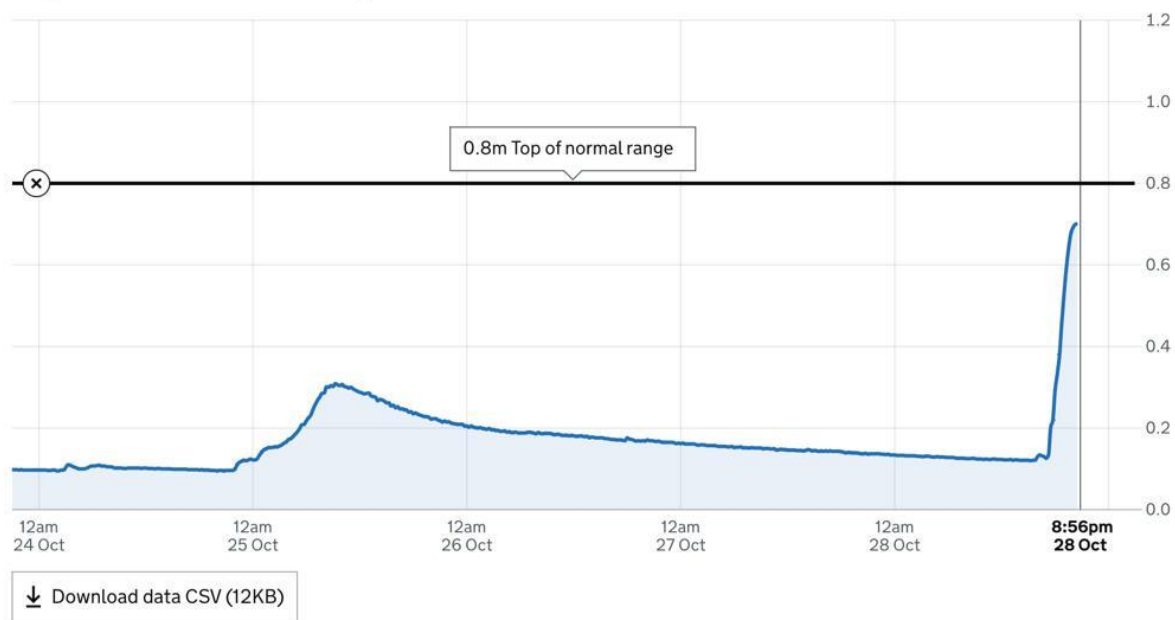
Height
0.70m ⓘ

Trend
Steady ⓘ

State
Normal ⓘ

Normal range 0.00m to 0.80m

Height in metres over the last 5 days



Likewise, the small village of Beanacre receives consistent, regular flooding incidents as recent as January and October 2023. Again, refer to the Wiltshire Council drainage team or we can provide a host of evidence.

Review of draft Local Plan against the Melksham Neighbourhood Plan (including Cooper Tires site)

Joint Melksham Neighbourhood Plan 1 (adopted July 21) and reviewed Plan 2 (JMNP2) (at Regulation 14 consultation stage 16/10/23 – 3/12/23)

Cooper Tires & Closure and Regeneration

Planning for Melksham (PfM) notes the factory closure and loss of c350 jobs. However, neither Pfm nor WLP addresses how the site how regeneration of the site will be promoted and enabled within the plan period other than as a “large windfall site”.

Current policy serves to reinforce environmental constraints to its re-use.

The Wiltshire Employment Land Review update has suggested the need for additional employment space. However, this did not account for the capacity created by the closure of Cooper Tires.

The WLP spatial strategy for Melksham’s growth to meet identified strategic housing, community and employment needs provides sites for nearly 90% of all forecast development needs and have not had regard to the potential of Cooper Tires or prioritised the un-let capacity of Avonside Enterprise Park.

Wiltshire Council and WLP has until now, adopted a reactive position in relationship to JMNP2 positive approach to plan for the site, when the emerging strategy to allocate it was raised with Wiltshire Council prior to the publication of their Regulation 19 plan.

MWPC have suggested that WLP Policy 18 allocation of Site 1 (Land East of Melksham) is not soundly made as other employment land options including the potential of Cooper Tires to re-accommodate employment space has not been evidenced as options. In addition, revisions to the employment strategy should now address the potential of Cooper Tires (accepting its Flood Risk).

Despite this, the WLP presumes that 9% of strategic development requirement will be met through JMNP2 allocations at Melksham, including the currently proposed allocation at Cooper Tires.

Place Shaping Priority 1 (Town Centre) is not positively supported by WLP sites allocations or its reactive approach to the emerging JMNP2, contrary to the NPPG para 009;

“The local planning authority should take a proactive and positive approach, working collaboratively with a qualifying body particularly sharing evidence and seeking to resolve any issues to ensure the draft neighbourhood plan has the greatest chance of success at independent examination.”

There is concern that the approach to the WLP strategy for Melksham is unsound as it is not in conformity with national guidance or positively produced.

MWPC believes that the approach taken by Wiltshire Council in evidencing and drafting the WLP has been undertaken in a silo, despite the known context of the JMNP2 preparation and knowledge about Cooper Tires.

Whilst the Link Officer has provided good service in his role, he has not been empowered by Wiltshire Council to share necessary evidence or engage with the JMNP Steering Group within a collaborative process.

Review of Wiltshire Council’s draft Local Plan policies against the current Neighbourhood Plan (JMNP1) and the draft reviewed Neighbourhood Plan (JMNP2) policies

(NB: the NHP has to be in conformity with the Core Strategy/Local Plan).

WLP Policy	Relevant JMNP Policy	Notes	No Objection / Object
Delivery			
Policy 64 Additional employment land	Policy 10 Employment Sites	<p>Employment Policy is broadly in conformity with JMNP1 P10 <i>Potential reference to WLP 65 and 66 Criteria?</i></p> <p>Clause D Clause should clarify including impact on viability of existing allocated/retained Principal Employment Land (is alluded to in RJ)</p> <p>Allocation of Cooper Tires is likely to include employment. Coordination needed with employment allocation east of Melksham. (Subject to other comments)</p>	No objection

		Should include ensuring no impact on viability of JMNP2 employment allocations.	
Policy 65 Existing employment land	Link to policy 10	No issues with policy or criteria. Concern that 5 hectare employment allocation may undermine optimum viability of existing principal sites including Avonside, which is not fully occupied and potential for employment at Cooper Tires. Addressed in allocation response Planning for Melksham.	No objection
Policy 67 Sequential test and retail impact assessment	Policy 9 link	No in principle conflicts with JMNP1 and 2 Check consistency post Reg 14 Potential complexity for delivering main Town Centre uses inclusion at Cooper Tires. But should not undermine. No justified evidence to expand Town Centre boundary.	No objection
Policy 68 Managing town centres	Policy 8 Town Centre	No in principle conflict with JMNP1 or 2 subject detailed comments below. General conformity with revised JMNP2 P9	Object Criteria ref town centre strategies and transitional Market towns not

		<p>Hierarchy;</p> <p>Approach in conformity with NPPF</p> <p>Melksham is defined as a market town. Logical Town Centre designation</p> <p>Lack of clarity about implications of transitional town centre status. Where is the methodology or criteria?</p> <p>What difference does this make to managing development through the Local Plan? If no method or consequence it should not be included.</p> <p>Boundaries TC & PSA</p> <p>Approach in conformity with NPPF.</p> <p>Management of uses; Class E has stripped real power from plan led management. Policy is long and seeking to apply controls around the periphery. This is cumbersome but probably the only effective approach.</p> <p>Other Policies in the Development Plan</p>	<p>defined or effective. Policy is not sound.</p>
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		<p>This should make direct reference to Neighbourhood Plan and adopted TC Strategies</p> <p>Town Centre Strategies. “...Town centre strategies within the Plan may provide more detail in relation to the kinds of uses that are accepted within different areas of the town centre...”</p> <p>Clause is weak and has no expectation other than as information. This is not in conformity with the status given to the Melksham TCMP report and does not support its role, It should be tightened to expect demonstration of positive response to adopted local TC strategies or master plans. If within or part of made NDP guidance will be supplemental to policies and used to guide decisions.</p>	
Policy 69 Tourism and related development	No equivalent policy		No objection

<p>Policy 70 Sustainable Transport</p>	<p>Policy 11 Sustainable Transport and Active Travel</p>	<p>Policy 11 is wide ranging and focus on railway station. It cross-suits with aspects of WLP transport policies 70-75</p> <p>LPR policy doesn't really say more than state aims and WC actions. Is it actually a policy?</p> <p>Lack of direct mention of air quality Cross cut reference to Health and wellbeing policy / indicators Question why no mention of Transport hierarchy in planning for sustainable transport.</p> <p>By omitting aspects of local plan objectives the policy effectiveness is questioned.</p> <p>Potential for Review JMNP2 R14 policy to align.</p> <p>NB Proportionate transport strategies and infrastructure; No mention of "Broad Locations for Growth" NB Rather have BLG deleted as unsound.</p>	<p>Object</p> <p>Policy is not effective and does not address key aspects of growth referenced in the WLP , environment outcomes or local transport strategy.</p>
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		<p>But if retained these should be specifically identified as will warrant specific priority.</p> <p>Potential reference to Local transport strategies required; ie hook into Priority for People?</p>	
<u>Policy 71: Transport and new development</u>	No equivalent policy	Consistent with principles of safe and sustainable transport	No objection
Policy 72 Development impacts on the primary and major road networks	Policy 11	<p>No direct impact on JMNP policy.</p> <p>Seems to be a traffic management policy</p>	No objection
Policy 73 Transport: demand management	Policy 11	<p>Lack of alignment with JMNP policy 11.</p> <p>WLP Policy does not reference the requirement for travel plans which is a requirement of current JMNP1 policy 11.</p> <p>Has the strategic requirement altered? Is there now a lack of conformity emerging between</p>	Object Policy is not effective and should set requirement trigger for travel plans.

		<p>transport related developer submission requirements?</p> <p>LPR policy appears rambling and more of a statement of priorities, although non objectionable.</p>	
<u>Policy 74: Movement of goods</u>	No equivalent policy		No objection
Policy 75 Strategic transport network	No equivalent policy	<p>Cross reference with Melksham Railway Station supported</p> <p>Ref to A350 improvements... “....to support development growth....”</p> <p>Planning for Melksham Place Shaping Priority 3 defines the outcomes of the A350 by pass as improving the efficiency of the transport network and other social, environmental and lead to economic benefits for the town. NB These should be the Neighbourhood Area.</p> <p>There was not a stated direct connection between the delivery of the bypass and the accommodation of growth.</p>	<p>Object</p> <p>The policy conflicts with the purpose of the A350 by pass scheme at Melksham within “Planning for Melksham” document</p> <p>There is confusion, insufficient clarity and evidence of the role of the A350 improvements in</p>

		<p>The purpose and link between the A350 by pass and growth should be clarified.</p> <p>If the business case illustrates the link, then it should be a direct infrastructure requirement prior to delivery of eastern area allocations (and further growth)</p>	<p>supporting growth at Melksham.</p> <p>The policy is not effective and is unsound.</p>
Social			
Policy 76 Providing affordable homes.	Policy 6: Housing in Defined Settlements (rev)	<p>WLP policy broadly aligns with JMNP2 rev policy 6.</p> <p>NB Policy 6 R14 draft references local plan. This may need to be reviewed to reflect CS policy or successor policies.</p> <p>WLP Affordable housing split different. No conflict as direct ref to local housing evidence set out in JMNP2 policy 6.</p> <p>Accessible homes level does not align with more detailed breakdown in WLP Policy 77. This may need to be refined to align or evidence needed to warrant different standards.</p>	No objection

		<p>WLP should define all settlements that P76 applies to.</p> <p>JMNP2 may consider defining/revising rural settlement boundaries where WLP has not e.g., Berryfield.</p> <p>First Homes discount of 40% is higher than WLP Policy. This may attract objection.</p>	
Policy 77 Rural exceptions sites	No equivalent policy	<p>The objective and criteria in WLP policy 77 address nationally accepted practice and policy with regard to Rural Exceptions sites. These may be promoted as exceptions adjacent to Shaw and Whitley, Beanacre and Berryfield. JMNP2 does not reference RE sites directly. This may be considered as an addendum to Policy 6.</p>	No objection
Policy 78 Meeting Wiltshire's housing needs	Overlap policy 6	<p>Comprehensive policy covering house typology, space standards, accessible homes, homes for older people and vulnerable people.</p> <p>Detailed issues;</p>	No objection

		<p>House typologies in Melksham HNA covered in policy 6.</p> <p>Are we satisfied that all forms of specialist housing for older people should be just in Melksham? We may wish to consider that for the JMNP2 area, S&W should be defined as a possible location (Middle Farm) for potential age restricted /supported living, which may align with local HNA.</p>	
Policy 79 First homes exception sites	No equivalent policy	<p>Detailed and new exceptions policy area.</p> <p>Consider post R14 refinement to JMNP policy 6 to reference and WLP.</p>	No objection
Policy 80 Self and custom build housing	No equivalent policy	<p>Detailed and new policy area.</p> <p>Consider post R14 refinement to JMNP policy 6 to reference and WLP.</p> <p>Potential for additional JMNP2 evidence from WC Self build register.</p>	No objection
Policy 81 Community facilities	Policy 15: Community Facilities	<p>WLP criteria are different than P15.</p> <p>It may be worth aligning P15 criteria with WLP P81 or referencing <i>them</i>,</p>	<p>Object</p> <p>Policy is not effective as may</p>

		<p><i>but retaining the policy to link to facilities map/list.</i></p> <p><i>However, P81 does not contain a clause to demonstrate new need. This risks competing facilities within a settlement and potential loss of viability for both.</i></p>	<p>enable competing facilities, over-provision an unviability.</p> <p>Add criteria to demonstrate community need and support.</p> <p>Current policy is not effective and unsound.</p>
Policy 82 Housing in the Countryside	No equivalent policy	National criteria compliant	No objection
Policy 83 Health and wellbeing	No equivalent policy.	HIA should be required on employment development land of 5 hectares or more. This captures the Melksham allocation.	Objection Trigger should be revised to five hectares or more.
<u>Policy 84: Open space and play facilities</u>	Policy 14: Open Spaces Policy 16: Local Green Space	This policy references the Wiltshire Open Space Assessment. The study provides an up-to-date and robust evidence base; auditing the provision (quantity, quality and accessibility) of open space; setting	No objection

		<p>standards for provision; identifying any surpluses or deficiencies; and recommended planning policy and developer contributions.</p> <p>The standards will be used to assess proposals for open spaces during the Plan period, recognising the need for improving the quality of existing open spaces in addition to requirements for new provision.</p> <p>There are shortfalls in the supply (ha) of open space against the standards in four types of open space typology: Allotments, Amenity Green Space, Play Space (Children and Youth). There is also a gap in the provision of ANGSt Standard: At least one accessible 20-hectare site within two kilometres of home.</p> <p>This policy could usefully refer to the provision of open space by major development that reflects the identified deficiencies in of the local area in the open space assessment.</p> <p>The policy in JMNP2 could also usefully refer to this evidence base document.</p>	
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Policy 85 Sustainable construction and low carbon energy	Policy 1 Sustainable Design and Construction / Allocations	An aspirational policy that follows in the footsteps of other Local Plan policies that are now examined. Policy 1 of the JMNP was revised to reflect these exemplars polices and the emerging WLP but in a way that is less prescriptive / more aspirational (proportionate to a NP).	No objection
Policy 86 Renewable energy	Local Renewable and Low Carbon Energy	This policy is comprehensive going into greater detail that the JMNP 2 policy 2 which is a slight update to the JMNP1 policy 2 to include reference to energy storage.	No objection
<u>Policy 87: Embodied carbon</u>	Policy 1 Sustainable Design and Construction	An update to the Core Strategy that addresses the need to tackle Climate Change.	No objection
<u>Policy 88: Biodiversity and geodiversity</u>	Policy 13: Biodiversity	Policy is considered effective. Reference to nature recovery is supported.	Support
<u>Policy 89: Biodiversity net gain</u>	Policy 13: Biodiversity	This policy seeks double the Minimum 10% Biodiversity Net Gain (BNG) required by the Environment Act but there is no explanation for	Support

		<p>how the figure of 20% is arrived at for BNG in this policy.</p> <p>Nature Recovery is a key part of this policy.</p>	
<p><u>Policy 90: Trees, hedgerows, and woodland</u></p>	<p>Policy 17: Trees and Hedgerows</p>	<p>The target for tree canopy coverage is lower than recommended by the Urban Forestry and Woodland Advisory Committee Network and referenced in the JMNP.</p> <p>There are no standards for tree replacement, or buffers to woodland.</p>	<p>Object</p> <p>The policy does not contain tree planting triggers or criteria that will ensure major development makes a proportionate contribution to meeting WC targets. It is ineffective and unsound.</p>
<p><u>Policy 91: Conserving and enhancing Wiltshire's landscapes</u></p>	<p>Policy 18: Landscape Character</p> <p>Policy 19: Green Wedges</p>	<p>JMNP includes a map which references the Special Landscape Area (a saved local plan policy). This designation will no longer be saved, WC instead recognises the National Planning Policy Framework's landscape character approach to determining landscape value and will require applicants to assess the value of their sites at the local level through the use of the</p>	<p>Object</p> <p>The failure to identify strategic countryside gaps does not have regard to sites assessment evidence and undermines the effectiveness of the policy.</p>

		<p>Landscape Institutes Technical Guidance Note TGN 02-21: 'Assessing landscape value outside national designations.'</p> <p>This is the policy that the JMNP policy 19: Green Wedges links to directly. In the supporting text there is mention of other relevant assessment and studies that may inform development proposals including NP (which are listed after Parish Plans – are they still produced?!) which are 'approved the Council'. If the NP is 'made' and includes relevant material then it will have the same status as material prepared for WC and the Local Plan evidence base.</p> <p>Para 5.156 also refers to the "erosion of the separate identity of settlements and their coalescence, character, visual and functional amenity can degrade their setting to the detriment of the character of the rural countryside". This is of direct relevance to the JMNP and would suggest that part 3 of the policy: 3. conserving and enhancing the locally distinctive character of</p>	
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		<p>settlements and their landscape settings Could include direct reference to the need to avoid coalescence.</p> <p>Strategic Countryside Gaps</p> <p>Supporting text para 5.1.6 references the erosion of the separate identity of settlements and their coalescence.</p> <p>The Wiltshire “Site Landscape Appraisals 2023” , landscape mitigation in the form of strategic countryside gaps are identified to protect the separate identity of outlying rural villages (in the hinterland of the town). The current policy fails to identify strategic countryside gaps and is not fully effective. Where identified gaps straddle neighbourhood area boundaries NDP’s cannot address the risk. There should be strategic countryside gaps identified in the local plan.</p>	
<u>Policy 92: Conserving and enhancing dark Skies</u>		No policy included on this specific topic in the NP, however there are no targets for reducing light pollution except areas designated dark sky areas – this could be broadened out	Support

		to include the rural areas of the JMNP and GI assets such as the K&A canal.	
Environment			
Policy 93 Green and blue infrastructure	Policy 11: Sustainable and Active Travel Policy 16: Local Green spaces Policy 17: Trees and Hedgerows Policy 18: Landscape Character Policy 20: Locally distinctive High Quality Design <i>Policy 19: Green Wedges</i>	<p>No direct equivalent JMNP policy. Cross-cut with made and proposed new JMNP sustainable transport community and environment policies.</p> <p>Should GBI development requirements be limited to major developments (more than 10 dwellings)?</p> <p>Given the requirements, it seems reasonable. However, should ALL development be expected to provide contribution to GBI.</p> <p>Settlement Frameworks. These do not yet exist. There is intention to produce them. The policy should say “any future adopted.....”</p> <p>Should this be a discretionary devolution to NDPs/TC’s PCs? It would seem reasonable that local knowledge should be harnessed.</p>	No objection in principle

<p>Policy 94 Wiltshire's canals and the boating community</p>	<p>Priority Statement 3: Wilts & Berks Canal Restoration</p>	<p>Agreement of safeguarded route Alignment with plan in JMNP2?</p> <p>NB Financial contributions. Is it intended that financial contributions from development will fund W&B canal link project? Suggest policy should make clear that any proposal must be supported by a robust business case and any associated planning consents for enabling development.</p>	<p>No objection</p>
<p>Policy 95 Flood risk</p>	<p>Policy 3: Flood Risk and Natural Flood Management</p>	<p>WLP policy conforms with and references national policy and best practice in the process of selecting suitable sites for development. JMNP2 does not cause conflict with WLP P95.</p> <p>Policy 3 may be straightened by cross reference to WLP policy 95 in relation to new development and then reference local circumstances.</p> <p>WLP P95 raises significant constraint issues for Cooper Tires as WLP has selected greenfield sites in Flood zone 1. Sequential testing and or exceptions testing will need to support its future</p>	<p>No objection</p>

		development where at least the land is within Z2 and 3.	
Policy 96 Water resources	No directly equivalent policy	Identification of Source Protection Zone, Safeguard Zone or Water Protection Zone and buffers within JMNP area to assess against allocations. IDP:	No objection
Policy 97 Contaminated land	No equivalent policy	Cooper Tires site Allocation. Contamination likely to be one of the biggest viability challenges. Allocation supporting text/policy criteria may directly ref WLP policy and SPD guidance in setting qualitative criteria. NB Placeholder allocation acknowledged contamination	No objection
Policy 98 Ensuring High Quality Design and Place Shaping	Policy 20: Locally Distinctive, High Quality Design	No fundamental lack of conformity between JMNP2 and WLP design objectives. However, the policy is poorly drafted. See below. WLP P98 is monumental and hugely complex, placing an almost impossible agenda of design criteria plus cross referencing with yet more	Object Object The policy does not reference or synchronise with national design guidance, the Wilts Design

		<p>design guides e.g., Manual for Streets.</p> <p>It pays no regard to the Wilts Design Guide. Its 12 criteria do not relate to the clear design steps in the WDG. It does not ref the National Design Guide or expect applicants to demonstrate regard to adopted NP guidance. These should form the backbone of this policy which should and can be MUCH shorter.</p> <p>As drafted the policy lacks conformity with national guidance</p>	<p>Guide or adopted NDP area guides.</p> <p>It is confusing and overly complex.</p> <p>In failing to have direct regard to national policy or guidance it is not justified. It does not require applicants to refer to adopted guidance and is not effective as drafted. It is unsound.</p>
<p>Policy 99 Ensuring the Conservation and Enhancement of the Historic Environment</p>	<p>Policy 21: Local Heritage</p>	<p>No in principle conflict or lack of conformity.</p> <p>WLP policy 99 provides a more comprehensive policy protection of designated assets and areas and criteria including impact assessment) for associated development. JMNP2 P21 may be supplemented by direct ref to this policy and criteria.</p> <p>WLP P99 references non designated assets and criteria for</p>	<p>No objection</p>

		<p>their consideration and conservation. These differ slightly from those in P99. Alignment should be achieved through coordination between policies. However, the NDHA list is locally distinct and justifies P21.</p>	
Policy 101 Air quality	No equivalent policy	<p>Wiltshire Air Quality Action Plan. How does this affect Melksham? What are the air quality implications of traffic congestion? NB Melksham not identified as one of the six community action areas (with AQMZ) How will + 1200 homes affect objectives of Action Plan / Air quality in Melksham Has this been assessed as part of Allocations?</p>	No objection

Review of “Planning for Melksham”

Planning for Melksham combines an area within the Town Council administrative area and land within Melksham Without. The PfM document should reflect this in its terminology relating to the town or Neighbourhood Area or Community Area (as per the current Core Strategy). At present place shaping principles are perceived to be restricted to the town but are pertinent to development in MWPC area as part of the PfM strategy.

Document	Page	Policy/Paragraph/Table/Figure	Comment
Planning for Melksham	1	Para 1 Introduction Table 1	The Planning for Melksham (PfM) document sets out the evidence and processes that have informed the policies of the Local Plan that relate to Melksham. The whole document is very muddled, it's not clear if its talking about the Market Town of Melksham, the Melksham & Bowerhill settlement area, the Neighbourhood Plan area or the Community area. It states on Pg 73 Policy 17 that is for the Melksham Market Town (but doesn't say it's for the Market Town in PfM) and then policies 18,19 & 20 in Table 1 all relate to land in Melksham Without.
Local Plan	73	Paragraph 4.93	<p>Under the title to the section “Melksham Market Town”, this paragraph states “The Plan allocates three sites” but these are neither in Melksham (or Bowerhill). In the Core Strategy it clearly identified “Melksham and Bowerhill Village” and “Melksham Community Area” (although the housing numbers for Berryfield in the MCA were attributed to Melksham and Bowerhill – eventually).</p> <p>This is particularly important in the case of the Melksham, as the Melksham Community Area lies within two HMAs – Trowbridge HMA to the south and Chippenham HMA for the Neighbourhood Plan area and villages to the North.</p> <p>This is a document specifically for Melksham, so if the arrangement of Melksham and Melksham Without is different to those in other Market Towns, this could easily be articulated in the document as area specific.</p>

Planning for Melksham	3	2. Context and Challenges Table 2	Population figure – what is this for? 18,113 is in the table. From Census 2021 the population of Melksham is 17,500 and for Melksham Without is 7,800 giving a total of 25,300. It should be clearly indicated as to what it is for, and is misleading as this box is entitled “Strategic Context for Melksham Market Town” and yet the housing allocations are all in Melksham Without with the inference that they are in Melksham Town and therefore relate to the contextual population figure of 18,113. On page 23 of the WLP figure 3.2 Strategic transport route map dated 2023 has a label “Melksham and Bowerhill Village”, another inconsistency.
Planning for Melksham	4	Figure 1 Environmental constraints and designations at Melksham	This shows Melksham & Bowerhill – again, not consistent, if this document and the figures are for the Melksham & Bowerhill settlement boundary they should say so. This is misleading and therefore not based on sound evidence.
Planning for Melksham	4	Paragraph 8	This paragraph states that the River Avon has potential as a significant Green and Blue Infrastructure asset and yet there is no mention of the Clackers Brook asset that is also a significant GBI asset and features heavily in the design of the recent housing developments to the east of Melksham and in “PfM page 75 Para 4.94 Land East of Melksham which states that the allocation requires significant buffers for the “tributary watercourse”. See also Green Infrastructure Evidence Base report for the Melksham Neighbourhood Plan (2020 but minor update 2023) https://www.melkshamneighbourhoodplan.org/np2-evidence-base
Planning for Melksham	4	Paragraph 9	This talks of the current proposals to provide a canal link from Semington to the River Avon as part of the restoration of the Wilts & Berks Canal. Why is there no mention of its connection in the north east to Lacock and onwards to Swindon?
Planning for Melksham	5	Paragraph 12 How has Melksham developed?	Query this number of housing at approx 670 houses built as the “eastern Melksham urban extension”. To our knowledge it was 800. What context is this number for?

Planning for Melksham	5	Paragraph 14	As above, there is no mention of the 100 dwellings that are built and occupied on SHELAA site 3103 (Barratt Homes, Gladstone Road etc) - so it adds weight to number in para 12 not being correct.
Planning for Melksham	7		Note that PfM is quoting/using evidence from the Melksham NHP consultation on the Town Centre held in Feb/March 2023.
Planning for Melksham	8	Paragraph 22 Melksham Town Centre	This refers to regeneration opportunities but despite mentioning the new campus in para 21 it makes no mention of the disused Wiltshire Council buildings such as the library and blue pool (or Cooper Tires which although was not available in a call for sites, was very clearly going to be closed in December which they have known for some time.) NB: picked up in paragraph 99 on page 33
Planning for Melksham	9	Figure 3 Existing development plan allocations and major planning permissions at Melksham	This figure needs a date so it can be understood what it relates to. It omits the following approved planning applications: 20/07334/OUT (refused but upheld at Appeal) PL/2023/00808 reserved matters 50no. 100% affordable dwellings at land to the rear of Townsend Farm – yet to start on site 20/01938/OUT PL/2022/02749 Reserved Matters, 144 dwellings at Land at Semington Road (David Wilson, now known as Buckley Gardens) started on site Sept 2023. MWPC Clerk confirmed at LP drop in session (with David Way) that these were missing from the figure and should have been included
	16	Figure 6 Pool of sites assessed through sustainability appraisal at Melksham	
Planning for Melksham	10	Table 3 Place Shaping Priorities – Melksham	These are a list of the same thing (the priorities then become the policy). On page 9 para 26 it says the list of the priorities came from working with Melksham Town Council and wider consultation with the community and other stakeholders carried out in 2021. MWPC were definitely at those meetings and yet seem discounted in the statement in PfM.
Local Plan	73	Policy 17 Melksham Market Town	MWPC Clerk has checked previous notes and the policy as you may recall that MWPC challenged the minutes of that meeting and got them changed to reflect what was actually agreed. They broadly agree.

			<p>Note that WC said in Jan 2020 that “new employment land to be provided adjacent to Bowerhill Industrial Estate and the A350. There needs to be enough employment land to support growth, but not an excess which may lead to a need for additional housing to support it” <i>but they are putting in the East too</i></p> <p>In addition, “Schools – a holistic approach is required to future education provision rather than piecemeal funding”</p> <p>SEE SUGGESTED REVISIONS TO THE PLACE SHAPING PRIORITIES (AND THEREFORE POLICY 17) DETAILED SEPARATELY BELOW</p>
Planning for Melksham	11	28. Place Shaping Priorities	<p>“PSPs therefore provide a succinct strategic context within which to better understand the spatial strategy for the main settlements. They also set a framework to co-ordinate the high level and strategic role of the Local Plan, with the function of neighbourhood plans, prepared by town and parish councils, that set more detailed visions for the future of each community. The two sets of plans therefore work in harmony.”</p> <p>SEE COMMENTS ON THE MELKSHAM NEIGHBOURHOOD PLAN AND ALSO LANDSCAPE POLICY 91 ABOUT THE LACK OF HARMONY OF THE TWO PLANS ON THESE ASPECTS</p>
Planning for Melksham	11	29. Place Shaping Priorities	<p>“PSPs are also used to influence how and where development will take place as an important part in the selection of sites for new development. Some priorities apply equally everywhere, notably the need to address climate change and achieve carbon reduction. Others are more specific to a particular place. PSPs aim to address unresolved issues that were previously highlighted in the Wiltshire Core Strategy plus new issues that need to be tackled during the next plan period.”</p> <p>Where is the evidence to support Policy 6 Chippenham Principal Settlement?</p>

			6. Respect the individual identities of villages within the landscape setting of Chippenham and their relationship to the town Why can't Melksham have the same policy line?
Planning for Melksham	11	31 Providing Employment Land	“There are very few available sites left in the town for business expansion or inward investment and there is ongoing demand for more employment. The spatial strategy for Melksham identifies a requirement for approximately 5ha of employment land at the town which is proposed to be delivered on Site 1a ‘Land East of Melksham’.” SEE COMMENTS UNDER “EMPLOYMENT LAND” (review of WLP by topic)
Planning for Melksham	13	37 & 38 Eastern Bypass	These two paragraphs contradict each other: 37 saying that “for a significant level of new housing to take place, significant new transport infrastructure e.g., an A350 bypass is required” and 38 saying “it’s currently uncertain if future funding for the scheme will be available” – “37. Further work will establish exactly how many new homes could be delivered before a bypass is in place” what and when? “38. This planned Major Road Network (MRN) scheme will tackle congestion in the town and provide new capacity to accommodate traffic from new development” and what happens if it doesn’t progress? SEE COMMENTS UNDER “BYPASS” (review of WLP by topic)
Planning for Melksham	13/14	39. Bypass	“39. Careful consideration has therefore been given to the potential impacts of any new development on traffic congestion along the A350. For these environmental reasons, as well as benefits for town centre trade (see above), development proposals are as well connected to the town centre as possible , allied to scope for provision for sustainable transport and active

			<p>travel routes to the town centre, such as new and improved bus routes and pedestrian and cycling routes.”</p> <p>SEE COMMENTS ON THE SHAW & WHITLEY HOUSING ALLOCATION AS THIS IS A CONSTRAINT</p>
Planning for Melksham	14	40 How many homes?	<p>Level of Growth 2,160 deducting 1,120</p> <p>To confirm that MWPC Clerk has reviewed list of allocations making up the 1,120.</p>
Planning for Melksham	15	Selecting sites 43.	<p>MWPC to comment on the Sites allocated following their pre-app meetings regarding these sites.</p>
Planning for Melksham	16 17	<p>Figure 6 Pool of sites assessed through sustainability appraisal at Melksham</p> <p>49 & 52 Three sites considered most sustainable 1, 9, 17</p>	<p>The map is missing two approved sites, see notes for Fig 3 on Page 9.</p> <p>The legend/key is over the villages of Shaw & Whitley, so you cannot see the Neighbourhood Plan allocation or the Settlement Boundary.</p> <p>Site 9 is a direct contravention of the Core Strategy’s Melksham Area Strategy Page 130 5.83 “Melksham and Bowerhill village have a functional relationship and are considered together for the purposes of this strategy. Therefore, the housing growth identified for Melksham town will also serve to meet the needs of Bowerhill. The identity of these separate communities will need to be preserved through the planning process. Berryfield is considered separately and is identified as a small village. However, it is recognised that both Berryfield and Bowerhill have strong functional links to Melksham and have important individual characteristics which should be protected where practicable.”</p> <p>NB: Site 9 subject to an Appeal, with the hearing commencing 24/10/23 – acknowledged in 53. Page 18</p>

Planning for Melksham	18 36-37	56 Primary School 115 Education	Land East of Melksham “This new primary school is required to not only support housing development on Site 1a but also new housing development on Site 17 (Land north of A3102). The location of Site 1a in the northern part of the larger Site 1 means that the new primary school is well placed to serve both sites.” SEE COMMENTS ON EDUCATION (in the review by topic)
Local Plan Planning for Melksham	75-76 18, 20-24	Policy 18 Land east of Melksham (425 homes, 5ha of employment land, 1h local centre land (shops), 2ha primary school 2FE) and 60 early years places 55. – 74 Figure 4 Site 1a: Land to the east of Melksham Table 4	SEE COMMENTS ON SITE ALLOCATIONS BELOW
Local Plan Planning for Melksham	76 - 78 19 25-28	Policy 19 Land off Bath Road, Melksham 135 dwellings, 2ha for expansion of Melksham Oak 58 75-83 Figure 8 Table 5.	SEE COMMENTS ON SITE ALLOCATIONS BELOW

Local Plan	78-79	Policy 20 Land North of the A3102, Melksham 285 dwellings, 0.4ha for 100 place nursery	<p>SEE COMMENTS ON SITE ALLOCATIONS BELOW</p> <p>86. The site is currently relatively poorly served by bus services but there are bus stops along the A3102 and existing services within adjacent residential areas which could potentially be extended to serve the site.</p> <p>87. Residents would be able to easily visit the town centre through sustainable transport modes.....</p> <p>How does the leap from 86 to 87 happen? From poor bus service to available sustainable public transport?</p>
Planning for Melksham	19 29-31	59 84- 91 Table 6 Figure 9	
Planning for Melksham	19 34-36	61 NHP 105- 113	<p>“In due course, a review of the Joint Melksham Neighbourhood Plan is intending to allocate additional land for development. Neighbourhood planning lends itself to identifying small to medium sized sites for housing and other forms of development. Smaller sites in the neighbourhood plan will supplement proposals Planning For Melksham 20 Wiltshire Local Plan Pre-Submission Draft 2020-2038 (Regulation 19 consultation), September 2023 of the Local Plan Review. The overall amount of land earmarked for development will provide a good degree of contingency and flexibility, as well as a wider choice, to best ensure development needs are met.”</p> <p>Town Centre Master Plan available here https://www.melkshamneighbourhoodplan.org/files/ugd/c4c117_e9f3060071d8479c85b7429c1dae272c.pdf</p> <p>TO NOTE THAT CURRENT REVIEWED NHP2 IS AT REG 14 CONSULTATION, FINISHING ON SUNDAY 3RD DECEMBER.</p> <p>COMMENTS ON THE NEIGHBOURHOOD PLAN DETAILED SEPARATELY</p>
Local Plan	80	Town Centre 4.104, 4.105, 4.106 and Neighbourhood Planning 4.107	
Planning for Melksham	32-34	92 - 103	

Planning for Melksham	36	114 Local Infrastructure	SEE COMMENTS ON WLP POLICIES, LOCAL INFRASTRUCTURE
Planning for Melksham	36	115 Education	SEE COMMENTS ON EDUCATION (review of WLP by topic)
Planning for Melksham	37	117 Highways and Sustainable transport	SEE COMMENTS ON BYPASS AND REVIEW OF POLICY VS NHP POLICY
Planning for Melksham	38	123 Health & Social Care	Not really a plan! Just explains a problem really!
Planning for Melksham	38	124. Utilities	Whilst acknowledging that (high speed) broadband is not classed as a utility but it is a priority for the rural areas, especially as people working from home, and the ambition to bring more employment to the area.

Review of “Place Shaping Priorities for Melksham”

Suggested Revisions

PSP1 Town centre AREA regeneration: Ensure town centre regeneration through continued investment in the town centre, maximising use of brownfield land, *including adjacent riverside employment sites* and encouraging employment opportunities.

PSP2 Reducing out-commuting: Reduce out-commuting through an improved employment offer, including *optimising the use of existing employment sites* and delivery of new employment land to allow existing businesses to expand and to attract inward investment.

PSP3 A350 Bypass: Safeguard a route for an A350 bypass to the town by not undermining its delivery, which will improve the efficiency of the transport network and lead to other social, environmental and economic benefits for *Melksham and the Neighbourhood Area*. ~~town~~. *whilst having the minimum impact to residents*.

PSP4 Railway station improvements: Increase levels of train passenger transport and help reduce traffic congestion through improvements to railway station parking facilities, together with improved facilities for public transport, pedestrian and cycle access that have strong links with the town centre.

PSP5 Infrastructure: Ensure sufficient healthcare facilities, schools and transport infrastructure are delivered in the most sustainable locations in a timely, holistic approach.

PSP6 Education provision: Ensure a ~~town-wide~~ *Neighbourhood Area* – wide approach to future education provision, with sufficient early years, primary and secondary school places provided to meet the needs of all new housing development *in the most sustainable locations*.

PSP7 Wilts and Berks canal: Continue to safeguard a future route of the Wilts and Berks Canal and enable its delivery to provide significant economic, environmental and social benefits for Melksham *whilst protecting resident’s amenity*.

PSP8 Green and Blue Infrastructure: Deliver improvements to the area’s ~~town’s~~ green and blue infrastructure networks, optimising their accessibility and ecological capital, connecting communities and contributing to mitigating and adapting to climate change.

Site Allocation Comments

Policy 18 Land East of Melksham

(known locally as Blackmore Farm/Gleesons)

Allocated in the WLP for approximately 425 dwellings, 5ha of employment uses, a local centre, and a 2ha site for a 2-form entry primary school to include 60 early years places

Current Planning Application under consideration for:

Blackmore Farm (Planning Application PL/2023/01949). Outline permission with some matters reserved for demolition of agricultural outbuildings and development of up to 650 dwellings; land for primary school; land for mixed use.

MWPC comments on the planning application that are relevant to the site allocation are listed here:

- There is a concern at the impact this development will have on the narrow country roads to the north of the site. A large number of residents will be tempted, as drivers from east of Melksham currently do, to use country lanes such as New Road (single track with passing places), Forest Road and through the National Trust village of Lacock via a single-track medieval bridge to pick up the A350 to access Chippenham and the M4. The bridge at Lacock is often closed due to flooding.
- Concern was raised at potential flood risk, noting this had been raised as a concern by several people commenting on the application. Although there will be attenuation, once full, the run off will go into the water courses and unless these are more than adequate, there could be flooding issues.
- Concern was expressed at an inaccuracy within Appendix 9.1 of the Flood Risk Assessment & Drainage Strategy (Part 1) as it stated 'the nearest Environment Agency (EA) designated main river to the site is Clackers Brook, a tributary of the River Avon, which passes through Melksham and the neighbouring village of Shurnhold'.
- Shurnhold is not a village; it is part of Melksham bordering South Brook about half a mile to the west of the River Avon, whereas Clackers Brook flows into the river from the east. There is therefore concern about the accuracy of other aspects in the report.
- The proposal for a single form entry primary school does not meet Wiltshire Council's criteria of two form entry school provision; confirmed by the draft School Places Strategy in March 23. Any school needs to be in place as soon as residents

move in. If not, children will be taken by vehicle to other schools in the Melksham area causing additional traffic, which does not conform with Wiltshire Council policy.

- Concern was raised at the safety of children wishing to access Melksham Oak School, as they would need to use Eastern Way and compete with the traffic, particularly as there is still no rear access to the school. There are already many concerns raised at the number of pupils on the A365 pavement, both pedestrians and cyclists, and evidence of regular accidents and near misses as the flow of children at school opening and finishing times is wider than the pavement can cope with.
- There is no access to the school from adjoining land, which are in the SHELAA (Strategic Housing & Employment Land Availability Assessment), form part of a wider site in the Local Plan Review in 2021 and have a current planning application for 300 dwellings. Snarlton Farm (PL/2023/07107).
- Whilst there is a proposal to have a pedestrian/cycle access using part of Browns Lane bridleway on Eastern Way, there is still no other means of connecting to existing development and services East of Melksham.
- In order to facilitate access to this development a number of farm building and facilities are due to be demolished and removed. There is concern whether this will allow for the continued viability of the farm holding as 50% of the farm would remain as open land. This is also a loss of agricultural land.
- The Melksham Neighbourhood Plan is currently under review and has a number of emerging evidence documents to underpin revised and new policies. The draft AECOM Site Assessment report 2023 has assessed this site. It excluded it from the initial first sieve of sites, at Stage 1, with the following comments:
“The site is removed from the settlement boundary. The site may be appropriate to be developed alongside Site 3678, 3683, 3701 and 3525 as a large urban extension of Melksham which connects to the Melksham Bypass. The site contains deciduous woodland which have priority habitats. The site also includes the designated heritage assets of Blackmore House. The site is exposed to views across from Sandridge Hill.” When the report has been validated by the NHP Steering Group we will forward the published version to the Planning Officer.
- Whilst noting it is proposed one of the access/exits will include a roundabout, the parish council would like to see the second entrance/exit also as a roundabout, in order to ease traffic flow.

- Any highway requests as recommended in the Highway Officer comments, should be in place prior to first occupation and not the 400th as indicated.
- The proposed accesses/egresses within the planning application are a direct contradiction to the accesses/egresses proposed in the draft Local Plan. Concern is raised if there were to be an accident near one of the accesses/egresses currently proposed in the planning application, this could block off the other access/egress, therefore, a completely separate access in a different location is required as suggested in the draft Local Plan. Attention is drawn to Paragraph 110 of the National Planning Policy Framework (NPPF) which states: new developments must ensure safe and suitable access to the site can be achieved for all users

Policy 19 Land off Bath Road, Melksham

(known locally as south of Melksham Oak/Hannick)

Allocated in the WLP to provide approximately 135 dwellings and 2ha of land secured for the expansion of Melksham Oak Academy. *

MWPC have met with the developers of this site at pre app stage 7/7/21 and at that stage raised the following concerns about the site, which apply to the Site Allocation:

- land drainage could be an issue for the site, as local members are aware it does not drain very well and queried whether the existing water course could cope with additional 'run off' which would have to be looked at carefully, foul drainage may also be an issue as this site is lower than some other parts of Bowerhill and therefore may have to access Melksham Treatment Works instead. At that stage the developers explained that whilst some initial works had taken place with regard to drainage it would need further investigation, foul drainage had not been looked at as yet.
- Site is isolated, as it is not adjacent to existing residential development, with a gap of the A365 between nearest residential areas, therefore would like to see some local facilities included on the site, as people would have to cross a major road to access the nearest local shop in Bowerhill. Concern is that residents will be encouraged to use their vehicle to access nearest shop or the town centre.
- Impact of noise from road noise from A365/potential A350 bypass and Oakfields Stadium.
- Proximity to Melksham Oak School.
- From a primary school point of view, children would be going against the tide of students going to The Oak, as they would potentially be going to Pathfinder Place School if developed

***It's Melksham Oak Community School which is part of the White Horse Federation, and not "Melksham Oak Academy" as per your policy wording.**

Policy 20 Land North of the A3102, Melksham (known locally as Sheates Land/Bloor)

Allocated in the WLP for approximately 285 dwellings, and 0.4ha of land for a 100-place nursery. MWPC have met with the developers of this site at pre app stage, including very recently on 14/11/23 and at that stage raised the following concerns about the site, which apply to the Site Allocation:

At the pre application meeting last week, the developers explained their proposals for 380-390 dwellings (to include approximately 20 self-build dwellings) which is some 100 dwellings over the current allocation policy

Concerns raised were:

- Increase in density of the site and types of dwellings proposed to accommodate the increase in density
- Increase in number of dwellings proposed compared to the 285 in the draft Local Plan.
- Concerns of flats, maisonettes and 2.5/3 storey houses not in keeping with the existing housing in order to achieve the increased density on the site
- Over development of the site.
- Loss of hedgerow.
- Lack of parking for the proposed nursery.
- The need for an approximate housing mix, not just 4/5-bedroom homes to meet the needs of local people, as included in the Housing Needs Assessment undertaken as part of the Neighbourhood Plan Review.
- The need to adhere to emerging policies in the reviewed Neighbourhood Plan, such as the Design Guide.
- The need for adequate parking at the nursery.
- The lack of a holistic approach to the provision of education facilities.
- Only two buses pass the site, out mid-morning (to Bath) and back in the afternoon (to Marlborough). Other bus services are not within close walking distance.
- Concern was expressed that having a nursery on this site and a primary school on another site nearby (Blackmore Farm: PL/2023/01949/Policy 18) did not make sense, particularly as it would mean people having to drop off children at different sites, rather than on one site either side of an 'A' road, meaning most people would use a car rather than

walk. There was also a need for adequate parking at the nursery, as not everyone attending the nursery would necessarily come from this site or nearby developments within walking distance.

- Parish Council preference for looped roads, rather than cul-de-sacs, as well as having no shared road space which had recreated problems on sites elsewhere in the parish and expressed a concern given this was a high-density development shared road spaces would be provided on this site.
- It was noted there was no access proposed to the adjacent development which also included a play area (17/01096/REM), with Bloor confirming that they would be able to facilitate an access to the adjacent site, however, the adjacent developer had retained a strip of land along their boundary. However, could provide Wiltshire Council with a financial contribution (Section 106), as they had done on other sites, in order they could negotiate access with the adjacent developer.

General Comments on the Consultation process

- It would be helpful if (particularly long) policies could have paragraph/ criteria numbers – this would assist in implementation (and clarity as to which bit of the policy was being quoted).
- Where a proposed approach relies on evidence that is not included within the plan then it would be helpful if all of the relevant evidence documents could be referred to (with links as footnotes).
- The consultation has been poorly advertised to residents, all leaflets and posters relate to the events held at the beginning of the period, and there were none that were provided subsequent to that. The events were scheduled very close to the beginning of the consultation period, with only a week from the publication to the Melksham event, scant little time to take in to be able to ask questions in a meaningful way.

Lorraine McRandle

Subject: FW: Requests for s106 planning obligations from Melksham Without Parish Council

From: James, Stephen <Stephen.James@wiltshire.gov.uk>

Sent: 09 November 2023 09:26

To: Green, Kenny <Kenny.Green@wiltshire.gov.uk>; Sims, Steven <Steven.Sims@wiltshire.gov.uk>; Teresa Strange <clerk@melkshamwithout-pc.gov.uk>

Cc: Holder, Nick <Nick.Holder@wiltshire.gov.uk>; Lorraine McRandle <office@melkshamwithout-pc.gov.uk>

Subject: RE: Requests for s106 planning obligations from Melksham Without Parish Council

Hello all

There are two things to point out here

Firstly I was fully aware the inspector had set a deadline the other side said a working draft by the deadline would do (I had my doubts but was far too busy moving the draft forward) but this cannot be put at our door as they repeatedly had a need to discuss with their clients

Secondly I pointed out before a draft was done that the parish would like to have the option to maintain the open space and the other side said it would be considered but that it was news to them, subsequently they did not agree it

I hope this clarifies
stephen

From: Green, Kenny <Kenny.Green@wiltshire.gov.uk>

Sent: Tuesday, November 7, 2023 11:20 AM

To: Sims, Steven <Steven.Sims@wiltshire.gov.uk>; Teresa Strange <clerk@melkshamwithout-pc.gov.uk>

Cc: Holder, Nick <Nick.Holder@wiltshire.gov.uk>; Lorraine McRandle <office@melkshamwithout-pc.gov.uk>; James, Stephen <Stephen.James@wiltshire.gov.uk>

Subject: RE: Requests for s106 planning obligations from Melksham Without Parish Council

Dear All,

As a follow up to Steve's email, if there needs to be any further discussion on the drafting of the s106, the Council's legal officer who was involved with it was Stephen James (Stephen.james@wiltshire.gov.uk), but it does appear that the very tight deadlines set by the appeal inspector were critical in terms of what was drafted and agreed between the two main parties.

I am sure Stephen will be able to verify matters if required, and has been copied in on this email exchange.

Kind regards
Kenny

Kenny Green (BA, MA (Hons) MRTPI)

Development Management Area Team Leader Central Team

Place Directorate

Tel: 01225 770251

Ext 15251

Email: kenny.green@wiltshire.gov.uk
2017 Achieving Excellence Winner



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From: Sims, Steven <Steven.Sims@wiltshire.gov.uk>
Sent: Tuesday, November 7, 2023 9:31 AM
To: Green, Kenny <Kenny.Green@wiltshire.gov.uk>; Teresa Strange <clerk@melkshamwithout-pc.gov.uk>
Cc: Holder, Nick <Nick.Holder@wiltshire.gov.uk>; Lorraine McRandle <office@melkshamwithout-pc.gov.uk>
Subject: RE: Requests for s106 planning obligations from Melksham Without Parish Council

Hi all

I can advise we were working to very tight deadlines with dealing with the s106 on the above. The Inspector was adamant that the draft should be agreed in time for the inquiry with the threat of costs hanging over the council if we did not meet the deadline.

In terms of the parish taking on responsibility for open spaces – I did raise this with the councils legal team however for reasons they would be in a better position to advise on, it did not form part of the agreed s106.

I trust the above helps.

Kind Regards

Steven Sims
Senior Planning Officer
Place Directorate
Wiltshire Council
Tel: 01225 770238

From: Green, Kenny <Kenny.Green@wiltshire.gov.uk>
Sent: Tuesday, November 7, 2023 6:50 AM
To: Teresa Strange <clerk@melkshamwithout-pc.gov.uk>; Sims, Steven <Steven.Sims@wiltshire.gov.uk>
Cc: Holder, Nick <Nick.Holder@wiltshire.gov.uk>; Lorraine McRandle <office@melkshamwithout-pc.gov.uk>
Subject: RE: Requests for s106 planning obligations from Melksham Without Parish Council

Good Morning Teresa

Thank you for your email. Steve is well aware of the process that we follow when a parish council raises an interest in taking on an asset / responsibility and being part of a s106 process, but for an appeal, the appellant hold the cards and if they are not willing to enter into a negotiating position with a parish council on an asset transfers etc, that is not a matter planners can force upon them. It is not a material planning consideration who takes over the site management of POS/Play Area etc.

How public art will be delivered for the appeal site is not known at this stage. Public art obligations can be equally covered by a planning condition or a s106 obligation, and in the case of the recent appeal for the land south of western way, the planning appeal inspector will pass a judgment on whether the appeal should firstly succeed, and if so, if and how public art should be secured.

In most cases, a public art strategy would be required to be submitted and agreed with the Council / the Council's public art officer (Tamzin Earley), and it is my experience that this results in a local collaboration. Tamzin will no doubt be able to set out some more detail on the process either generally, or if the appeal is allowed, and depending on how public art will be secured, how that will come forward for the appeal site.

I suspect the reason the parish council were not actively involved in the drafting of the s106 was solely down to the very limited appeal timeframes to get a s106 written. Steve would no doubt know the answer to that and is copied in accordingly.

Kindest regards
Kenny

Kenny Green (BA, MA (Hons) MRTPI)
Development Management Area Team Leader Central Team
Place Directorate
Tel: 01225 770251
Ext 15251
Email: kenny.green@wiltshire.gov.uk
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From: Teresa Strange <clerk@melkshamwithout-pc.gov.uk>

Sent: Monday, November 6, 2023 5:39 PM

To: Green, Kenny <Kenny.Green@wiltshire.gov.uk>

Cc: Holder, Nick <Nick.Holder@wiltshire.gov.uk>; Lorraine McRandle <office@melkshamwithout-pc.gov.uk>
Subject: FW: Requests for s106 planning obligations from Melksham Without Parish Council

Hi Kenny

I am contacting you as we have just experienced exactly the same issue as we have been having for some time now, despite us raising it several times.

At the Hearing for the Planning Appeal into Land south of Western Way (2022/08504) a week or so ago the Inspector agreed with the two parties (Wiltshire Council and Hallam Land) the draft s106 agreement, in case the appeal is upheld.

This is yet another s106 agreed with no reference to the requests made by the parish council throughout all the pre app and planning application comments (requests to be involved in the process for public art, to be considered for adoption of the play area etc).

I spoke to Steve Sims afterwards and he explained that there is no process for this to happen. When we have raised it with Nic Thomas directly he explained that a process is coming, but for us to raise our comments throughout the application process, which is what we have done.

Is there any way we can move this forward, as at the moment the parish council's requests are just falling on deaf ears.

With kind regards,

Teresa

Teresa Strange
Clerk & Responsible Financial Officer
Melksham Without Parish Council
First Floor
Melksham Community Campus
Market Place, Melksham
Wiltshire, SN12 6ES
01225 705700
www.melkshamwithout-pc.gov.uk

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From: Green, Kenny <Kenny.Green@wiltshire.gov.uk>

Sent: 23 May 2023 07:10

To: Teresa Strange <clerk@melkshamwithout-pc.gov.uk>; O'Donoghue, Ruaridh <Ruaridh.O'Donoghue@wiltshire.gov.uk>; Sims, Steven <Steven.Sims@wiltshire.gov.uk>; Guest, Karen <Karen.Guest@wiltshire.gov.uk>

Lorraine McRandle

Subject: FW: Requests for s106 planning obligations from Melksham Without Parish Council - 650 dwellings at Blackmore Farm PL/2023/01949

From: Teresa Strange
Sent: 06 November 2023 17:45
To: Thomas, Nic <Nic.Thomas@wiltshire.gov.uk>
Cc: Nick.Holder@wiltshire.gov.uk; Lorraine McRandle <office@melkshamwithout-pc.gov.uk>
Subject: FW: Requests for s106 planning obligations from Melksham Without Parish Council - 650 dwellings at Blackmore Farm PL/2023/01949

Dear Nic

I hope that this email finds you well...

You will hopefully recall that we met with you before Christmas to raise a concern about s106 agreements and the lack of involvement with parish councils, and that they only see them when they have already been approved.

I raised it again when you visited our offices regarding the review of the Melksham Neighbourhood Plan.... And you said that a process was on its way following a Peer Review, but to raise anything now that the parish council would like to get involved with.

They would very much like to get involved with the planning application for 650 dwellings at land at Blackmore Farm PL/2023/01949, and be heard on any requests for conditions and/or the s106 agreement.

Unfortunately we have just had all the requests from the parish council ignored yet again, please see below, so are keen to ensure that this does not happen yet again.

We look forward to hearing from you on how we can have an input or at least see what is proposed and comment on it.

With many thanks,

Kind regards,

Teresa

Teresa Strange
Clerk & Responsible Financial Officer
Melksham Without Parish Council
First Floor
Melksham Community Campus
Market Place, Melksham
Wiltshire, SN12 6ES
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From: Teresa Strange
Sent: 06 November 2023 17:39
To: Green, Kenny <Kenny.Green@wiltshire.gov.uk>
Cc: Nick.Holder@wiltshire.gov.uk; Lorraine McRandle <office@melkshamwithout-pc.gov.uk>
Subject: FW: Requests for s106 planning obligations from Melksham Without Parish Council

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This is yet another s106 agreed with no reference to the requests made by the parish council throughout all the pre app and planning application comments (requests to be involved in the process for public art, to be considered for adoption of the play area etc).

I spoke to Steve Sims afterwards and he explained that there is no process for this to happen. When we have raised it with Nic Thomas directly he explained that a process is coming, but for us to raise our comments throughout the application process, which is what we have done.

Is there any way we can move this forward, as at the moment the parish council's requests are just falling on deaf ears.

With kind regards,
Teresa

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From: Green, Kenny <Kenny.Green@wiltshire.gov.uk>
Sent: 23 May 2023 07:10
To: Teresa Strange <clerk@melkshamwithout-pc.gov.uk>; O'Donoghue, Ruaridh <Ruaridh.O'Donoghue@wiltshire.gov.uk>; Sims, Steven <Steven.Sims@wiltshire.gov.uk>; Guest, Karen <Karen.Guest@wiltshire.gov.uk>
Cc: Seed, Jonathon <Jonathon.Seed@wiltshire.gov.uk>; Holder, Nick <Nick.Holder@wiltshire.gov.uk>; Lorraine McRandle <office@melkshamwithout-pc.gov.uk>
Subject: RE: Requests for s106 planning obligations from Melksham Without Parish Council

Good morning Teresa

Thank you for your email.

I have copied in the two case officers for the two live cases cited below.

Steve Sims was of course present at the recent WAPC meeting when you verbally brought this matter for a different site to committee member's attention (and my own), and whilst not wishing to prejudge the respective case officer's recommendations, I would expect them to take on board the parish council's 'interest' in taking on the play area space should the application(s) be supported.

Ruaridh/Steve - Should that be the case, the respective report(s) would need to have a dedicated play space bullet point covering the s106 heads of terms and you should be raising the matter as an option set out below with the developers prior to any committee exposure or legal instruction. It cannot and should not be left to the s106 preparation stage.

Best wishes,
Kenny

Kenny Green (BA, MA (Hons) MRTPI)
Development Management Area Team Leader Central Team
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2017 Achieving Excellence Winner



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From: Teresa Strange <clerk@melkshamwithout-pc.gov.uk>

Sent: Monday, May 22, 2023 3:26 PM

To: Green, Kenny <Kenny.Green@wiltshire.gov.uk>

Cc: Seed, Jonathon <Jonathon.Seed@wiltshire.gov.uk>; Holder, Nick <Nick.Holder@wiltshire.gov.uk>; Lorraine McRandle <office@melkshamwithout-pc.gov.uk>

Subject: Requests for s106 planning obligations from Melksham Without Parish Council

Dear Kenny

Following on from this useful response to the parish council's queries on having any requests for planning obligations to be included in a s106, or their interest in taking on assets such as play areas; I thought it useful to highlight two current planning applications, that are pending outline decisions, where such requests have been made.

In both cases, the parish council objects to the applications, for a variety of reasons, but have put in requests in case Wiltshire Council are minded to approve. Below, I list the applications, with a link to the parish council's comments. If there is a way that these can be highlighted in the way you suggest below, we would be grateful. Kind regards, Teresa

PL/2023/01949

Site Address

Land at Blackmore Farm, Sandridge Common, Melksham, SN12 7QS

Proposal

Outline permission with some matters reserved for demolition of agricultural outbuildings and development of up to 650 dwellings; land for primary school; 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 development of the site (access only).

<https://development.wiltshire.gov.uk/pr/s/web-comment/a073z00001PBI8WAAT/melksham-without-parish-councils-comment>

PL/2022/08155

Site Address

Land to the West of Semington Road, Melksham, Wilts

Proposal

Outline planning permission for up to 53 dwellings including formation of access and associated works, with all other matters reserved

<https://development.wiltshire.gov.uk/pr/s/web-comment/a073z00001JZk5BAAT/melksham-without-parish-councils-comment>

<https://development.wiltshire.gov.uk/pr/s/web-comment/a073z00001JZyvwAAD/melksham-without-parish-councils-comment?tabset-ae70b=2>

<https://development.wiltshire.gov.uk/pr/s/web-comment/a073z00001P8oPRAAZ/melksham-without-parish-councils-comment?tabset-ae70b=2>

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From: Green, Kenny <Kenny.Green@wiltshire.gov.uk>

Sent: 11 May 2023 11:45

To: Teresa Strange <clerk@melkshamwithout-pc.gov.uk>

Cc: Seed, Jonathon <Jonathon.Seed@wiltshire.gov.uk>; Richard Wood <richard.wood@melkshamwithout-pc.gov.uk>

Subject: RE: s106 for 144 houses at Semington Road discussed yesterday

Dear Teresa

Thank you for your email and for sharing various documents.

It is very disappointing that the s106 was not opened out to the parish council to be party to the legal agreement. It was not a case that I had any prior involvement with as the former head of service led on matters at SPC and liaised with the case officer throughout.

My suggestion on this topic to all concerned (including officers to take note and action), would be that when reports are being advanced for applications that require a s106, we should include a dedicated section under the title of say 'developer contributions and obligations' and for all cases whereby a parish or town council has made it known that they may be keen to take on the management and liabilities for a play area or open space, that should form part of a bespoke bullet point with the report – to define matters for any debate at committee or when an instruction is sent to the Council's legal team, so that the legal parties know who else to engage with as the legal agreement develops.

I followed that process for my urban extension development and multiple applications. Parishes/Town Council can always ultimately decide to pull out before a s106 is

sealed, but where there is a willingness to take on new play facilities locally and not rely on a developer's management company, the report needs to have a section setting out such an option.

That would identify what is otherwise known as heads of terms to inform the preparation of the s106 and is best practice, although I do accept, it is not followed by everyone.

With best wishes,
Kenny

Kenny Green (BA, MA (Hons) MRTPI)
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From: Teresa Strange <clerk@melkshamwithout-pc.gov.uk>
Sent: 11 May 2023 10:17
To: Green, Kenny <Kenny.Green@wiltshire.gov.uk>
Cc: Seed, Jonathon <Jonathon.Seed@wiltshire.gov.uk>; Richard Wood <richard.wood@melkshamwithout-pc.gov.uk>
Subject: s106 for 144 houses at Semington Road discussed yesterday

Hi Kenny

Firstly thank you for your time yesterday at the Western Area Planning Committee, the parish council are grateful that the concerns that they have been consistently raising for the life of this proposed development have been addressed.

I write further to your comments that it would be helpful if parish councils could let Wiltshire Council know if they are interested in taking on aspects of managing the development.

The parish council were disappointed that despite raising at pre-application stage with both the applicants at outline and reserved matters stage, and raising with Wiltshire Council, that no discussions were held with the parish council at all. The first sight of the s106 agreement was when it was already signed and published online.

I have attached the parish council's submitted comments to the application and highlighted in each case where we have asked about adopting the play area. The parish council maintain all the play areas in their parish, whether

owned by themselves, adopted from new developments or leased from Wiltshire Council. There is obviously a cost implication to this, but they believe it provides a consistent service and quality to their residents, and a one stop shop in the parish for all play areas, the one at the David Wilson development will be the exception to this.

We attended a meeting at the end of last year with Cllr Nick Botterill and Nic Thomas, with our Wiltshire Councillors, to raise the general issue of how parish councils can engage with the planning department on what is included in s106 agreements, and any advice or help that you can offer would be useful as you can see that us raising it at pre-app and through the planning comments to the application has not worked on this occasion.

Thanks again for your help yesterday,
With kind regards,
Teresa

Teresa Strange
Clerk
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Teresa Strange

From: Hampton, Kingsley <kingsley.hampton@wiltshire.gov.uk>
Sent: 08 November 2023 14:47
To: Teresa Strange
Cc: Creedy, Allan; Linda Roberts (linda.roberts@melksham-tc.gov.uk); Holder, Nick; Lorraine McRandle; Drinkwater, Spencer
Subject: RE: Request to advance footpath to rear of Melksham Oak school - 14/10461/OUT

Hi Teresa,

I am currently preparing the planning application for submission, hopefully next week.

I'm just waiting on a few things from our consultants (one of those being the finalised preliminary plans) and a few points of clarity from legal.

As soon as they arrive I can forward on, although this may coincide with the submission of the application.

As it stands, we are looking at construction start around May – July, I believe, if application is without objection.

Kind Regards

Kingsley

Kingsley Hampton
Senior Transport Planner
Sustainable Transport

Wiltshire Council

Tel: 01225 713482



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From: Teresa Strange <clerk@melkshamwithout-pc.gov.uk>
Sent: Monday, November 6, 2023 5:29 PM
To: Hampton, Kingsley <kingsley.hampton@wiltshire.gov.uk>
Cc: Creedy, Allan <allan.creedy@wiltshire.gov.uk>; Linda Roberts (linda.roberts@melksham-tc.gov.uk) <linda.roberts@melksham-tc.gov.uk>; Holder, Nick <Nick.Holder@wiltshire.gov.uk>; Lorraine McRandle <office@melkshamwithout-pc.gov.uk>
Subject: RE: Request to advance footpath to rear of Melksham Oak school - 14/10461/OUT

Dear Kingsley

I hope that you are well..... the parish council are keen to see the plans for this and hear progress on the project.

Would you be able to share anything for them to have a look at, sort of a pre-app type of meeting/review before it becomes a planning application please?

I look forward to hearing from you.

With kind regards,

Teresa

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From: Hampton, Kingsley <kingsley.hampton@wiltshire.gov.uk>

Sent: 29 June 2023 13:52

To: Teresa Strange <clerk@melkshamwithout-pc.gov.uk>

Cc: Creedy, Allan <allan.creedy@wiltshire.gov.uk>; Linda Roberts (linda.roberts@melksham-tc.gov.uk) <linda.roberts@melksham-tc.gov.uk>; Holder, Nick <Nick.Holder@wiltshire.gov.uk>

Subject: RE: Request to advance footpath to rear of Melksham Oak school - 14/10461/OUT

Hi Teresa,

We have managed to secure funding for the Melksham Oak path and we are currently taking this through the formal decision-making process.

Transport, lighting and ecology teams are now working on creating the final designs for the path which we can then put forward for planning permission.

Once we have the final designs, costings and permission for the path, we will look to schedule a programme for delivery.

Kind Regards

**DEVELOPER PRE APP MEETING NOTES
BLOOR HOMES RE PROPOSALS FOR DEVELOPMENT AT NEW ROAD FARM
TUESDAY, 14 NOVEMBER 2023 AT 3.30PM**

Present: Councillor Richard Wood, (Chair of Planning), MWPC
Councillor Alan Baines, (Vice Chair of Planning), MWPC
Councillor John Glover, (Chair of Council), MWPC
Councillor David Pafford, (Vice Chair of Council), MWPC
Councillor Mark Harris, MWPC
Teresa Strange, Clerk, MWPC
Lorraine McRandle, Parish Officer, MWPC
Councillor Pat Aves, MTC
Wiltshire Councillor Phil Alford (Melksham Without North & Shurnhold)
Wiltshire Councillor Nick Holder (Bowerhill Ward) via Zoom
Jonathan Dodd, Planning Manager, Bloor Homes South West
Claire Hambleton, Senior Land Manager, Bloor Homes South West

Jonathan updated the Council on proposals and the updated masterplan following the inclusion of the site in Wiltshire Council's draft Local Plan (policy 20).

Proposals for the site include:

- 380-390 dwellings (to include approximately 20 self-build dwellings)
- Two accesses onto the A3102 (one onto the Eastern Way roundabout).
- 100 place nursery near the entrance to the site.
- A green corridor will be created around the existing water course.
- The watercourse will have to be crossed by a road but wish to minimise disruption to the green corridor.
- Split play space in two locations, with a central open space, with a drainage basin and play space, providing a wide green area in the centre of the site.
- Extra land to the north east corner, with proposals for an attenuation basin, and potential location for allotments and some play space.

It was stated whilst Bloor would be responding to the draft Local Plan to say primarily, they agree with the policy in the plan for the site, they would highlight they now had additional land to the North East of the site. Therefore, the site is capable of delivering more homes than that allocated in the plan. This would enable the site to achieve open space requirements, biodiversity net gain, drainage solutions, play space etc, in 'off setting' some of this land to achieve higher housing numbers for the site. The updated Masterplan would also be submitted as part of the Local Plan response.

With regard to biodiversity net gain, it was not clear if 20% had been achieved on the site, as in the emerging Local Plan, but it was in excess of 10%. The site had also been assessed against the emerging Open Space Policy in the draft Local Plan with play and open space provision in excess of that stated in the plan.

Jonathan noted he had previously been given a list of requests/comments from the Parish Council and queried if these were also those of the Town Council.

It was clarified the requests were those the Parish Council always highlighted to developers at pre app meetings and were not the comments made at the pre app meeting.

Councillor Alford arrived at 3.45pm.

Jonathan explained if he could have the view of the Parish Council to the updated Masterplan prior to submitting their response to the Local Plan, this would be useful, in order to take account in their representation to Wiltshire Council's Local Plan.

Concern was raised at the following:

- Increase in density of the site and types of dwellings proposed to accommodate the increase in density
- Increase in number of dwellings proposed compared to the 285 in the draft Local Plan.
- Over development of the site.
- Loss of hedgerow.
- Lack of parking for the proposed nursery.
- The need for an approximate housing mix, not just 4/5-bedroom homes to meet the needs of local people, as included in the Housing Needs Assessment undertaken as part of the Neighbourhood Plan Review.
- The need to adhere to emerging policies in the reviewed Neighbourhood Plan, such as the Design Guide.
- The need for adequate parking at the nursery.
- The lack of a holistic approach to the provision of education facilities.
- Only two buses pass the site, out mid-morning (to Bath) and back in the afternoon (to Marlborough)." Other bus services are not within close walking distance, making the site unsustainable in this aspect.

Jonathan explained the most important hedgerow was the one running through the centre of the site, with most of it being retained where possible. However, hedgerow which would be removed would be low value.

Councillor Aves raised a concern how it could be guaranteed the hedgerow would be retained where stated, bearing in mind experience on other sites, where the same assurances had been given, only for them to be subsequently removed.

With regard to the concerns of the density of the site, Jonathan stated he was not clear on what density assumptions had been made by Wiltshire Council in the draft Local Plan allocation of 285 dwellings, but would clarify the density of the site, compared to other adjacent sites, but felt it was of a similar ratio ie 40 dwellings per hectare. However, different parts of the site would be different densities.

As well as houses, flats and maisonettes would be built on site, with 2.5/3 storey dwellings possibly on the spine road to the site for instance, in order to achieve up to 380-390 dwellings. However, could draw up a detailed scheme to show the capacity for the site and make it clearer how the number of units could be achieved.

Wiltshire Councillor Holder felt the site should give a feel of a continuation of existing development adjacent to the site in terms of scale and design and needed to be sympathetic to what already existed and therefore putting in flats and maisonettes did not create place making and did not show a continuation of the built up area of Melksham and an extension of what already existed and therefore raised a concern the site could look like an eyesore against what already existed and would appear incongruous to the rest of the built up area.

Councillor Baines noted in the draft Local Plan 'Planning for Melksham' document it stated *'the site contributed to the separation of Melksham from the distinctive wooded, greensand hills to the East and North-East. Hedgerows and trees should be retained and enhanced as part of a mature landscape framework and landscape buffers should form an appropriate, transitional settlement edge to the rural landscape.'* Which he felt suggested the Eastern edge of the development needed to be tapered off towards the rural landscape. It was also noted there was reference in the document for a sufficient buffer either side of the watercourse to be included in proposals, noting parts the site floods currently.

Jonathan explained work had been done at looking at flooding of the site, therefore a flooding strategy would be included in proposals with greenfield run off betterment, which was a new policy requirement.

Councillor Baines sought the views of Bloor Homes at the site allocation policy in the draft Local Plan including the provision of a nursery.

Jonathan explained he had looked at Wiltshire Council's Education Strategy and felt it was a sensible approach to take in providing a nursery on the site and in principle was happy to provide one.

Concern was expressed that having a nursery on this site and a primary school on another site nearby (Blackmore Farm: PL/2023/01949) did not make sense, particularly as it would mean people having to drop off children at different sites, rather than on one site either side of an 'A' road, meaning most people would use a car rather than walk. There was also a need for adequate parking at the nursery, as not everyone attending the nursery would necessarily come from this site or nearby developments within walking distance.

Jonathan confirmed parking would be provided. It was proposed the nursery would be located near the entrance to the site, so vehicles would not to go through the rest of the site to access it. However, could look at car parking provision, given concerns.

The Clerk understood whilst the proposed primary school at Blackmore Farm would also include a nursery, the proposed 100 place nursery on this site was for the whole housing allocation in the draft Local Plan.

Councillor Nick Holder expressed a concern people would drive to Melksham Oak School, given the 1.5m distance to the school and whilst a new public footpath was proposed to the rear of the school, it would not necessarily reduce the number of

children being taken to school via car. Similarly, it should not be assumed people would walk to the nearest primary schools either.

Jonathan explained Bloor could only try and provide as much as possible to encourage people to walk or cycle to school but unfortunately could not influence people wishing to drop their children off at school.

Councillor Wood stated the Parish Council preferred to use looped roads, rather than cul-de-sacs, as well as having no shared road space which had recreated problems on sites elsewhere in the parish and expressed a concern given this was a high-density development shared road spaces would be provided on this site.

Jonathan explained most of the site would include looped roads with a street hierarchy with shared surfaces in places.

Councillor Pafford highlighted the Parish Council always asked for a circular footpath around developments for dog walkers and hoped some would be included in the design, with Jonathan confirming these would be provided around parts of the site.

Clarification was sought if, given the size of the site, if a Local Equipped Area of Play (LEAP), which would be overlooked from a safety point of view, would be provided on the site, as well as allotments.

Jonathan confirmed usually for a development of this size they would provide a Local Equipped Area of Play (LEAP) and 2 LAPS distributed throughout the scheme allotments would also be provided with car parking, fencing around and a water supply.

It was noted there was no access proposed to the adjacent development which also included a play area (17/01096/REM), with Claire confirming Bloor would be able to facilitate an access to the adjacent site, however, the adjacent developer had retained a strip of land along their boundary. However, could provide Wiltshire Council with a financial contribution (Section 106), as they had done on other sites, in order they could negotiate access with the adjacent developer.

Jonathan confirmed he would:

- Share Bloor's response to the draft Local Plan consultation and pre app feedback from Wiltshire Council.
- Undertake a density analysis and share with the Parish Council.
- Would meet again with the Parish Council with further updates on the Masterplan after the Local Plan consultation.

It was agreed the Parish Council would forward:

- An updated list of pre app requests.
- A copy of the Neighbourhood Plan (JMNP2) Housing Needs Assessment.

Meeting closed at 4.40pm



Councillor Richard Wood
Melksham Without Parish Council
Melksham Community Campus
Market Place
Melksham
Wiltshire
SN12 6ES

Bloor Homes South West,
Unit 7, Latham Road,
Swindon, Wiltshire, SN25
4DL

cc.

Melksham Town Council
Cllr Holder
Cllr Alford

17 November 2023

Dear Councillor Wood,

LAND AT NEW ROAD FARM, CONFIRMATION OF HOUSING DENSITY AND DESIGN STUDY TOUR

I write in your capacity as the Chair of the Melksham Without Parish Council Planning Committee and following our meeting on the 14th November.

As discussed, Bloor Homes are proposing a scheme of up to 390 new homes and a nursery on the draft Wiltshire Council Local Plan Allocation site at New Road Farm (land north of the A3102).

Our current masterplan proposals create a residential developable area of approximately 10.07ha, and we have undertaken capacity calculations using an average density of 38 dwellings per hectare. This would comprise a mix of homes in accordance with relevant policies from the Wiltshire Local Plan and Melksham Neighbourhood Plan. The mix (and resulting density) will vary across the site, in some areas there may be higher concentrations of terraces, maisonettes and flats, in others more detached, larger homes such as in the self/custom build area. The mix will vary, partly aiming to assist in the creation of character areas within the site, the style of housing proposed being a key driver of character. The average 38 dph figure does act as a helpful rule of thumb for overall density across the site.

There were some concerns from members of the Parish Council at our meeting on the density of the proposed development, especially our ability to appropriately depart from the currently proposed draft 285 homes in the Wiltshire Local Plan Policy. I wanted to take the time to clarify that there are two main drivers for this variation. Firstly, Bloor Homes control a larger site than the proposed LP allocation Policy. Secondly, in combination with our increased land holding, and based on our detailed technical work, we have calculated a higher net developable area than that presented in the LP Policy. We propose a residential developable area of 10.07ha against the draft Wiltshire Policy of 7.7ha. It is also worth noting Wiltshire Council's SHELAA confirmed that sites 3478 and 3479, which comprise the majority of our interest on land north of the A3102 and a larger site than the proposed allocation Policy, was suitable, available, achievable and deliverable in the short term and had an indicative capacity of 349 dwellings.

There was some concern that the higher unit numbers would be driven by a very dense form of development. This will not be the case. Our assumption of an average 38 dph is in accordance with similar forms of development existing in Melksham. We have undertaken a review of the most relevant adjoining schemes (attached at **Annex 1**) and can confirm the nearby residential development densities are:

- Spa Road (Overall) – 457 units at 40 dph;
- Spa Road (Bloor Part) - 221 units at 39.8 dph;



- Gladstone Road (Barratt/DWH) – 100 units at 40 dph;
- Skylark Road (Persimmon Homes) - 355 units at 37.9 dph.

We are therefore proposing a density in keeping with the existing urban grain. This is agreed by us to be a key design principle we should be aiming to achieve, and one that we are committed to. This is also in accordance with the principles of the Melksham Design Guide, and Wiltshire Design Guide.

As I mentioned at our meeting, our emerging masterplan is also in excess of the emerging Wiltshire Council open space standards, which results in a lower or similar net developable area in comparison to the gross site area (net to gross) than seen in adjoining schemes. The adjoining schemes had the following net to gross ratios:

- **Proposed Bloor New Road Farm scheme – 61% developed (10.37/16.8ha)**
- The Acorns (Overall) – 57% developed (11.44/20.12ha)
- Gladstone Road (Barratt/DWH) – 78% developed (2.49/3.18ha)

I hope this provides some comfort in the form of development we are promoting, and assists in understanding why our proposed number of homes differs from that in the current draft LP Policy. As stated, we would like to continue to hear your views on how the scheme could come forward, especially in the relatively complex emerging Policy context the scheme will be considered against, involving the Wiltshire Local Plan, Melksham Neighbourhood Plan, Melksham Design Guide and Wiltshire Design Guide.

We would like to extend an invitation to the Parish Council to arrange a walkover of our existing site in Melksham (the Acorns), as well as walking New Road Farm and the adjoining developments. This would allow us to discuss in detail and in context, the proposed approach to variation of density and other design principles (such as creating character areas mentioned above) which could hopefully be carried forward on the New Road Farm site.

Please let me know if this is something the Parish Council would be interested in arranging. I look forward to hearing from you and discussing further in due course.

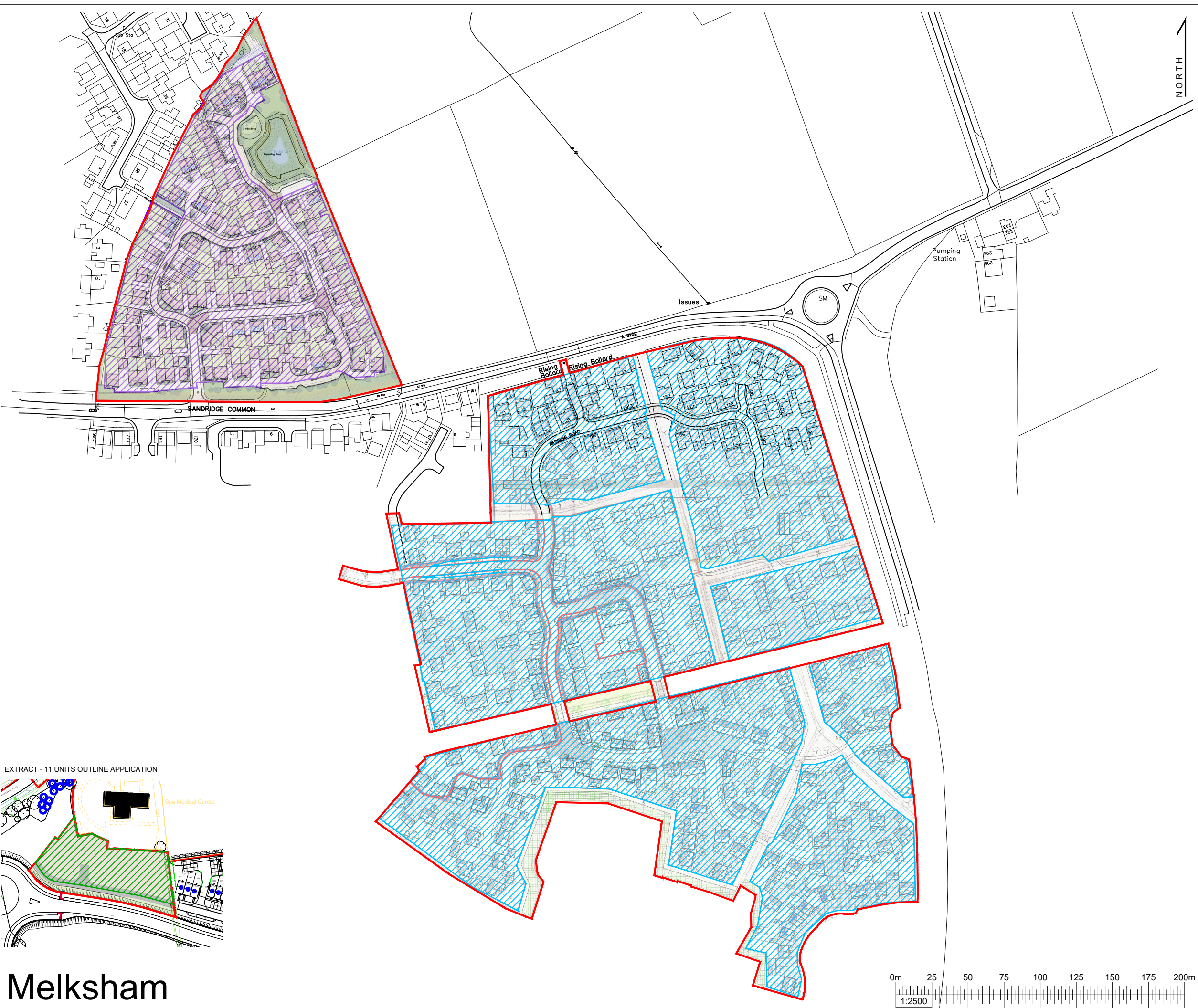
Yours sincerely,

Jonathan Dodd
Senior Planning Manager

Bloor Homes South West
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ANNEX 1 – DRAFT MELKSHAM DENSITY STUDY



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THIS DRAWING IS TO BE READ IN CONJUNCTION WITH SEPARATE GROUP / SITE SPECIFIC CONSTRUCTION NOTES AND MATERIALS SPECIFICATION.

KEY

PARCEL A

UNITS	355
NDA	9.374 ha
GROSS	10.68 ha
DENSITY	37.87 dph

PARCEL B

UNITS	100
NDA	2.49 ha
GROSS	3.18 ha
DENSITY	40.03 dph

MELKSHAM, THE ACORNS + 11 UNITS (OUTLINE)

BLOOR

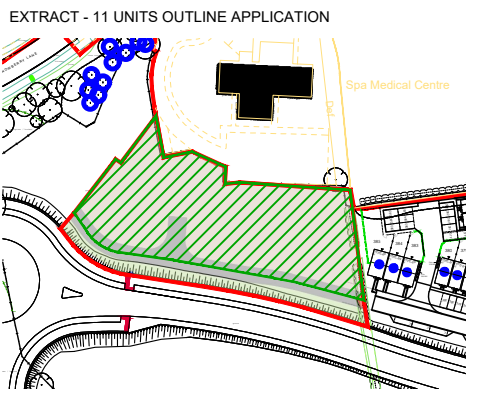
UNITS	221
NDA	5.56 ha
GROSS	20.12 ha
DENSITY	39.78 dph

OVERALL

UNITS	457
NDA	11.44 ha
GROSS	20.12 ha
DENSITY	39.95 dph

REVISION

A	Plan updated.	16/11/23	MW
B	11 Outline units added to Acorns figures.	16/11/23	MW



Melksham



MELKSHAM

**DENSITY CALCS
 PARCELS A AND B**

DATE: 15/11/23
 SCALE: 1:2500 @ A3
 DRAWN: MW
 CHECKED:

BLOOR HOMES

DRAWING NO. SW164-XR-151123 B