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MELKSHAM WITHOUT PARISH COUNCIL

Clerk: Mrs Teresa Strange

First Floor
Melksham Community Campus,
Market Place, Melksham,
Wiltshire, SN12 6ES
Tel: 01225 705700

Email: clerk@melkshamwithout-pc.gov.uk

Web: www.melkshamwithout-pc.gov.uk

Wednesday, 27 March 2024

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 8 April 2024 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 (none received).**
7. **Revised Plans:** To comment on any revised plans on planning applications received within the required **timeframe (14 days).**
8. **Lime Down Solar Farm Public Consultation:**
 - a) To note comments of residents to proposals.
 - b) To note Wiltshire Council's reasoning for refusing a battery storage facility at Somerford Farm, Brinkworth.
 - c) To note Melksham Neighbourhood Plan policies (adopted and draft revised) for Renewable Energy installation (Policy 2).
 - d) To approve notes of meeting held on 18 March regarding proposed battery storage facility north of Whitley with Lime Down Solar.
 - e) To consider a formal response to the public consultation: www.limedownsolar.co.uk/
9. **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.
 - i) To note this application has been refused by Wiltshire Council
 - b) **Blackmore Farm (Planning Application PL/2023/11188):** Outline permission for demolition of agricultural outbuildings and development of up to 500 dwellings; up to 5,000m² of employment (class E(g)(i) & class E(g)(ii)); land for primary school (class F1); land for mixed use hub (class E/class F); open space; provision of access infrastructure from Sandridge Common; and provision of all associated infrastructure necessary to facilitate the development of the site.
 - c) **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.

- i) To note correspondence from the applicant (Catesby Estates) confirming the application has been withdrawn to enable them to carry out further technical work.
- 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).
- 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) **Land to rear of Townsend Farm for 53 dwellings (PL/2022/08155).** To note the application was refused at a Strategic Planning Committee meeting held on 6 March.
- g) **178a Woodrow Road, Forest, Melksham (PL/2024/01559).** Proposed 4 dwellings after demolition of existing dwelling.
- h) **Westlands Farm, Westlands Lane, Whitley (PL/2024/01377 & PL/2024/01378.** Variation of conditions 1 (approved plans), 2 (soft landscaping) and 7 (Construction Traffic Management Plan) on PL/2022/02615.

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

a) Buckley Gardens, Semington Road (PL/2022/02749).

To note correspondence regarding vehicles accessing Shails Lane, mud on the road, mud in the water course

11. Planning Appeal

a) 489a Semington Road (Annex). To note the Planning Inspector has upheld the decision of Wiltshire Council to refuse a Certificate of Lawful Use or Development (PL/2023/02893) with regard to the use of the annex at 489 Semington Road as a separate dwelling and note response from Planning Enforcement.

b) 89 Corsham Road, Whitley (PL/2023/03257). To note the Planning Inspector has upheld the decision of Wiltshire Council to refuse planning permission for a proposed side extension to the property.

c) 16 Halifax Road, Bowerhill. To note the Planning Inspector has allowed the appeal by the applicant against Wiltshire Council's decision to refuse planning permission for the erection of fencing to the side and front of the property and granted planning permission.

12. Planning Policy

a) Neighbourhood Planning

i) To note the draft Steering Group minutes of 28 February 2024.

ii) To receive update on NHP#2 and consider additional budget requirements to get plan to Examination.

iii) To reflect on responses to planning applications for monitoring of the Neighbourhood Plan.

b) Biodiversity

- i) To note planning practice guidance on biodiversity net gain.

www.gov.uk/guidance/biodiversity-net-gain

- ii) To note actions contained in the Council's Biodiversity Policy in relation to the consideration of planning applications.

- c) National Planning Policy Framework (NPPF) changes.** To note correspondence to Michelle Donelan MP from Michael Gove MP, Secretary for Levelling Up, Housing & Communities in response to concerns relating to speculative development.

- d)** To consider a response to the Government consultation on proposed changes to Permitted Development Rights (closes 9 April): www.slcc.co.uk/consultation-on-changes-to-various-permitted-development-rights/

- e)** To consider a response to the Government proposals on a series of measures aimed at 'accelerating' the planning service (closes 1 May). www.slcc.co.uk/an-accelerated-planning-system-consultation/

- f)** To note Wiltshire Council has formally adopted the Wiltshire Design Guide www.wiltshire.gov.uk/article/6110/Wiltshire-Design-Guide

13. S106 Agreements and Developer meetings: (Standing Item)

a) Updates on ongoing and new S106 Agreements

i) Pathfinder Place:

- To note any update on outstanding issues and consider a way forward.
 - Highways. To receive update following recent site visit.
 - Management Company
 - Play Area

ii) Buckley Gardens, Semington Road (PL/2022/02749: 144 dwellings)

- To note any updates and consider a way forward.
- To note concerns from resident regarding proximity of plot 1 to their property.

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

- To note any updates and consider a way forward.

iv) Land South of Western Way for 210 dwellings and 70 bed care home (PL/2022/08504).

- To note any updates and consider a way forward.

b) To note any S106 decisions made under delegated powers

c) Contact with developers

To receive notes from meeting held with BBA Architects on 18 March regarding proposals for 9 dwellings.

Copy to all Councillors

Lorraine McRandle

Subject: FW: Lime Down Solar

From: Teresa Strange
Sent: 15 March 2024 11:48
To:
Subject: RE: Lime Down Solar

Dear
Thank you for your correspondence.
I will pass on to the councillors for when they discuss their comments to submit to the consultation.
Please do make sure your comments are sent to the Solar people too.

This is the parish council's current policy on Renewable energy, in the reviewed Neighbourhood Plan. The Plan also has allocations for mixed development on the Cooper Tires site.
With kind regards,
Teresa

Teresa Strange
Clerk & Responsible Financial Officer
Melksham Without Parish Council
First Floor
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Market Place, Melksham
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Wellbeing Statement I may send emails outside office hours but never with any expectation of response. Please just get back to me when you can within your own working hours. Thank you.

Want to keep in touch?
Follow us on facebook: Melksham Without Parish Council or Teresa Strange (Clerk) for additional community news
On twitter: @melkshamwithout
On Instagram: melkshamwithoutpc

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Please be aware that information contained in this email may be confidential and that any use you make of it which breaches the common law protection may leave you personally liable. Our privacy notice can be found [HERE](https://www.melkshamwithout-pc.gov.uk/assets/documents/2019/General%20Privacy%20Notice-%20Approved%20@%20Full%20Council%2021st%20October%202019.pdf) <<https://www.melkshamwithout-pc.gov.uk/assets/documents/2019/General%20Privacy%20Notice-%20Approved%20@%20Full%20Council%2021st%20October%202019.pdf>> .
We do not guarantee that any email is free of viruses or other malware.

From:

Sent: 15 March 2024 10:58

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

Subject: Lime Down Solar

Good morning Theresa,

I have just seen your Facebook post re the Lime Down battery storage and will be attending the consultation in Whitley to let them know of my objections and thoughts.

This proposal is in completely the wrong place. It is I assume outside of any development boundaries for the village, has never, as far as I am aware, appeared on any neighbourhood plans as land for development and would see the loss of valuable productive land.

It's position would make it visible to many of the properties across Whitley and would be completely out of character for such a rural setting.

I understand that there is a need for this form of green technology but surely the council? should be directing this development towards the Cooper TYres site thus redeveloping a brown field area.

Regards

Resident Corsham Road

Sent from AOL on Android <<https://play.google.com/store/apps/details?id=com.aol.mobile.aolapp>>

The Town and Country Planning Act 1990

Application Reference Number: PL/2022/02824

Decision Date: 21 March 2024

Applicant: PD503HAN Ltd
c/o Agent

Particulars of Development: Proposed Development is for a battery storage facility and ancillary development.

At: Land at Somerford Farm , Brinkworth, SN15 5AU

Refusal Reason(s): (1)

- 1 The proposed battery storage facility and ancillary development will result in uncharacteristic and harmful landscape and visual effects. The loss of existing pasture land and replacement with a new urban industrial use is considered to have an unacceptable adverse landscape effect on the quiet rural tranquillity and character of the overarching rolling clay lowlands.

The proposal therefore by reason of its size, scale, design, appearance would have a harmful impact upon the landscape character and appearance of the area in conflict with Core Policy 51 ii, iv, vi, v11 and Core Policy 57 i, iii, of the Wiltshire Core Strategy and Paragraphs 135 and 180 of the NPPF.

Parvis Khansari ~ Corporate Director, Place

Local Energy Generation

This policy helps meet objective 1: Reducing carbon emissions to contribute to carbon neutrality in Wiltshire by 2030

...and objective 2: Planning for new development that addresses the impact of climate change.

Policy 2: Local Renewable and Low Carbon Energy Generation

Renewable and low carbon energy generation projects that are led by or benefit local communities will be supported subject to the following criteria:

- i. the siting and scale of the proposal is appropriate to its setting;**
- ii. the proposal does not create an unacceptable impact on the amenity and safety of local receptors, and**
- iii. the proposal does not have an unacceptable degree of impact on a feature of natural or biodiversity importance.**

Schemes where the energy produced can be used on or near the generation site/where energy storage is incorporated will be supported.

The reason for the policy

4.3.1 The NPPF states that local planning authorities “should support community-led initiatives for renewable and low carbon energy” (NPPF paragraph 152). As part of moving towards a low carbon future in a changing climate, this Plan supports generation of zero or low carbon energy at the local level from sources such as hydro-electricity, geothermal, biomass or solar energy, particularly where it enables communities to take a more active role in the production of renewable and low carbon local energy.

4.3.2 As evidenced by the number of solar farms, solar is a particularly good form of renewable energy for this area. The Planning Practice guidance for ‘Renewable and Low Carbon Energy’ sets out information on how to assess and mitigate the impact of glare and glint from solar panels on residents and other receptors, which can be a problem locally. The key receptors with respect to glint and glare are residents in surrounding dwellings, road users, train infrastructure (including train drivers), and aviation infrastructure.

Local Renewable and Low Carbon Energy

This policy helps meet objective 1: Reducing carbon emissions to contribute to carbon neutrality in Wiltshire by 2030 and beyond.

...and objective 2: Planning for new development that addresses the impact of climate change.

Policy 2: Local Renewable and Low Carbon Energy

1. Proposals for renewable energy, low carbon energy generation projects/developments, will be supported where it can be demonstrated that:

- a. the siting and scale of the proposal is appropriate to its setting;
- b. the proposal will not result in adverse impacts on the local environment which cannot be satisfactorily mitigated;
- c. the proposal does not create an unacceptable impact on local amenity and safety;
- d. the proposal does not have an unacceptable degree of impact on a feature of heritage, natural or biodiversity importance. Proposals for stand alone, ground mounted solar photovoltaic development will be expected to demonstrate that some form of agricultural activity will continue, and/or there are biodiversity improvements around arrays; and,
- e. there are direct benefits to the local community.

Proposals for community energy generation projects, where there is full or partial ownership and/or control by a local community, will be strongly supported.

2. Schemes where the energy produced can be used on or near the generation site/where energy storage is incorporated will be supported. Proposals for energy storage will be supported, where it meets one or more of the following:

- a. it is located on or near, existing or proposed renewable energy generation sites;
- b. it alleviates grid constraints; and
- c. it enables the delivery of further renewable developments.

The reason for the policy

4.3.1 The NPPF states that local planning authorities “should support community-led initiatives for renewable and low carbon energy” (NPPF paragraph 152). As part of moving towards a low carbon future in a changing climate, this Plan supports generation of zero or low carbon energy at the local level from sources such as hydro-electricity, geothermal, biomass or solar energy, particularly where it enables communities to take a more active role in the production of renewable and low carbon local energy.

4.3.2 Community energy refers to the delivery of community-led renewable energy, energy demand reduction and energy supply projects, whether wholly owned and/or controlled by communities or through a partnership with commercial or public sector partners. Community Energy England, for example, estimates that over 65,000 tonnes of carbon savings were made in 2019 from the generation of renewable energy by community-owned projects.

4.3.3 As evidenced by the number of solar farms, solar is a particularly good form of renewable energy for this area. The Planning Practice guidance for ‘Renewable and Low Carbon Energy’ sets out information on how to assess and mitigate the impact of glare and glint from solar panels which can be a problem. The key receptors with respect to glint and glare are residents in surrounding dwellings, road users, train infrastructure (including train drivers), and aviation infrastructure.

Community Energy generation in Wiltshire

As an example of a community led energy scheme, Nadder Community Energy Ltd raises money in their local area by selling shares which are paid back over a 20 year period, plus interest; this money is used to put solar panels or other renewable energy systems into their community. In a single year they generated approximately 472,458 KW electricity and raised over £90,000 for the community.
(www.nadderce.org.uk)



Renewable and Low Carbon Energy

Renewable energy is energy that is collected from renewable resources, which are naturally replenished on a human timescale, such as sunlight and wind as well as plant and animal matter. Another example, heat pumps draw heat from the ground, air or river and use an electric pump to raise the temperature for use in heating.

Though low carbon energy emits some carbon, levels of emissions are much lower than from burning fossil fuels. Greater precision is required in designing and installing low carbon heating systems.

To contact the community relations team:

T: 0808 175 6656
E: info@limedownsolar.co.uk
FREEPOST Lime Down Solar
www.limedownsolar.co.uk



05 March 2024

Dear Parish Council,

Introduction to Island Green Power's proposals for Lime Down Solar Park.

I am writing to let you know that our Stage One consultation for Lime Down Solar Park starts on 14 March 2024. It will run for six weeks, closing on 26 April 2024.

We would welcome the opportunity to meet with you to discuss our emerging proposals, the project development process and our approach to community engagement. The meeting would also give us the opportunity to address any questions and comments you might have at this early stage.

If you would be interested in meeting with us before our Stage One consultation commences on 14 March 2024, please could you respond with your availability to our community relations team at **0808 175 6656** or info@limedownsolar.co.uk. This would be a virtual meeting, held via either MS Teams or Zoom. If you're unavailable between now and 14 March 2024, we would be happy to meet with you at another time that fits into your schedule.

We are committed to providing updates to members of the public and community representatives. In addition to writing to key stakeholders such as yourself, we will soon be launching a project website **www.limedownsolar.co.uk**, which will be regularly updated with project information and details on future engagement opportunities. Those interested will be able to register on our website to receive direct updates on Lime Down Solar Park.

Overview of the project

The project, known as Lime Down Solar Park, could provide around 500 megawatts of solar energy. It would provide enough clean affordable electricity to power around 115,000 homes.

Lime Down Solar Park will provide a significant amount of clean electricity for business and homes in the region, supporting national and regional aims to decarbonise our electricity systems and bolster our energy security. The project will contribute towards Government targets to reach net zero by 2050 and decarbonisation of the energy sector by 2035, and its intention to achieve a fivefold increase in solar power by 2035.

Our proposals for Lime Down Solar Park would comprise the installation of solar photovoltaic panels (PV) and an onsite energy storage system, plus infrastructure to connect the scheme into the national grid at the existing Melksham substation.

It is our ambition to design Lime Down Solar Park in a way that boosts and enhances local wildlife by delivering a net gain in biodiversity. This would result in more wildlife and biodiversity across

To contact the community relations team:

T: 0808 175 6656
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www.limedownsolar.co.uk



the site area during the lifetime of project than there is currently. As well as providing clean electricity that helps us move away from polluting fossil fuels – solar energy generation can go hand-in-hand in delivering major benefits to the local environment.

We also want to deliver community benefits alongside our proposals and believe those in the local community are best placed to inform what benefits may be best suited. During Stage One, we will encourage stakeholders to feedback on these proposals and share with us their views, recommendations and ideas.

The developer

Lime Down Solar Park is being proposed by Island Green Power, a leading developer of renewable energy projects. Established in 2013, we specialise in the development of utility-scale solar projects and battery energy storage systems, and have successfully delivered 34 projects worldwide totalling more than 1 gigawatt of capacity.

Island Green Power is committed to help the UK meet net zero goals. Our mission is to help the UK increase its solar energy generation, making more renewable energy possible whilst drastically reducing carbon emissions. We are equally committed to responsible land use, developing projects that work in harmony with the local community and environment and delivering bespoke benefits and enhancements best suited to the surroundings.

The development process

Lime Down Solar Park is classified as a Nationally Significant Infrastructure Project (NSIP) because the amount of electricity it could generate exceeds 50 megawatts.

The consenting regime for an NSIP comes under the Planning Act 2008. This means we need to submit an application for a Development Consent Order (DCO) to the Planning Inspectorate (PINS) rather than the local planning authority.

In energy-related developments PINS, acting on behalf of the Secretary of State for the Department of Energy Security and Net Zero (DESNZ), carry out examinations of proposals and then make a recommendation to the Secretary of State on whether to grant consent for developments. Consent is then determined by the Secretary of State.

We anticipate that the development process through DCO submission and examination will take between two and three years. We intend to submit our DCO application to PINS in Q1 2025. Subject to achieving consent, construction would start no earlier than 2027.

To contact the community relations team:

T: 0808 175 6656

E: info@limedownsolar.co.uk

FREEPOST Lime Down Solar

www.limedownsolar.co.uk



Next steps

Throughout the development of Lime Down Solar Park, we will ensure you receive copies of our consultee information and notices of our events. In the meantime, if you have any questions or queries about our proposals, please do not hesitate to contact me or a member of our community relations team at **0808 175 6656** or info@limedownsolar.co.uk.

Yours faithfully,

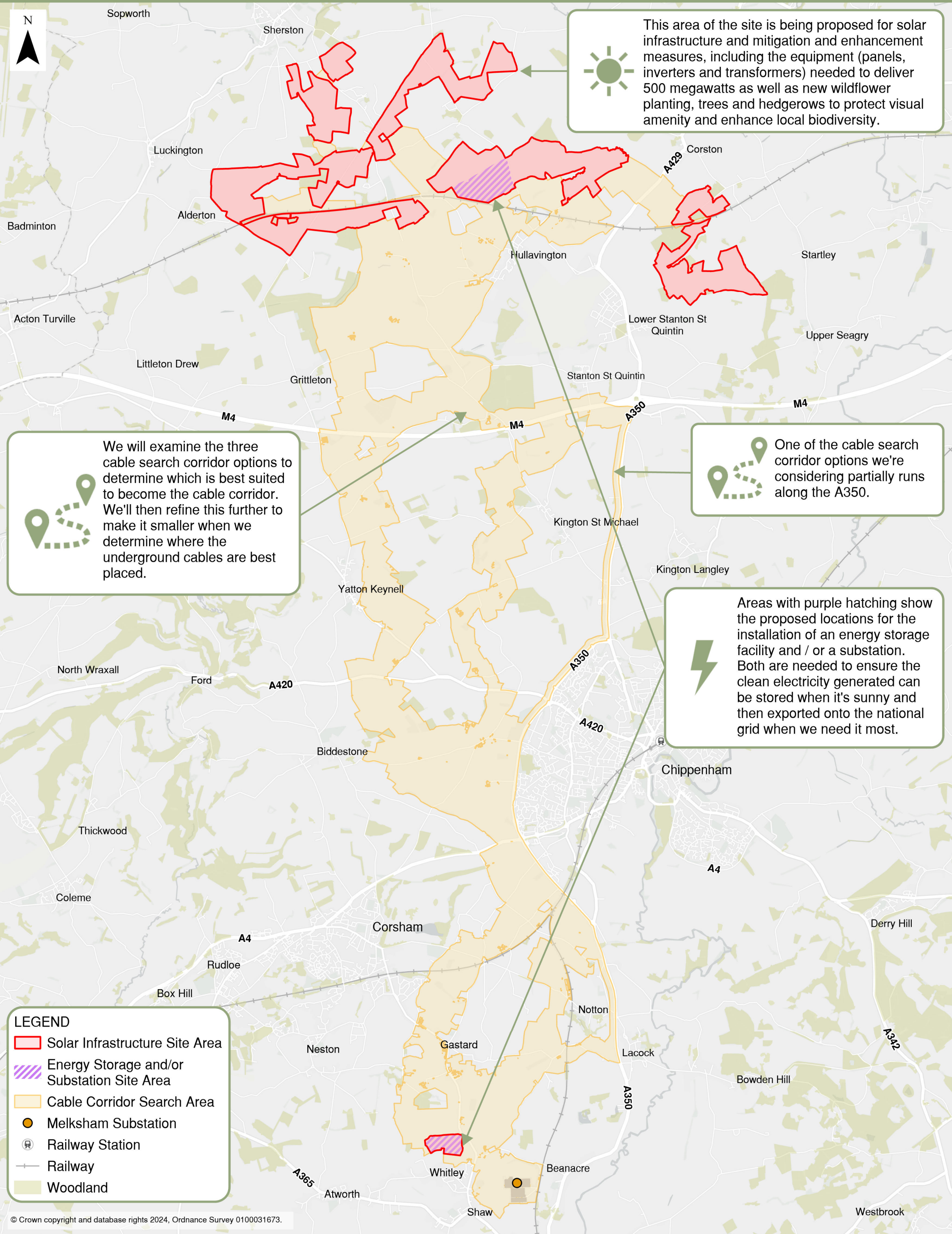
A handwritten signature in dark ink that reads "Natasha Worrall".

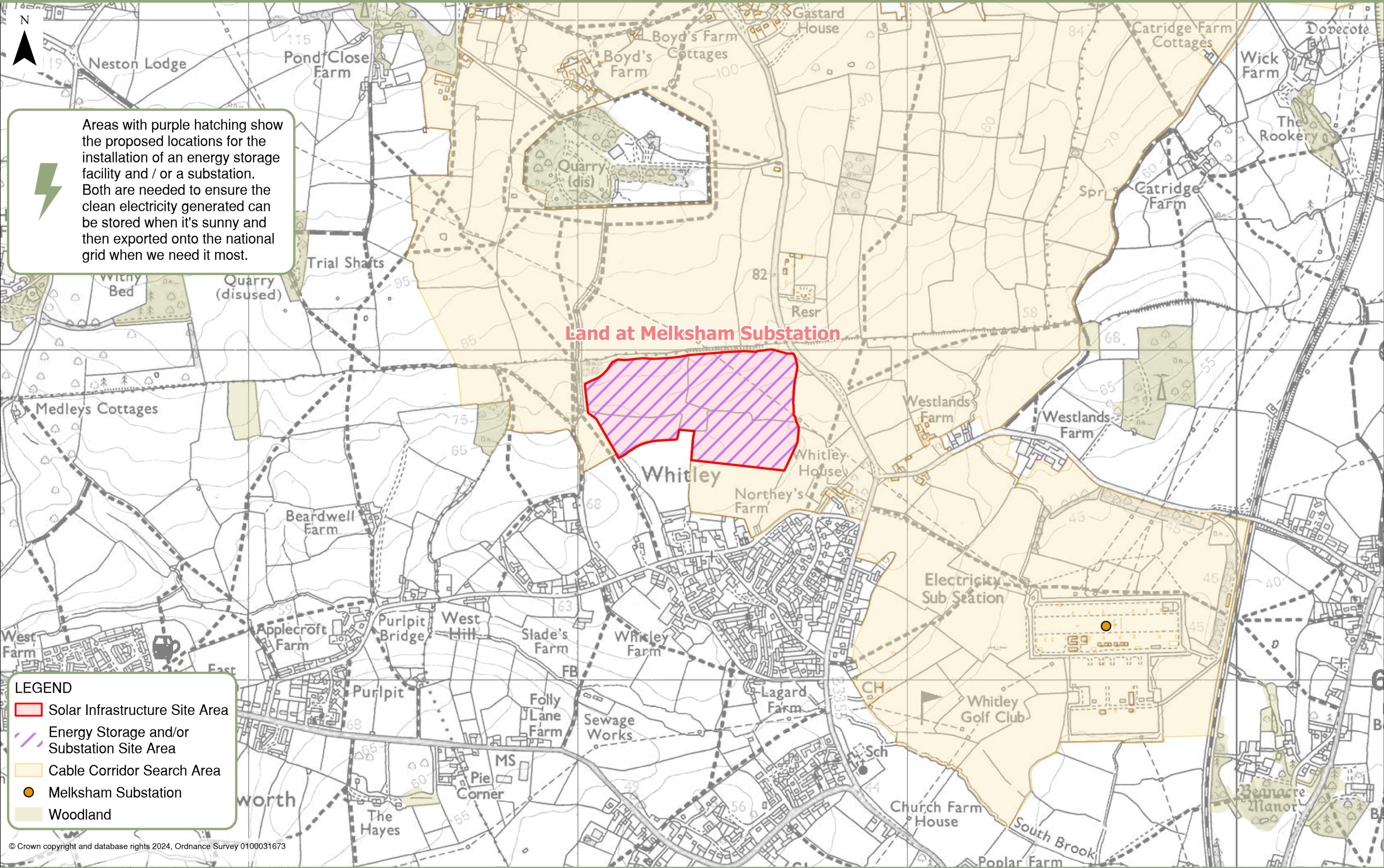
Natasha Worrall

Project Development Manager

On behalf of Lime Down Solar Park Limited







Areas with purple hatching show the proposed locations for the installation of an energy storage facility and / or a substation. Both are needed to ensure the clean electricity generated can be stored when it's sunny and then exported onto the national grid when we need it most.

- LEGEND
- Solar Infrastructure Site Area
 - Energy Storage and/or Substation Site Area
 - Cable Corridor Search Area
 - Melksham Substation
 - Woodland

**NOTES OF MEETING WITH LIME DOWN SOLAR ON
MONDAY, 18 MARCH 2024 AT 3.00PM
RE: PROPOSED NEW SOLAR PARK LOCATED NORTH OF THE M4
MOTORWAY AND THE VILLAGE OF HULLAVINGTON, SOUTH-WEST OF
MALMESBURY AND EAST OF THE B4040 IN WILTSHIRE AND BATTERY
STORAGE FACILITY NORTH OF TOP LANE, WHITLEY**

Present: Councillor Richard Wood, Chair of Planning
Councillor Alan Baines, Vice Chair of Planning
Councillor David Pafford, Vice Chair of Council
Councillor Mark Harris, Planning Committee Member
Councillor Peter Richardson, Planning Committee Member
Wiltshire Councillor Phil Alford (Melksham Without North & Shurnhold)
Teresa Strange, Clerk Melksham Without (via Zoom)
Lorraine McRandle, Parish Officer, Melksham Without
Natasha Worrall, Project Development Manager, Island Green Power
Beth Motley, Director of Energy & Utilities, Counter Context

Overview of Project

The proposed solar park could provide around 500 megawatts of solar energy and provide enough clean affordable electricity to power around 115,000 homes.

Proposals comprise the installation of a solar photovoltaic panels (pv) north of the M4, Hullavington and South West of Malmesbury, as well as an onsite energy storage system, plus infrastructure to connect the scheme with underground cabling into the national grid at Melksham (Beanacre) sub-station and covers approximately 2000 ha of land.

Land north of Whitley is proposed to house the battery storage facility for the site and is one of two sites currently being considered, with the other site being considered collocated with the proposed site for the solar panels north of the M4 (Hullavington). Technical surveys are still to be undertaken, such as environment surveys, as well as further consultation work and awaiting feedback from various stakeholders before a decision being made on the location of the battery storage facility.

There will be a cable corridor to the sub-station in Melksham, however, the exact location has yet to be established, as survey work still taking place. If the battery storage site at Whitley was not chosen, the cable corridor would run from the solar/battery storage site north of the M4.

Wiltshire Councillor Alford explained at the meeting with Wiltshire Council he had raised concerns at the visual impact and flooding and raised a concern at the impact on ecology and wildlife around the site, noting the proximity of a badger set, great crested newts, bats and otters, as well as other wildlife.

Councillor Richardson as a representative for the Beanacre, Shaw, Whitley & Blackmore Ward, noted the concerns of residents of Whitley/Shaw were as follows:

- Impact on heritage, particularly the Roman Road to the north of the site and course of Wansdyke.
- Impact on listed buildings in the vicinity, particularly those on the north side Top Lane.
- Impact on the setting and vista of the landscape.
- Impact on the medieval farming land at Northey Farm.
- Loss of greenfield/agricultural land and whether there is a more suitable brownfield site for the facility in the area.
- Potential to exacerbate existing flooding issues in the village.
- The impact of noise/vibrations for those living nearby.
- Is there a need for another solar farm/battery storage facility, given the proliferation already of such facilities in Wiltshire.
- Impact on wildlife, it was noted there was significant bat populations at Park Lane Quarry which are protected species.

The following questions were raised:

Q: Will you respond to each individual response and do investigative work and do you do this prior to choosing a site or after?

A: An Environmental Impact Assessment Scoping Report will shortly be submitted to the Planning Inspectorate, which sets out the methodology of the environmental assessment and will include what investigative work/surveys are intended to be undertaken.

The location for the battery storage facility will not be chosen at this stage, but before the preliminary environmental information report is submitted, which is not intended until August. However, need feedback from the parish council and other stakeholders, feedback from the consultation and the various reports outstanding. Once this information is received and reviewed a decision will be made on the most appropriate location for the battery storage site.

Q: Will the final decision on the location of the battery storage facility be based on a commercial basis?

A: No this would not be what decides the most appropriate location for the battery storage facility. Other factors need to be considered, such as willingness of landlords, environmental constraints and proximity to grid connection for example and will need to be evidenced as to why a certain site is chosen over another.

Q: How many acres is the site, as it appears to be the same size as Whitley village itself?

A: Will need to get back to you on the exact number of acres of the site.

Q: If this is the chosen site, how many battery storage units will be stored on it?

A: About 200.

Q: What is the battery storage capacity for each unit?

A: 250mw (4 hour battery system).

Q: What is the noise outage from each container?

A: Will have to investigate this, as the exact specification of the units has not been chosen as yet. The design team will get a specification sheet and will be able to find what the noise is cumulatively.

Q: The proposed site is on a slope down to Whitley, will the site have to be terraced?

A: Will either be levelled but a lot of groundworks would be required or terraced, however, will need to understand the level of groundworks required for both.

Q: Where is access proposed from?

A: From the B3353. There is no other access proposed. There is a proposed access off of Littleworth Lane, which will be emergency access only.

Q: What will be the voltage of the AC connection from Hullavington to Melksham be?

A: It will be 400kv underground cabling, with smaller 33kv cabling in the site itself.

Q: If the site at Whitley is chosen for the battery storage, does this mean the cabling will go from there to the sub-station at Beanacre. If into the battery compound a transformer rectifier will be required to charge the batteries, which is substantial.

A: Correct and if there are no batteries on this sub-station the cabling will go direct from Hullavington to the sub-station and a transformer rectifier will be required to charge the batteries.

Q: Will there be security fencing and lighting?

A: There will be metal palisade fencing around the compound. There will be temporary lighting during construction and once constructed sensor/led lighting will be in operation.

Q: Feed from battery storage into Melksham sub-station will this be an AC connection and at high voltage or will the voltage change be in the sub-station?

A: Yes, feed from the battery storage into Melksham will be an AC connection. The batteries will be 33kv and there will be a transformer on site with a spec up to 400kv as connecting in Melksham sub-station at 400kv.

Q: To connect to the battery storage to the sub-station will this require inverters, therefore more equipment to be installed on site?

A: Yes, an inverter will be required.

Q: How much of the hatched area shown on the plan of the site will have equipment installed on it and will there be planting to mitigate against the visual impact of the site?

A: Equipment will only be on part of the site to the North, with no intention of expanding the size of site for the equipment. Yes, there will be planting, but what type this has yet to be agreed, as this needs to be appropriate for the landscape it sits in.

Q: If the batteries and equipment are to be located to the north of the site, this is higher and therefore would have more prominent in the landscape and therefore require more screening.

Q: There is potential for those north of Wiltshire and Whitley to have polarising views ie neither of them wanting a battery storage facility in their area and suggesting it goes to the other area instead and therefore how will the wants and needs of both communities be reconciled and how will you come to a decision on the most appropriate site?

A: The consultation is being held to find the best design possible and feedback will play a role in informing the site taken forward, along with the findings of the various surveys taking place ie environmental assessment, it will not be a case of the site with the most objections is not put forward, but looking at trying to develop the best design which is as sensitive to the environment and communities as possible.

The idea of consultation is to get as much constructive feedback as possible from those who live in the vicinity to try and get the best design possible.

Q: What will happen if both communities say neither location is suitable what is the process of going ahead with the project?

A: The sites currently being proposed for the scheme have been selected following a site selection review process. However, more detailed work is required to understand if both sites remain suitable and once consultation feedback is received and technical reports completed, will review which site is best for the battery storage facility and provide as sensitive a design as possible for the facility in whichever location.

The secondary location at Whitley came about following conversations as to the suitability of the site at Hullavington and whether alternative more suitable sites had been looked at.

Q: If this site at Whitley is not taken forward for battery storage, will it be used for solar panels instead?

A: No.

Q: There are several large quarries in the area, have these been looked at for storing batteries etc.

A: Aware of the various quarries in the area and will need to look at these from a structural engineering point of view regarding cable laying and structural loading.

Q: What will the colour of the batteries be in order they blend in with their surroundings? What improvements will there be regarding biodiversity, in line with Neighbourhood Plan Policy. What will the longevity of the facility be and will there be a bond in place to convert the site back to what it was? What flood mitigation will there be and what flood risk assessments will be undertaken.

A: With regard to appearance this will be like the ones located close to the sub-station therefore, shipping containers in appearance. The outward treatment can be any colour and can look at the most appropriate colour to fit in with the landscape and this can be secured as part of a planning condition.

In terms of biodiversity, only in early stages at present and still undertaking ecology surveys. Therefore, need to understand what on the site already to consider what biodiversity improvements are appropriate and welcome feedback on suggestions what this could be.

There will be a bond in place, meaning there would be no scenario where the site would be left and no mechanism or money in place to remove it at the end of its life.

Flood mitigation will be as stated previously, the hardstanding will not be entirely impermeable and will be more gravel sub base, with batteries on a hardstanding plinth with no continuous concrete block.

Q: The roofs will be hard surfaces and not impermeable?

A: The flood risk and drainage team will consider including surface water run-off.

Q: Will there be a community benefit from the site and will it be a one off or an annual payment for the duration of the scheme?

A: Yes, there will be a community benefit fund as part of the scheme, which could contribute towards projects in the area, are open to discussing the most appropriate project/s to assist. Whether it will be a one-off payment or annual payment has not yet been decided but could be either, depending on the market at the time a planning application is submitted.

It was highlighted drainage at Whitley is a problem as it experiences a lot of surface water flooding, including quite recently, with internal property flooding experienced in the village. There is an active group of flood wardens on call when there is a storm and generally called upon to deploy pumps and barriers to certain properties close to Southbrook which is close to the village. This brook does not just cause problems in the village but other areas as well, further downstream in Melksham. There is a problem with the outflow from the brook into the main river. Therefore, additional run off from the site will cause flooding problems and capacity problems within the

watercourse and is something which needs careful management. The Environment Agency is constantly monitoring the water course flows, as it is a very flashy catchment and increases significantly during storms.

There is an opportunity to improve the situation by using the south part of the site to slow the flow of water into the village and discussions with Wiltshire Council's Drainage Team would be useful in understanding the drainage issues in this area and appropriate mitigation.

Q: Do we need another solar farm, given the proliferation of solar panels in Wiltshire, particularly to the north and why Wiltshire?

A: The Government has a target to deploy 30gw of solar by 2025 and 70gw by 2050. However, solar is not the only answer to the energy crisis and is part of the renewable energy mix and part of the solution. There are several applications across the country for solar farms of similar scale and tend to follow the National Grid network all over the country.

Q: As part of any planning application, given previous experience of traffic chaos during construction, can a construction management plan be put in place.

A: Discussions have taken place with Wiltshire Council and they have said they would like to see details of construction traffic management with any application.

Q: When will the next stage of consultation take place.

A: It is anticipated the next stage of consultation will be in the Autumn.

Stage One consultation will take place between 14 March and 26 April with various Community Events taking place in both Malmesbury, Chippenham, Corsham area and one at Shaw Village Hall on Thursday, 11 April 2pm-6pm. There will also be 2 webinar events taking place on Wednesday, 27 March 5.30pm-7pm and Wednesday, 17 April 5.30pm to 7pm, which has been extensively advertised. A postcard drop has taken place and delivered to 11,480 houses in those areas affected.

There is a dedicated website and would encourage people to leave their details so they can receive updates on proposals and next steps following initial consultation:

A 20-page project booklet has also been produced on the project and consultation information, there will also be printed feedback forms available for people to use.

Over the course of the consultation there will be a project freephone line available and dedicated email address and on-line feedback form available.

Keen to brief any community groups parishes on proposals moving forward, if requested.

At this early stage need to understand issues and take all feedback issues raised and together with findings from assessments/surveys this will be fed back into the

preliminary environment impact report, the core document which will be published to support the next stage of consultation.

As part of the process must account for all the feedback received and provide a summary of issues raised and show regard to those issues in developing final proposal and if issues raised have not been taken on board and to clarify why not.

The Clerk informed the meeting the council was using social media to inform people of proposals and printing posters. However, asked if some feedback forms, booklets could be made available for places such as Whitley Reading Rooms and Sprockets Café, Top Lane for those who might not be on-line, noting it would also be useful to publish the consultation in the local Connect Magazine.

Meeting finished at 3.07pm

Lorraine McRandle

From: Katie Yates <KatieY@catesbyestates.co.uk>
Sent: 27 February 2024 11:28
To: Teresa Strange
Cc: Lorraine McRandle
Subject: RE: Land South Of Snarlton Farm, Melksham

Dear Teresa and Lorraine,

Hope you are both keeping well.

Further to my previous email correspondence, we wanted to let you know the outline planning application for up to 300 new homes and community facilities on land south of Snarlton Farm, Melksham has been withdrawn (Application Reference - PL/2023/07107).

This is to enable us to carry out further technical work.

As we have done so previously, we will keep you up to date with any progress on the proposals for this site.

Kind regards,

Katie

Katie Yates

Marketing and Communications Director

T: +44 (0) 1788 726810 | **M:** +44 7702 532 575

E: KatieY@catesbyestates.co.uk | **W:** www.catesbyestates.co.uk

Catesby Estates, Orchard House, Papple Close, Houlton, Rugby, CV23 1EW

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Lorraine McRandle

From: Rivans, Natalie <Natalie.Rivans@wiltshire.gov.uk>
Sent: 18 March 2024 14:27
To: Lorraine McRandle
Subject: ENF/2024/00188

Dear Lorraine,

I wanted to update you on the above which is in relation to a red pickup truck on site using Shails Lane.

The site manager and developer can not identify who the truck belongs to.

On site the site manager has now installed the estate roads and contractor parking on site as well as the semi-permanent compound and welfare establishment.

Since this has been in place (approx. 2-3 weeks.) there has been no access from the development land onto the access track leading from Shails Lane.

The site manager has also stated that some operatives and members of the management team are present on site at 0745 but they are not working until 0800 as per the requirements of the planning conditions.

The developer has asked the team to keep an eye out for the red pick-up in the next few days and weeks in case they can identify its owner, the same goes for anyone parking on Shails Lane. Any information will be fed back to me.

The site manager has stated they now have permanent David Wilson Homes staff presence on site and our levels of supervision are higher than they were previously.

I hope this update helps, I will close the file on this matter – however if the pickup truck is seen again please do let me know and I can feed this back to the site manager who is keen to work with the residents.

Regards

Natalie Rivans
Planning Enforcement Officer
Planning Enforcement Team

Wiltshire Council

External Tel: 01225 770502
E-mail: natalie.rivans@wiltshire.gov.uk
Website: www.wiltshire.gov.uk
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Lorraine McRandle

From: Wiltshire Council <planning@sf.wiltshire.gov.uk>
Sent: 28 February 2024 11:41
To: Lorraine McRandle
Subject: Land at Semington Road, Melksham - ENF/2024/00188



Reference No:	ENF/2024/00188
Site Location:	Land at Semington Road, Melksham
Complaint:	Alleged breach of condition relating to vehicular construction usage and hours of operation for PL/2022/02749

Thank you for your recent communication in respect of the above.

The Council prioritises the investigation of alleged breaches of planning control according to the seriousness of the breach. We aim to visit most sites within ten working days of registration of the enquiry and advise you of our initial findings. However please note that in general, the case officer will not be able to respond to you until they have established whether there is a breach of planning control, as this is likely to delay their investigation.

The case officer will also contact you once the investigation is completed, however, please note that in some instances enforcement action may be prolonged and take several months to conclude, but be assured that every effort will be made to remedy any breach of planning control as quickly as possible.

For further information on planning enforcement, please visit our website at:

www.wiltshire.gov.uk/planning-enforcement

Yours faithfully,

Lorraine McRandle

From: Thompson, Andy <Andy.Thompson@wiltshire.gov.uk>
Sent: 06 March 2024 14:56
To: Lorraine McRandle
Cc: Teresa Strange
Subject: RE: PL/2022/02749: Buckley Gardens, Semington Road

Hi Lorraine,

The Site has been problematic in recent weeks, I visited Site earlier today to remonstrate with the Site Agent, unfortunately while out looking at the state of the carriageway both the 2 Site Agents I was with and myself were verbally abused by a local resident, to the point where I've had to report the incident to my Area Manager.

I've been dealing with the Site over 5 or 6 separate occasions where local Highways have received reports of mud on road. Only yesterday I issued an email to the Site Agent Paul Hughes, where in turn he's forwarded it on to DWH QS to ensure a Sweeper is present 'all day every day' if the need is warranted.

The recent Weather conditions have not aided the Site where its predominantly Clay Soil, this in turn being dragged out onto the Highway. I've also requested a 'Traffic Route' be agreed where all Site traffic comes into & exists via the Western Way Roundabout, thus not driving through Berryfields itself.

I'll continue to monitor the Site to ensure they behave and act responsibly.

Kind Regards,

Andy.

Andy Thompson
Highways Technician
Section 38 & 278 Works
Local Highways
Highways and Transport
Mobile 07976 343887
Email Andy.Thompson@wiltshire.gov.uk

Wiltshire Council



From: Lorraine McRandle <office@melkshamwithout-pc.gov.uk>
Sent: Wednesday, March 6, 2024 10:34 AM
To: Thompson, Andy <Andy.Thompson@wiltshire.gov.uk>
Cc: Teresa Strange <clerk@melkshamwithout-pc.gov.uk>
Subject: FW: PL/2022/02749: Buckley Gardens, Semington Road

You don't often get email from office@melkshamwithout-pc.gov.uk. [Learn why this is important](#)

Hi Andy

We have received a complaint (email trail below) of mud on Semington Road from construction vehicles at the Buckley Gardens development.

Just to let you know, I forwarded the complaint to Planning Enforcement to look into.

Apologies, if I should have come to you in the first instance to make you aware.

Lorraine

Lorraine McRandle
Parish Officer
Melksham Without Parish Council
First Floor
Melksham Community Campus
Market Place, Melksham
Wiltshire, SN12 6ES
01225 705700
office@melkshamwithout-pc.gov.uk
www.melkshamwithout-pc.gov.uk

Want to keep in touch?

Follow us on facebook: Melksham Without Parish Council or Teresa Strange (Clerk) for additional community news

On twitter: @melkshamwithout On Instagram: melkshamwithoutpc

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From: Rivans, Natalie <Natalie.Rivans@wiltshire.gov.uk>
Sent: 06 March 2024 09:50
To: Lorraine McRandle <office@melkshamwithout-pc.gov.uk>
Subject: RE: PL/2022/02749: Buckley Gardens, Semington Road

Hi,
I have asked for this to be set up as a complaint so I can allocate time to look into it.

Regards

Natalie Rivans
Planning Enforcement Officer
Planning Enforcement Team



External Tel: 01225 770502
E-mail: natalie.rivans@wiltshire.gov.uk
Website: www.wiltshire.gov.uk
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From: Lorraine McRandle <office@melkshamwithout-pc.gov.uk>
Sent: Tuesday, March 5, 2024 3:29 PM
To: Rivans, Natalie <Natalie.Rivans@wiltshire.gov.uk>
Cc: Teresa Strange <clerk@melkshamwithout-pc.gov.uk>
Subject: FW: PL/2022/02749: Buckley Gardens, Semington Road

Hi Natalie

We have recently received an enforcement notice below re the above site, which will be going to our Planning Committee on 18 March:

Reference No:	ENF/2024/00188
Site Location:	Land at Semington Road, Melksham
Complaint:	Alleged breach of condition relating to vehicular construction usage and hours of operation for PL/2022/02749

However, one of our councillors who lives on Semington Road has been contacted today by several residents complaining at the amount of mud on Semington Road from construction vehicles from the site.

Someone was trying to remove the mud today, however, they have left quite a bit and when challenged explained they had to go elsewhere.

From speaking to the councillor they are aware of several people having contacted Wiltshire Council complaining about the situation, but were not sure who they had spoken to.

I could not find a Construction Management plan to ascertain how often David Wilson Homes are supposed to be clearing mud from the road.

Are you able to look into this.

Thanks

Lorraine

Lorraine McRandle

From: Wiltshire Council <planning@sf.wiltshire.gov.uk>
Sent: 06 March 2024 09:54
To: Lorraine McRandle
Subject: Land at Semington Road, Melksham - ENF/2024/00207



Reference No:	ENF/2024/00207
Site Location:	Land at Semington Road, Melksham
Complaint:	Unauthorised mud on road from construction vehicles relating to PL/2022/02749

Thank you for your recent communication in respect of the above.

The Council prioritises the investigation of alleged breaches of planning control according to the seriousness of the breach. We aim to visit most sites within ten working days of registration of the enquiry and advise you of our initial findings. However please note that in general, the case officer will not be able to respond to you until they have established whether there is a breach of planning control, as this is likely to delay their investigation.

The case officer will also contact you once the investigation is completed, however, please note that in some instances enforcement action may be prolonged and take several months to conclude, but be assured that every effort will be made to remedy any breach of planning control as quickly as possible.

For further information on planning enforcement, please visit our website at:

www.wiltshire.gov.uk/planning-enforcement

Yours faithfully,

Officer: Natalie Rivans

Lorraine McRandle

From: Rivans, Natalie <Natalie.Rivans@wiltshire.gov.uk>
Sent: 18 March 2024 14:04
To: Lorraine McRandle
Subject: Road

Hi Lorraine,

I can confirm I have driven the road this today, and it did seem satisfactory. For now, I will close the file on this matter. Please remember highways and the police to have powers to deal with this matter if the wheel washing is in place, but issues persist.

Regards

Natalie Rivans
Planning Enforcement Officer
Planning Enforcement Team

Wiltshire Council

External Tel: 01225 770502
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Website: www.wiltshire.gov.uk
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Lorraine McRandle

From: Rivans, Natalie <Natalie.Rivans@wiltshire.gov.uk>
Sent: 28 February 2024 15:15
To: Lorraine McRandle
Subject: RE: PL/2023/02893 Certificate of Lawfulness

Thanks Lorraine,

I have already emailed the agent to see what his clients intentions are. Once I know more, I will be in a position to move forward.

Regards

Natalie Rivans
Planning Enforcement Officer
Planning Enforcement Team

Wiltshire Council

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Website: www.wiltshire.gov.uk
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From: Lorraine McRandle <office@melkshamwithout-pc.gov.uk>
Sent: Tuesday, February 27, 2024 4:24 PM
To: Rivans, Natalie <Natalie.Rivans@wiltshire.gov.uk>
Cc: Teresa Strange <clerk@melkshamwithout-pc.gov.uk>
Subject: FW: PL/2023/02893 Certificate of Lawfulness

Hi Natalie

Hope you are well.

We have just received notification of the Appeal Decision of the Planning Inspector, who has refused the application.

As per our email exchange below, the Annex was advertised locally for rent before Christmas with a resident confirming today, they believe there is a tenant living at the Annex, in contravention of the Appeal decision.

Please can you investigate.

Best Regards



The Planning Inspectorate

Temple Quay House
2 The Square
Bristol
BS1 6PN

Direct Line: 0303 444 5595
Customer Services:
0303 444 5000

Email: teame5@planninginspectorate.gov.uk
www.gov.uk/planning-inspectorate

Your Ref:

Our Ref: APP/Y3940/X/23/3328012

Wiltshire Council
Planning Appeals
County Hall
Bythesea Road
Trowbridge
Wiltshire
BA14 8JN

26 February 2024

Dear Sir/Madam,

Town and Country Planning Act 1990

Appeal by Mr Paul Williams

Site Address: The Annex, Kays Cottage, 489 Semington Road, Melksham, Wiltshire, SN12 6DR

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,

Faiza Kanwal

Faiza Kanwal

<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

No site visit required

by Simon Hand MA

an Inspector appointed by the Secretary of State

Decision date: 26 February 2024

Appeal Ref: APP/Y3940/X/23/3328012

The Annex, Kays Cottage, 489 Semington Road, Melksham, Wiltshire, SN12 6DR

- The appeal is made under section 195 of the Town and Country Planning Act 1990 (as amended) against a refusal to grant a certificate of lawful use or development (LDC).
 - The appeal is made by Mr Paul Williams against the decision of Wiltshire Council.
 - The application ref PL/2023/02893, dated 2 May 2023, was refused by notice dated 1 August 2023.
 - The application was made under section 191(1)(a) of the Town and Country Planning Act 1990 as amended.
 - The use for which a certificate of lawful use or development is sought is the existing use as a dwellinghouse.
-

Decision

1. The appeal is dismissed.

Preliminary Matters

2. The Annex is an attached rear extension to No489 Semington Road. The appellant owns the annex and No489 as well as the adjacent dwelling, 489a. He argues that he moved into the Annex which he then used as his main residence while letting out Nos489 and 489a. The Annex is variously known as the Annex or Kays Cottage. The appellant says they are one and the same thing, but the Council consider Kays Cottage was sometimes used to refer to No489 itself. I shall therefore refer to the building in question as The Annex.
3. The question posed by the LDC is whether The Annex has been occupied as a dwelling for 4 years or more prior to the date of the application, May 2023, that is from at least May 2019. The appellant contends that he moved into the Annex in April 2017 when he began works to convert it into a separate dwelling.

Reasons

4. The Council do not dispute that No489 was rented out to tenants from at least 2018 onwards, they argue however, that does not tell us what was happening at The Annex. The appellant says the Annex was converted for separate residential use during 2018, when the connecting door to No489 was blocked-up and separate utilities were installed, as well as fencing to delineate a separate outdoor area. I don't think there is any dispute The Annex was converted into a dwellinghouse and was furnished and available for occupation for more than the required 4 years. There is also no dispute that the appellant lived in The Annex from time to time, but the Council argue his main residence was abroad and The Annex was empty for long periods. Again this is not

disputed by the appellant (except perhaps for the word 'long'), he did live abroad but also in England and when here he lived in The Annex. No-one else lived in The Annex in the meantime and it remained ready for the appellant to resume living there whenever he was in England. The only matter of substance between the parties therefore, and on which this appeal turns, is whether living in The Annex for periods of time is sufficient to demonstrate a material change of use to a dwelling.

5. The evidence from the statutory declarations is that the appellant lives in The Annex, but this is not in dispute. As far as I can see the only evidence for living abroad is a single page from an email to the appellant concerning his residential status for tax purposes. This is dated March 2020 and concerns the tax year 2019-20. The e-mail says is that he was a UK resident for 2017/18 and 2018/19. For 2019/20 because he stayed in the UK for more than 120 days during that period, has an accommodation tie here (The Annex) and stayed in the UK for more than 90 days in the previous 2 tax years he is considered resident for tax purposes.
6. It is not clear from the e-mail how long the appellant actually stayed in the UK in any of the years it mentions but it is quite clear from the e-mail, that the appellant himself considers his family home to be abroad. It seems to me there would not be a query about his residential status if he were not absent for considerable periods of time. If those absences had been just a few weeks at a time, such as for a holiday, or visiting relatives, then that would have been made clear, either in the e-mail or by the appellant subsequently. It is my view, therefore, on the balance of probabilities, the appellant was absent in 2019/20 for periods of time that are considerably more than de minimis and this is possibly the case also for the 2 previous tax years.
7. The question is, therefore, does this matter? The appellant refers to the judgement in *Swale*¹, which is the leading judgement in these issues. He quotes from the High Court judgement that, and I paraphrase here, unless there has been a clear-cut change in the planning circumstances, once a residential use has begun it continues through time. It notes that an occupier does not have to be continuously or even regularly present to establish an unbroken use as a dwelling.
8. However, the appellant does not refer to the subsequent Court of Appeal judgement that overturned the High Court. The Court of Appeal held that it was incorrect to consider the question of whether there had been a clear-cut change in planning circumstances, the key test is whether at any time the Council could have issued an enforcement notice. In *Swale* the Inspector failed to address the question of what was happening when the building was not physically occupied and whether the periods of non-occupation were more than de-minimis. The thinking behind this is that if the building was unoccupied for significant periods of time, even if it was capable of occupation, it would be difficult for the Council to allege a material change of use had taken place. A building with the characteristics of a separate dwelling need not be used for that purpose but could be used for a number of other purposes that did not amount to a material change of use, such as a granny annex, or staff quarters and so on. Consequently, if there are significant gaps of occupation then the Council may well not have been able to issue an enforcement notice alleging a

¹ *Swale BC v FSS and Lee* QBD 4.3.05 Evans-Lombe J s.288 & 289 [2005] JPL 1523 and CoA 17.11.05 Keene, Sedley, Chadwick LJs [2006] JPL 886

material change of use, the continuous use has not been demonstrated and the LDC cannot be issued.

9. This is quite different from the use of second homes for example, where that use has already been lawfully established, then Swale does not apply. But in the case of an unlawful use, such as the subdivision of a single dwelling into two, such as here, the unlawful use only subsists for as long as it is being actually carried out. Hence the concept of a 'continuous use' in Swale. Once the use ceases, because for example, the occupant goes abroad, the unlawful use reverts back to its previous lawful use, and the re-occupation, when the person returns, starts the clock again.

Other Matters

10. I do not need to deal with other matters raised such as the question of Council Tax, off-street parking, or the discrepancies in the red line on the plans as the lack of continuous occupation is determinative.

Conclusion

11. For the reasons given above I conclude that the Council's refusal to grant a certificate of lawful use or development in respect of The Annex was well-founded and that the appeal should fail. I will exercise accordingly the powers transferred to me in section 195(3) of the 1990 Act as amended.

Simon Hand

INSPECTOR



The Planning Inspectorate

Temple Quay House
2 The Square
Bristol
BS1 6PN

Direct Line:
Customer Services:
0303 444 5000

Email: RT1@Planninginspectorate.gov.uk
www.gov.uk/planning-inspectorate

Your Ref: PL/2023/03257
Our Ref: APP/Y3940/D/23/3332925

Wiltshire Council
Planning Appeals
County Hall
Bythesea Road
Trowbridge
Wiltshire
BA14 8JN

18 March 2024

Dear Sir/Madam,

Town and Country Planning Act 1990
Appeal by Mr Nathan Hall
Site Address: 89 Corsham Road, Whitley, MELKSHAM, SN12 8QF

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,

Bridget Holden

Bridget Holden

<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

Site visit made on 16 February 2024

by A. J. Boughton MA (IPSD) Dip.Arch. Dip.(Conservation) RIBA MRTPI

an Inspector appointed by the Secretary of State

Decision date: 18th March 2024

Appeal Ref: APP/Y3940/D/23/3332925

89 Corsham Road Whitley Melksham SN12 8QF

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission.
 - The appeal is made by Mr Nathan Hall against the decision of Wiltshire Council.
 - The application Ref: PL/2023/03257 dated 21/04/2023 was refused by notice dated 25 September 2023.
 - The development proposed is side extension.
-

Decision

1. The appeal is dismissed.

Preliminary Matter

2. The Council refer to the appeal site as a (non-designated) heritage asset, although no local list has been provided. Nevertheless I have determined the appeal with full regard to the architectural and historic qualities of the buildings identified.

Main Issue

3. The main issues are the effect of the proposal upon:
 - the character and appearance of the host dwelling and the street scene, and
 - surface water flooding.

Reasons

Character and appearance

4. The appeal site (No.89) is the southernmost of a small group of 3 very similar nineteenth-century two-storey villas (the villa group) each constructed in a combination of cut and coursed local stone with a pantile roof and sliding sash windows to three bays in the principal (front) elevation and a central porticoed entrance. Whitley, despite being a settlement that has been significantly extended to the west, presents the character of a linear settlement with a number of older properties, variously altered and infilled by more recent insertions spread along Corsham Road. In that context the villa group makes a significant contribution to the street scene in that notwithstanding extensions to side and rear they retain an original vernacular classicism which makes a distinctive and rhythmic contribution to the street scene that is not as evident elsewhere in the settlement.
5. The appellant intends to provide a significant amount of additional accommodation with a new two-storey block that attempts to be seen as visually separated from the host dwelling by a set-back two storey link. Taken

together the resulting proposal would double the frontage width of the original dwelling. Although the proposed extension is of lower height, presumably seeking to subordinate what is proposed, this is achieved by the introduction of dormer windows and other architectural components which pay little regard to the built form of the original building and do so in alignment with the main block frontages of the villa group. The effect of the proposal would be to introduce a competing built form which would not be *visually* subordinate. From absence of architectural simplicity, and by its height, adjacency and aligned positioning, the proposal would dominate the street scene due to its visual incongruity in proximity to the villa group.

6. The proposal would, therefore, conflict with Policy 57 of the Wiltshire Core Strategy which seeks that development should provide a positive response to the existing development pattern and built form by the application of high standards of design, and (at iv) have regard to assets of heritage value.

Flood Risk

7. The Council have confirmed that the appeal site is located in Flood Zone 1 which would usually be an appropriate location for development such as is proposed but the appellant complains that the Council have introduced flood risk at a late point in the decision-making process. The alleged flood risk (FR) relates to surface water and seems to be isolated and could likely be addressed by condition. However, even if I were to find in favour of the appellant on this issue, this would not outweigh the conflict with the development plan on the first main issue.
8. Overall, my reasoning directs that the proposal would not accord with the development plan as a whole and consequently, taking all matters raised into account, the appeal cannot succeed.

Andrew Boughton

INSPECTOR



The Planning Inspectorate

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BS1 6PN

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Email: RT1@planninginspectorate.gov.uk
www.gov.uk/planning-inspectorate

Your Ref: PL/2023/01275
Our Ref: APP/Y3940/D/23/3329249

Development Services
Wiltshire Council
Development Services
County Hall
Trowbridge
BA14 8JF

15 March 2024

Dear Sir/Madam,

Town and Country Planning Act 1990
Appeal by Adam Surmacz
Site Address: 16 HALIFAX ROAD, BOWERHILL, MELKSHAM, Wiltshire, SN12 6SL

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.

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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.

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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 sincerely,

Rabia Qazi

Rabia Qazi

<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

Site visit made on 16 February 2024

by A. J. Boughton MA (IPSD) Dip.Arch. Dip.(Conservation) RIBA MRTPI

an Inspector appointed by the Secretary of State

Decision date: 15.03.2024

Appeal Ref: APP/Y3940/D/23/3329249

16 Halifax Road Bowerhill Melksham Wiltshire SN12 6SL

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission.
 - The appeal is made by Adam Surmacz against the decision of Wiltshire Council.
 - The application Ref: PL/2023/01275 dated 16 February 2023 was refused by notice dated 27 June 2023.
 - The development sought to be approved is Retrospective application for the installation of new feather fence to side and front of house, 2 no. garden gates and installation of black steel chimney to side of house.
-

Decision

1. The appeal is allowed and planning permission is granted for the installation of new feather fence to side and front of house, 2 no. garden gates at 16 Halifax Road Bowerhill Melksham Wiltshire SN12 6SL in accordance with the terms of the application Ref: PL/2023/01275 dated 16 February 2023 dated 16 February 2023 and the drawings submitted with it.

Preliminary Matter

2. The Council indicate that the steel chimney include in the description of development had not been positioned at the date of refusal, but a black steel twinwall flue was affixed to the side wall at the time of my site visit, terminating within 1m of the ridge of the roof. However it is not clear why retrospective approval is sought for this item, as Class G of schedule 2 of The Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended) (GPDO) permits such and in the absence of justification for its inclusion as requiring permission, no action will be taken in relation to this part of the matter before me. I have amended the description of development and determined this matter accordingly. Reference is made to other matters which are not included in the description of development or decision notice and which I am therefore unable to consider.

Main Issue

3. The main issues are the effect of the works upon (i) the character and appearance of the area and (ii) highway safety.

Reasons

Character and appearance

4. Halifax Road is a distributor Road within a large development of twentieth-century housing. No.16 is a semi-detached two-storey dwelling located on a

corner with a short cul-de-sac that provides access to and parking for a small number of surrounding houses.

5. Images provided indicate what is found has replaced a low picket fence on both road frontages and represents a change in the height and appearance of perimeter fencing, no doubt in pursuit of improved privacy or security in an otherwise open setting to No.16.
6. The corner location and lengthy perimeter means that the fencing which is the subject of this appeal will have introduced discernible change in the local street scene. However, similar tall vertical-boarded fencing and generally extensive enclosure of gardens to other houses exist in proximity to the appeal site, including those which are adjacent to the highway and also opposite. This indicates that prior to the recent placing of the new fencing at the appeal site, the low picket fence it replaced was itself somewhat of an anomaly in the immediate area of the site.
7. In that context the suggestion of the first refusal reason as to failing to effectively integrate or respond positively to the setting of No.16 cannot be supported, directing a conclusion that the impact upon the street scene of the proposal cannot be reasonably contemplated as a causation of planning harm given the established character and appearance of the surrounding area.

Highway Safety

8. At the time of my visit the area was quiet with very few traffic movements. Even at busy times the small amount of street parking and around 12 garages which share the access cul-de-sac with No.16 suggest vehicle movements will be few and speeds low such that the risk of conflict with other users of the highway from users of the parking area of No.16 is similarly likely to be nominal. Whilst the installation of a high fence would reduce visibility from that afforded by a lower fence, what results is similar to the situation where private cars emerge onto a pavement or highway between hedging or fencing which is commonly found, and in such cases additional care is engendered by the circumstances of use such that risk of harm arising from use of the parking space is unlikely to be increased.
9. I therefore conclude the development does not conflict with either Policy 57 or Policy 61 of the Wiltshire Core Strategy which seek, with respect to the refusal reasons given, that development should respond positively to the existing townscape and landscape features and provided with safe access to the highway. I find no conflict with the relevant policies of the development plan, and consequently, having regard to all matters raised and for the reasons given, the appeal succeeds subject to the usual timing and plans condition.

Andrew Boughton

INSPECTOR



Date: Wednesday 29 February 2024

Start: 6.30pm

Present:

Steering Group Members Present

Councillor David Pafford Chair (MWPC)
Councillor John Glover (MWPC)
Councillor Alan Baines (MWPC)
Councillor Graham Ellis (MTC)
Councillor Pat Aves (MTC)
John Hamley (MTUG)
Shirley McCarthy (Environment)
Mark Blackham (Bowerhill Residents Action Group)

Officers

Teresa Strange (MWPC)
Lorraine McRandle (MWPC)

Task Group Members

Councillor Mark Harris, (MWPC)

Planning Consultants

Vaughan Thompson (Place Studio)

MTC	Melksham Town Council
MWPC	Melksham Without Parish Council
WC	Wiltshire Council
MTUG	Melksham Transport User Group

MINUTES

1. Welcome & Housekeeping

Councillor Pafford welcomed everyone to the meeting, noting those present were aware of the fire evacuation procedures for the building.

It was noted Councillor Alan Baines, was substituting for Councillor John Glover who had to leave the meeting early due to a prior engagement.

2. To note apologies

Apologies were received from Councillor Mike Sankey who was attending a Wiltshire Council Planning Committee meeting in Trowbridge but hoped to be at the meeting later if possible.

Apologies were also received from Chris Holden.

3. Declarations of Interests

There were no declarations of interest.

4. Public Participation

There were no members of the public present.

5. a) To agree Minutes of Meeting held on 17 January 2024

Resolved: To approve and for the Chair to sign the minutes of the meeting held on 17 January 2024.

6. To approve notes, actions and decisions from workshop meeting held on 7 February 2024.

Resolved: To approve the notes of the workshop meeting held on 7 February 2024 and for the Chair to sign.

7. Technical Support Packages/Evidence Document Update

Teresa explained the car park audit had been sent back with a few factual amendments and was seeking clarification on a few points, particularly with regard to Bath Road car park and the number of spaces available as public car parking spaces.

Vaughan explained his colleague Anthony Keogh had taken the information from the newly produced Flood Risk Assessment commissioned by Cushman & Wakefield and had used it to produce a land use concept. This was for the Cooper Tire site allocation and Anthony had produced a diagram and schedule which helped inform how much land and different land uses there were in different flood zones, to inform the viability study.

The viability study is currently being undertaken as part of a technical support package by Richard Bailey, Valuation Consultant, who was analysing the viability of the site allocations at Cooper Tires, the former Library and Whitley Farm. There was still work to be done, but it was hoped to be able to report back on all 3 sites at the next workshop meeting, which would have an update on site allocations and therefore allow the group to be able to make informed decisions regarding site allocations.

8. Update on Development Management Policies

The Clerk explained that following the workshop on 7 February the notes had been updated to include the new proposed policy wording from Katie and Vaughan at Place Studios, to reflect the Steering Group's comments made.

Vaughan explained they had looked at several of the lengthy landowner responses which had been received during the Regulation 14 formal consultation however, not all the comments were on the spreadsheet yet. Therefore, what was for review, was the development management policies which had taken on board both Wiltshire Council's and community comments and the comments from the workshop meeting, to produce a near final draft of development management policies, excluding policy 7 (site allocations). It also included a suggested revision to the Green Wedges Policy which had not been debated at the workshop.

Meetings were currently being arranged with interested parties on Local Green Space designations and site allocations, to move forward with confidence that the promoters of the sites will not object to any revisions which it was felt were needed to be made going forward.

Vaughan explained that as there were still responses to be reviewed, proposed changes to policies could change, but was happy at this stage to go through the proposed changes, as well as receive comments after the meeting to feed into the final revision.

Members reviewed the proposed policy changes for submission, made a few amendments and raised a few queries (with these being recorded on a separate document).

Councillor Glover left the meeting at 7.55pm.

8. Finance

Teresa explained that following her request, Place had submitted an invoice of £2,475.00 + VAT (£495) (Invoice No: 6094) for approval at tonight's meeting.

There was still an exercise to be undertaken to ascertain where the Steering Group were against the quote approved to undertake post-Regulation 14 work and on to submission to Wiltshire Council and Examination. At the time of the quote, it was noted that it did not include any additional time/cost to reflect any changes due to the publication of the draft Local Plan and possible changes to the NPPF, both of which had now occurred and had required additional work to take place. Whilst that exercise still needed to be done, in the meantime an invoice had been submitted to reflect the actual hours both Katie and Vaughan had undertaken since the last meeting. Teresa highlighted that the Steering Group were probably getting close to having reached the maximum budget approved; and additional funding would need to be agreed by both the parish and town council.

Resolved: To approve payment of Place's invoice of £2,475.00 + VAT and to acknowledge more funding may be required from both Councils, in order to get the plan through to Referendum.

9. To agree date and venue of Next Workshop & Meeting of Steering Group

The next workshop meeting was due to be held on Tuesday 5 March, however, both Councillors Pafford and Ellis tendered their apologies, therefore, it was:

Resolved: To hold the next workshop meeting on Thursday, 21 March at 6pm, with the next Steering Group meeting taking place on Wednesday, 3 April at 6.30pm.

Meeting finished at 20:45

Signed.....



Biodiversity Policy

Background

In accordance with the duty imposed on town and parish councils by Section 40 of the Natural Environment and rural Communities Act 2008, updated by Section 102 of the Environment Act 2021, Melksham Without Parish Council (herein after referred to as the Council) which has many functions exercisable in relation to England must from time to time consider what action the authority can properly take, consistently with the proper exercise of its functions, to further the general biodiversity objective.

This duty also means that town and parish councils can spend funds in conserving biodiversity.

Diversity

According to Defra (Biodiversity 2020), biodiversity is the variety of all life on Earth. It includes all species of animals and plants – everything that is alive on our planet.

Biodiversity is important for its own sake and has its own intrinsic value. A number of studies have shown this value also goes further. Biodiversity is the building block of our 'ecosystems' that in turn provide us with a wide range of goods and services that support our economic and social wellbeing. These include essentials such as food, fresh water and clean air, but also less obvious services such as protection from natural disasters, regulation of our climate, and purification of our water of pollination of our crops. Biodiversity also provides important cultural services, enriching our lives.

Aims and Objectives

The object of this policy is to work towards conserving and enhancing the biodiversity of the Council's area.

The Full Council and any committee of the Council will consider sustainability, environmental impact and biodiversity when making decisions and will develop and implement policies and strategies as required.

In particular, the Council will aim to improve the biodiversity of the area in the following ways.:

- **Consider the potential impact on biodiversity represented by planning applications.**
- Manage its land and property using environmentally friendly practices that will promote biodiversity.
- Support local businesses and council operations in the adoption of low impact/nature positive practices.
- Encourage and support other organisations within the parish to manage their areas of responsibility with biodiversity in mind.
- Support residents and local organisation activities to enhance and promote biodiversity.

Actions

Planning applications

The Council will:

- **When commenting on planning applications, support site and building design that benefits biodiversity through the conservation and integration of existing habitats or provision of new habitats.**
- **Support protection of sensitive habitats from development and will consider whether the development would mean the loss of important habitats for wildlife in respect of all applications.**
- **Consider what each proposed development might make in terms of biodiversity net gain.**
- **Include policies in support of biodiversity within the neighbourhood plan.**

Land and property management

The Council will:

- Carry out a biodiversity audit of its landholdings.
- Consider the conservation and promotion of local biodiversity with regard to the management of its open spaces. This will include adopting beneficial practices with regarding to cutting and removal of vegetation, application of chemicals and timing of maintenance work, paying attention to the Government's regulations for plant protection products.
- Take special care in the specification of grounds maintenance contracts to ensure that the work, whilst reaching acceptable standards, does not harm the natural environment.
- Source sustainable materials when procuring supplies for the Council's use.
- Consider biodiversity issues and the implementation of changes when managing its buildings.

Local community

The Council will:

- Raise public awareness of biodiversity issues, including through its website and newsletters.
- Engage with local businesses and residents regarding biodiversity in the community and how members of the community can assist and make a difference.
- Where feasible, involve the community in biodiversity projects on its land including for example tree planting, wildflower meadows, birdbox making.

Partners

The Council will work in partnership with other organisations to protect, promote and enhance biodiversity within the council area.

It will review any local nature recovery strategies, species conservation strategies, or protected site strategies in respect of local Sites of Special Scientific Interest (SSSIs) and consider how it may become more involved in implementing the strategies' recommendations.

Monitoring

This policy was adopted on **4 December 2023 (Min 321/23(b))** and will be reviewed in two years or sooner should legislation dictate. A summary of how the policy has been implemented will be published annually, with reference to the original biodiversity audit to show progress.

Adopted by Full Council on 4 December 2023 (Min 321/23(b))



Department for Levelling Up, Housing & Communities

Rt Hon Michelle Donelan MP
House of Commons
London
SW1A 0AA

Rt Hon Michael Gove MP

*Secretary of State for Levelling Up, Housing &
Communities*
Minister for Intergovernmental Relations
2 Marsham Street
London
SW1P 4DF

Your reference: MD45618
Our reference: MC2024/01293

19 February 2024

Per Michelle

Thank you for your email of 11 January on behalf of Melksham Without Parish Council, regarding their concerns about speculative development and the National Planning Policy Framework (NPPF).

As I am sure you can appreciate, I have a quasi-judicial role in the planning system, so I cannot comment or advise on specific local planning matters. I can, however, provide the following comments, which I hope are helpful.

Planning law dictates that planning decisions are made in accordance with the development plan unless material considerations indicate otherwise. It is important that the planning system provides certainty for all parties involved (communities and developers). Once planning permission is granted, it should only in very limited circumstances be revoked. Section 97 of the Town and Country Planning Act 1990 provides local planning authorities with the power to revoke or modify a planning permission through an order, to such extent as they consider expedient with regard to the development plan and other material considerations. These powers can only be used before the development has been complete. As Secretary of State, I may also make such an order, but must first consult the local planning authority (LPA).

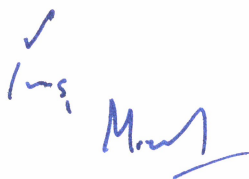
Under Section 107 of the Act, the LPA is, however, liable to pay compensation for the expenditure and for any other loss or damage directly attributable to the revocation. If the revocation orders are opposed, then they must be confirmed by me as the Secretary of State. There is a right to challenge an order confirmed by me in the High Court, within six weeks of it being made.

The policies in the new NPPF are material considerations, which should be taken into account when dealing with applications and appeals from the day of its publication on 19 December 2023. This includes those submitted prior to this date but still under consideration (except where transitional arrangements are set out in Annex 1 of the Framework). Where a planning decision is made by the LPA, they should carefully consider all the evidence that is put before them and must be prepared to modify or change their initial view in light of the arguments and evidence presented to them. They must make their final decision with an open mind, based on this evidence.

By law, planning applications are determined in accordance with the development plan, unless material considerations indicate otherwise. Each application is judged on its own individual merit and the weight given to these considerations is a matter for the LPA as the decision maker in the first instance. It is for LPAs to decide if an application should be referred to me for consideration, using the appropriate guidance.

Separately, any third party (i.e. someone other than the applicant or the LPA) can request call in of a planning application. Once again, I would decide whether call in is appropriate. I would be unable to consider call in if a decision notice has been issued by the relevant authority.

I appreciate you sharing the concerns of Melksham Without Parish councillors. Thank you again for your email.

A handwritten signature in blue ink, appearing to read 'M. Gove', with a checkmark above the first part of the signature.

RT HON MICHAEL GOVE MP

Secretary of State for Levelling Up, Housing and Communities
Minister for Intergovernmental Relations

Subject: FW: Formal Adoption of Wiltshire Design Guide

From: Design Guide Consult <DesignGuideConsult@wiltshire.gov.uk <mailto:DesignGuideConsult@wiltshire.gov.uk>
>

Sent: 25 March 2024 16:13

Subject: Formal Adoption of Wiltshire Design Guide

Update 25th March 2025 Formal Adoption of Wiltshire Design Guide

Notice is hereby given in accordance with Regulations 11, 14 and 35 of the Town and Country Planning (Local Planning) (England) Regulations 2012 that the Wiltshire Design Guide Supplementary Planning Document ('the WDG SPD') was formally adopted by Wiltshire Council on 25th March 2024.

The WDG SPD sets out the approach to appreciating context and focusing on what is important in design and place-shaping will ensure future development makes a positive contribution to the physical character and heritage of Wiltshire and to the livelihood of its communities.

This Wiltshire Design Guide is for all designers and decision makers involved with development proposals within the Local Authority of Wiltshire. It has been prepared to support the implementation of the Wiltshire Core Strategy (WCS) and the allocations set out in the Wiltshire Housing Site Allocations Plan (WHSAP) and thereby helps support the planned delivery of Core Policy 57.

In accordance with Section 23 (1) of the Planning and Compulsory Purchase Act 2004, the Council has modified the WDG SPD to take into account representations made in relation to the document and any other relevant matters. The modifications are included in the Consultation Statement.

Any person with sufficient interest in the decision to adopt the WDG SPD may apply to the High Court for permission to apply for judicial review of that decision. Any such application for leave to review the decision must be made promptly and, in any case, not later than 3 months after the date on which the SPD was adopted, 25th March 2024.

The final version of the Design Guide is available here Wiltshire Design Guide - Wiltshire Council <<https://www.wiltshire.gov.uk/article/6110/Wiltshire-Design-Guide>> , as well as the adoption statement, the consultation report, and the accessible version of the Design Guide. Printed copies of the Design Guide are also available upon request at a reasonable price, please contact Natalie.Matthee@wiltshire.gov.uk <mailto:Natalie.Matthee@wiltshire.gov.uk> should you wish to arrange for a printed copy.

Kind Regards

Natalie Matthee

Business Support Officer

Climate and Environment Service

Email: Natalie.Matthee@wiltshire.gov.uk <mailto:Natalie.Matthee@wiltshire.gov.uk>

Tel: +44 1249 706798

My working days are Monday – Friday, 10:00 – 16:00

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Lorraine McRandle

Subject: FW: Meeting re Pathfinder Place
Attachments: 21474-20-01-E Section 38 Layout.pdf

From: Cleave, Julie <Julie.Cleave@wiltshire.gov.uk <mailto:Julie.Cleave@wiltshire.gov.uk> >
Sent: 19 March 2024 08:22
To: Wiltshire, Mark <mark.wiltshire@wiltshire.gov.uk <mailto:mark.wiltshire@wiltshire.gov.uk> >; Teresa Strange <clerk@melkshamwithout-pc.gov.uk <mailto:clerk@melkshamwithout-pc.gov.uk> >
Cc: Holder, Nick <Nick.Holder@wiltshire.gov.uk <mailto:Nick.Holder@wiltshire.gov.uk> >
Subject: RE: Meeting re Pathfinder Place

Hi Teresa,

Please find attached a copy of the S38 drawing showing the areas to be adopted as highway highlighted in pink.

Kind regards

Julie Cleave MCIHT
Highways Development Control Engineer (Level 3) Sustainable Transport (Part time: Mon – Thurs)

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From: Teresa Strange <clerk@melkshamwithout-pc.gov.uk <mailto:clerk@melkshamwithout-pc.gov.uk> >
Sent: Monday, March 18, 2024 5:03 PM
To: Wiltshire, Mark <mark.wiltshire@wiltshire.gov.uk <mailto:mark.wiltshire@wiltshire.gov.uk> >
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Hi Mark

Thought this might be useful.

Do you have access to a drawing of what the adoptable roads are on the development that you could bring please, or send to me and I can print out and bring?

We (Nick and I, with the Chair of the Residents Association) have walked the development with the management company Remus, and understand some elements of verges/amenity space will be adopted and we will want to have a look at those and understand what Wiltshire Council will be doing with them in terms of maintenance etc. A lot of queries from residents come to both the parish council and Cllr Holder, so its good to have a plan and know what the score is.

With many thanks, Teresa

From: Teresa Strange
Sent: 01 March 2024 13:16
To: Cleave, Julie <Julie.Cleave@wiltshire.gov.uk <mailto:Julie.Cleave@wiltshire.gov.uk> >

Cc: Thompson, Andy <Andy.Thompson@wiltshire.gov.uk <mailto:Andy.Thompson@wiltshire.gov.uk> >; Nick.Holder@wiltshire.gov.uk <mailto:Nick.Holder@wiltshire.gov.uk>
Subject: Meeting re Pathfinder Place

Hi Julie

When we talked earlier in the week we discussed perhaps a list of things to be covered when we met on site. Some of the things might be for Clive rather than yourselves in Highways, but I have listed anyway.

1. The main thing is an understanding of when all the outstanding highways works will be undertaken. Andy says he has a long list with more things probably to be added to it.
2. The safety concern raised (by Nick through Chris Clark) for the line marking at the approach to the roundabout from Pathfinder Way. My understanding is that the line marking is different to the Highway Code, and has faded. The parish council feel strongly that its no use without signage, as the constant flow of traffic means drivers cannot see what is marked on the road and is causing conflict and confusion between drivers abiding by what they know is written on the road and what the highway code is.
3. Adoption of certain areas, and maintenance in the meantime and future. We (Nick and I) have walked the new development with Remus the management company and Alex the Chair of the Residents Association, and there are several unmaintained areas that Remus are saying are the responsibility of Wiltshire Council – and we want to make sure that these are being picked up for maintenance now and in the future.
4. For Clive, the parish council have asked Taylor Wimpey some time ago to plant some dark, evergreen planting behind the public art on Pathfinder Way, and want to agree the details of this with him as the TW rep, along with a site for a Jubilee tree as the site was built and occupied in the Queen's Jubilee year.
5. Vehicle access to the play area. The parish council will not take on the adoption of the play area as planned until vehicular access has been agreed in the land transfer, this is now delaying an already very slow process from TW. We need to be able to access for maintenance purposes as taking on the play area in perpetuity.
6. Ensuring that there will be proper fencing erected between the proposed school land being transferred to Wiltshire Council and the public open space between Western Way and the proposed school land, and footpath access from the A365 onto the land for access.
7. Works to start on the footpath improvement from Western Way to Burnet Close, I have sent you an email with background info on this, it's part of the s106.
8. Understanding of if the drainage/run off from the development has been signed off, and what is holding it up. From talking to Danny Everett a while ago, this is what the hole in the ground on the other side of the roundabout is, to see what is going on, but the outstanding action (for months, if not years now) is for TW to inform what run off arrangements have been made.
9. We have some signage we want to put up for the public access defibrillator on Pathfinder Way, on the highway sign pole. I have talked to Dean Baker, but it would be good to get this agreed and on order.
10. At the bus shelter on Pathfinder Way, Newall road side, the desire line to the housing is across the grass and the hard surface therefore the wrong side of the bus shelter, any chance we could ask Clive to fill with tarmac?

I think that is all for now, Nick may have things to add!
All the best, Teresa

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