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## MELKSHAM WITHOUT PARISH COUNCIL

Clerk: Mrs Teresa Strange

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Monday, 8 January 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 15 January 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](http://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](http://www.melkshamwithout.co.uk). If you have difficulties accessing the meeting please call (do not text) the out of hours mobile: 07341 474234

**YOU CAN ACCESS THE AGENDA PACK HERE**

Yours sincerely,

Teresa Strange, Clerk



Serving rural communities around Melksham

## AGENDA

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

*Under the Public Bodies (Admission to Meetings) Act 1960, the public and representatives of the press and broadcast media be excluded from the meeting during consideration of business where publicity would be prejudicial to the public interest because of the confidential nature of the business to be transacted.*
5. **Public Participation**
6. **To consider the following new Planning Applications:**
  - a) **[PL/2023/10153](#)**: 6 Osprey Close, Bowerhill. Single storey dining room extension, second storey bathroom extension and replacement bay window with roof windows above. Applicants Mr & Mrs Parfitt **(Comments by 25 December) – Extension on Council comments granted.**
  - b) **[PL/2023/10590](#)**: 64 Shaw Hill, Shaw. Crown reduce Hornbean (T1) by approximately 1.5m. Crown clean to remove deadwood and crossing branches. Crown raise to 2.5m. Consent under Tree Preservations Orders. Applicants Mr & Mrs Grainger **(Comments by 16 January 2024)**
  - c) **[PL/2023/10713](#)**: 6 Berryfield Close, Melksham. Single Storey Rear Extension. Applicant Sophie Hunt **(Comments by 12 January 2024). Extension on Council comments granted.**
  - d) **[PL/2023/10488](#)**: Fields North of Melksham Oak School, Bowerhill. Proposed surfaced and lit shared use path (SUP) from new development at East Melksham (Hunters Wood) across adjacent fields that connects access to Melksham Oak School and joins the A365 via a route through Woolmore Farm. Applicant Wiltshire Council **(Comments by 2 February 2024)**
7. **Revised Plans:** To comment on any revised plans on planning applications received within the required **timeframe (14 days):**
8. **Current planning applications:** Standing item for issues/queries arising during period of applications awaiting decision.

- a) **Blackmore Farm (Planning Application PL/2023/01949).** Outline permission with some matters reserved for demolition of agricultural outbuildings and development of up to 650 dwellings; land for primary school; land for mixed use. **To consider submitting new comments following the changes to the NPPF (National Planning Policy Framework)**
  - b) **Snarlton Farm (Planning Application PL/2023/07107);** Outline planning application with all matters reserved except for two pedestrian and vehicle accesses (excluding internal estates roads) from Eastern Way for the erection of up to 300 dwellings (Class C3); land for local community use or building (incorporating classes E(b), E(g) and F2(b) and (c)); open space and dedicated play space and service infrastructure and associated works. **To consider submitting new comments following the changes to the NPPF (National Planning Policy Framework)**
  - c) **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).
    - i) To note response from Planning Enforcement, regarding area of land to the North of the proposed primary school.
  - d) **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)
  - e) **Land to rear of Townsend Farm for 53 dwellings (PL/2022/08155).** To formally note outline application approved at a Strategic Planning Committee meeting on 29 November. The Head of Development Management has been given delegated powers to grant full planning permission, subject to first completion of a S106 Legal Agreement.
  - f) **Wilts & Berks Canal Melksham Link (Planning Application No: 12/01080)**
    - i) To consider response of the Wilts Swindon & Oxfordshire Canal Partnership to the Local Plan Review.
    - ii) To note the Wilts Swindon & Oxfordshire Canal Partnership have received S106 funding from Buckley Gardens development (20/01938(OUT), Semington Road (£500 per residential unit) for the Wilts & Berks Canal Restoration Project (Melksham Link).
9. **Planning Enforcement:** To note any new planning enforcement queries raised and updates on previous enforcement queries.
- a) **489 Semington Road: PL/2021/06824 & PL/2022/02893.** To note update.
  - b) **1 Lancaster House, Bowerhill.** To note update.
10. **Planning Appeals**
- a) **89 Corsham Road, Whitley. Proposed side extension (PL/2023/03257).** To note the applicant has appealed the decision by Wiltshire Council to refuse the application. The appeal will be under the Householder Appeals Service using written responses.
11. **Planning Policy**
- a) **Neighbourhood Planning**
    - i) To receive update on NHP#2 and Regulation 14 consultation.

- ii) To reflect on responses to planning applications for monitoring of the Neighbourhood Plan.
- b) Levelling Up and Regeneration Bill 2023 and reforms to national planning policy**
- i) To note changes to the National Planning Policy Framework (NPPF) and consider next steps. <https://www.gov.uk/government/consultations/levelling-up-and-regeneration-bill-reforms-to-national-planning-policy/outcome/government-response-to-the-levelling-up-and-regeneration-bill-reforms-to-national-planning-policy-consultation>
  - ii) **Street Vote Development Orders Consultation.** To consider a response to the consultation which closes on 2 February 2024: <https://www.gov.uk/government/consultations/street-vote-development-orders-consultation>
- c) Rural Housing.** To consider CPRE report on Unravelling a Crisis: The State of Rural Affordable Housing in England <https://www.cpre.org.uk/news/our-report-housing-crisis-poses-threat-to-survival-of-rural-communities/>

**12. 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
  - Management Company
  - Play Area

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

- To note any updates and consider a way forward.
- To note the first tranche of CIL funding has been paid to Wiltshire Council, with £82,327.16 being passed to the Parish Council.

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

- To note any updates and consider a way forward.
- To consider street name theme (and for Phase 2 PL/2022/08155)

**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.
- To consider correspondence with Wiltshire Council regarding the signed S106.
- Link to S106 Agreement: <https://development.wiltshire.gov.uk/pr/s/planning-application/a0i3z0000199C49AAE/pl202208504?tabset-8903c=2>

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

**c) Contact with developers**

**Copy to all Councillors**

## Lorraine McRandle

---

**From:** Rivans, Natalie <Natalie.Rivans@wiltshire.gov.uk>  
**Sent:** 07 December 2023 11:22  
**To:** Lorraine McRandle  
**Cc:** Teresa Strange; Holder, Nick  
**Subject:** RE: Land South of Pathfinder Way, Bowerhill PL/2022/08155)

Hi Lorraine,

This is already under investigation and the landscaping will be taking place imminently.

Regards

### Natalie Rivans

Planning Enforcement Officer  
Planning Enforcement Team  
Wiltshire Council  
Internal Tel: 15502  
External Tel: 01225 770502  
E-mail: [natalie.rivans@wiltshire.gov.uk](mailto:natalie.rivans@wiltshire.gov.uk)  
Website: [www.wiltshire.gov.uk](http://www.wiltshire.gov.uk)

The views expressed in this e-mail represent an officer's opinion only and are not binding on any future decisions made by elected members of the Council or under powers delegated to officers.

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**From:** Lorraine McRandle <office@melkshamwithout-pc.gov.uk>  
**Sent:** Thursday, December 7, 2023 11:20 AM  
**To:** Rivans, Natalie <Natalie.Rivans@wiltshire.gov.uk>  
**Cc:** Teresa Strange <clerk@melkshamwithout-pc.gov.uk>; Holder, Nick <Nick.Holder@wiltshire.gov.uk>  
**Subject:** Land South of Pathfinder Way, Bowerhill PL/2022/08155)

Hi Natalie

At a recent Planning Committee meeting Members were provided an update on proposals regarding the proposed new primary school at Pathfinder Way.

At the meeting it was clarified, the piece of land (public open space) North of the school site (map below), is outside the scope of the school proposals and is understood to remain in the ownership of Taylor Wimpey, who should have landscaped the area and maintained it, which they have not, with the area overgrown significantly.



Therefore, Members asked if this matter could be investigated by Planning Enforcement.

Look forward to hearing from you.

Best Regards

Lorraine McRandle  
Parish Officer  
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## **STRATEGIC PLANNING COMMITTEE**

**MINUTES OF THE STRATEGIC PLANNING COMMITTEE MEETING HELD ON 29 NOVEMBER 2023 AT COUNCIL CHAMBER - COUNTY HALL, BYTHESEA ROAD, TROWBRIDGE, BA14 8JN.**

### **Present:**

Cllr Howard Greenman (Chairman), Cllr Ernie Clark, Cllr Adrian Foster, Cllr Carole King, Cllr Christopher Newbury, Cllr Pip Ridout, Cllr Elizabeth Threlfall, Cllr Robert Yuill and Cllr Stewart Palmen (Substitute)

### **Also Present:**

Cllr Nick Botterill, Cllr Nick Holder (Virtual) and Cllr Mike Sankey

## **EXTRACT FROM MINUTES BELOW:**

### **71 PL/2022/08155 - Land west of Semington Road, Melksham.**

#### **Public Participation**

Cllr John Glover (Melksham Without Parish Council) spoke in objection of the application.

Aaron Davidson office of Michelle Donnellan's office spoke in objection of the application.

Tamsin Almeida, Planning Manager, spoke in support of the application. Cllr Richard Wood (Melksham Without Parish Council) spoke in objection of the application as the representative of the council.

Ruaridh O'Donoghue (Senior Planning Officer) presented a report which recommended that the decision be deferred and delegated to the Head of Development Management to grant full planning permission subject to first completion of a Section 106 legal agreement and conditions set out in the report.

The officer showed the Committee the slides relating to the application, whilst explaining key details.

The site is located within Melksham Without Parish on land to the south of Melksham and is currently an agricultural field, unaffected by urban development and surrounded by popular Public Rights of Way, although none cross the site and the Kennett and Avon Canal towpath/Sustrans Route 4.

The main issues highlighted in the officers presentation and detailed in the report were the principle of development, Wiltshire Core Strategy and Joint Melksham Neighbourhood Plan, the five-year housing land supply and relevant appeal decisions, design, landscape, open space and visual impact, heritage impact, agricultural land, flood risk and drainage, environmental impact, ecological impact, highways and rights of way and the Community Infrastructure Levy.

The officer commented on the planning balance, the harms and benefits of the application and the neutral impacts. He concluded that the adverse impacts of granting planning permission (the conflict with Core Policy 1, 2 and 15 of the Wiltshire Core Strategy as well as Melksham Neighbourhood Plan policies 1 and 6) would not be significantly and demonstrably outweighed by the benefits (provision of 100% affordable housing and economic benefits), when assessed against the policies in this Framework taken as a whole.

Members of the committee then had the opportunity to ask technical questions of the officer. In response to the questions the officer explained that affordable housing was being delivered in line with the need in Wiltshire equating to 60%, along with some shared ownership and first homes; that land located in flood zone one was unlikely to flood and therefore the flood risk was acceptable; confirmed that the Melksham Neighbourhood Plan was over two years old; the allocation of affordable housing detailed in the Melksham Without Neighbourhood Plan; details about bat boxes and hedgehog highways were detailed in the suite of ecological conditions; technical objections are used against planning applications at appeal by officers to provide a more robust case; the number of different bedroom size homes depends on need; recycling bins for waste currently collected would be provided by the Council, any new collections for instance food waste would be by the Council in the future; and planning officers were not involved in the process for involving housing association.

Officers were asked to prepare a report to include (i) the breakdown of Planning Inspector decisions at appeal where there is a technical objection by officers, how inspectors analyse these at appeal, costs and how they are awarded against the Council, and (ii) the availability of affordable housing.

Members of the public then had the opportunity to present their views, as detailed above.

Cllr Mike Sankey spoke as a local member, along with a further local member Cllr Nick Holder. They commented on the site being outside the settlement boundary; the site being previously refused in May 2017 for 160 dwellings; lack of 5 year land supply; application is for 100% affordable housing, conflicting with the Core Strategy; loss of Grade 2 agricultural land; highway safety concerns and access to schools and lack of school places, and asked for the application to be refused. Some members of the Committee took exception to comments by Cllr Sankey about the type of housing being proposed.

In response to some of the comments from local members the officer explained that following concerns from highways on the previous application road safety improvements had been undertaken by the Council and there is a safe and suitable crossing points at the A350; the proposal was located on the edge of the town; it was noted that a number of large scale affordable housing scheme had been delivered across the Country and the officer referred to Core Policy 57 and design standards being the same for other schemes; referred to the developers obligations for play provision under S106 and potential for funding to be pulled together to provide a safe route to the new school.

The Chairman opened the item for debate and requested that the first Cllr to speak propose a motion to debate. Cllr Pip Ridout, seconded by Cllr Stewart Palmen, proposed that the officer recommendation to defer and delegate to the Head of Development Management be approved with conditions.

At the conclusion of the debate it was,

**Resolved:**

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

**Conditions:**

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

**REASON:**

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

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

**REASON:**

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

3. No development shall commence until details of the following matters (in respect of which approval is expressly reserved) have been submitted to, and approved in writing by, the Local Planning Authority:
  - a. The scale of the development;
  - b. The layout of the development;
  - c. The external appearance of the development;
  - d. The landscaping of the site.

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

The reserved matters shall be submitted as a single phase, unless otherwise agreed by the Local Planning Authority.

**REASON:**

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

4. The development hereby permitted shall be carried out in accordance with the following approved plans and documents:
  - Dwg Reg: 3888 - 01A - Location Plan
  - Dwg Ref: MSW-BWB-ZZ-XX-DR-YE-0001\_Ecological Parameters Plan\_S2\_P02 - Ecological Parameters Plan
  - Dwg Ref: 3888 - 02 Rev B - Parameters Plan

**REASON:**

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

5. The development hereby permitted shall be carried out in general accordance with the design and layout principles in the following:
  - Design and Access Statement dated August 2022

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

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

- (a) Up to 53 dwellings;
- (b) Public open space to be sited, laid-out and equipped in accordance with the West Wiltshire Leisure and Recreation DPD (or any subsequent replacement DPD); and to include at least 1851.18 sq m of general public open space and at least 93.81 sq m of equipped play space. The 'layout of the development' (as to be submitted and approved under condition no. 3) shall accommodate the above in broadly in accordance with the Parameter Plan (no. 3888-02 Rev B).

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

**REASON:**

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

7. No development shall commence on site until the following details have been submitted to and approved in writing by the Local Planning Authority:

- a. sensitivity analysis has been undertaken on the network considering surcharged outfall conditions;
- b. overland exceedance routes have been shown on a drainage plan for flows in excess of the 1 in 100 year plus climate change (40%) rainfall event;
- c. clear arrangements are in place for ownership and ongoing maintenance of SuDS over the lifetime of the development;
- d. submit calculations which demonstrate that the proposed drainage design provides a sufficient level of water treatment; and,
- e. Additional groundwater monitoring should be undertaken during the winter months to establish peak seasonal levels.

**REASON:**

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

8. Prior to the start of construction, a Landscape and Ecology Management Plan (LEMP) shall be submitted to and approved in writing by the Local Planning Authority. The LEMP will include:

a) Long term objectives and targets in accordance with the Calculation of Biodiversity Net Gain using Defra Metric 3.1 report (Biodiversity Net Gain Assessment, Document Number: MSW-BWB-ZZ-XX-RP-LE-0004\_BNGP2, Rev: P02, Date: October 2023 by BWB Consulting).

b) Management responsibilities and maintenance schedules for each ecological feature within the development for a period of no less than 30 years from the commencement of the scheme as identified in:

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

c) The mechanism for monitoring success of the management prescriptions with reference to the appropriate Biodiversity Metric target Condition Assessment Sheet(s).

d) A procedure for review and necessary adaptive management in order to attain targets.

e) Details of the legal and funding mechanism(s) by which long-term implementation of the plan will be secured.

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

**REASON:**

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

9. The development hereby approved shall not commence until a Construction and Environmental Management Plan (CEMP) has been submitted to and approved in writing by the local planning authority. The CEMP shall include details of the following relevant measures:
- i. An introduction consisting of a construction phase environmental management plan, definitions and abbreviations and project description and location;
  - ii. A description of management responsibilities;
  - iii. A description of the construction programme;
  - iv. Site working hours and a named person and telephone number for residents to contact;
  - v. Detailed Site logistics arrangements;
  - vi. Details regarding parking, deliveries, and storage;
  - vii. Details regarding dust mitigation;

- viii. Details of the hours of works and other measures to mitigate the impact of construction on the amenity of the area and safety of the highway network;
  - ix. Communication procedures with the LPA and local community regarding key construction issues – newsletters, fliers etc;
  - x. Details of how surface water quantity and quality will be managed throughout construction;
  - xi. Details of the safeguarding measures to deal with the following pollution risks:
    - the use of plant and machinery
    - wheel washing and vehicle wash-down and disposal of resultant dirty water
    - oils/chemicals and materials
    - the use and routing of heavy plant and vehicles
    - the location and form of work and storage areas and compounds
    - the control and removal of spoil and wastes
  - xii. Details of safeguarding measures to highway safety to include:
    - A Traffic Management Plan (including signage drawing(s))
    - Routing Plan
    - Details of temporary/permanent Traffic Regulation Orders
    - pre-condition photo survey - Highway dilapidation survey
    - Number (daily/weekly) and size of delivery vehicles.
    - Number of staff vehicle movements.
  - xiii. In addition, the Plan shall provide details of the ecological avoidance, mitigation and protective measures to be implemented before and during the construction phase, including but not necessarily limited to, the following:
    - Pre-development species surveys including but not exclusively roosting bats, otter, water vole and birds.
    - Phasing plan for habitat creation and landscape works including advanced planting proposals including pre-development provision of TBMS zones A and B and predevelopment provision of hedgerow mitigation/translocation along Firs Hill A361.
    - Identification of ecological protection areas/buffer zones and tree root protection areas and details of physical means of protection, e.g. protection fencing.
    - Method statement to include pollution prevention measures for construction of causeway over Lambrok Stream to minimise harm to the watercourse and protected and notable species with regular monitoring.
-

- Working method statements for protected/priority species, such as nesting birds, reptiles, amphibians, roosting bats, otter, water vole, badger and dormice with regular monitoring.
- Work schedules for activities with specific timing requirements in order to avoid/reduce potential harm to ecological receptors; including details of when a licensed ecologist and/or ecological clerk of works (ECoW) shall be present on site.
- • Key personnel, responsibilities and contact details (including Site Manager and ecologist/ECoW).
- Timeframe for provision of compliance report to the local planning authority; to be completed by the ecologist/ECoW and to include photographic evidence.

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

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

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

**REASON:**

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

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

**REASON:**

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

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

**REASON:**

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

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

**REASON:**

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

13. No residential unit shall be occupied until those parts of the Residential Travel Plan capable of being implemented prior to occupation have been implemented. Those parts identified for implementation after occupation shall be implemented in accordance with the timetable contained therein and shall continue to be implemented as long as any part of the development is occupied. The Residential Travel Plan Co-ordinator shall be appointed and carry out the identified duties to implement the Residential Travel Plan for a period from first occupation until at least 2 years following occupation of the last residential unit.

**REASON:**

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

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

**REASON:**

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

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

**REASON:**

In the interests of good pedestrian accessibility.

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

**REASON:**

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

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

**REASON:**

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

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

**REASON:**

In the interests of conserving biodiversity.

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

- Ecological Parameters Plan, Drawing ref: MSW-BWB-ZZ-XX-DR-YE-0001, Rev: P02, Date: 26.10.2023 by BWB Consulting
- Biodiversity Enhancement Management Plan (BEMP), Document Number: MSW-BWBZZ-XX-RP-E-0003\_BEMP, Rev: P02, Date: 19/10/2023 by BWB Consulting
- Biodiversity Net Gain Assessment, Document Number: MSW-BWB-ZZ-XX-RPLE-0004\_BNGP2, Rev: P02, Date: October 2023 by BWB Consulting

**REASON:**

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

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

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

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

**REASON:**

To mitigate for impacts to biodiversity arising from the development.

**Informatives:**

The applicant is encouraged to work with the developer of the adjoining land which also benefits from planning permission, this to achieve potentially better and comprehensively planned public open spaces, play areas, etc... Wiltshire Council would work proactively with both parties to facilitate such potential improvements to both developments.

**Protected Species**

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

**Artificial Lighting**

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

**Drainage MADD Factor**

Within the calculations, the MADD factor / Additional storage volume must be set to zero. If a value other than 0m<sup>3</sup>/ha is selected for the MADD value, the applicant will need to provide quantitative evidence to demonstrate that this is appropriate.

*Cllr Ernie Clark asked for his vote against the application to be recorded*



**MEETING Thursday 7<sup>th</sup> December 2023 2pm**  
**Online via Teams**

Item	<u>Notes</u>
<b>NN</b>	Cllr Nabil Najjar Wiltshire Council (Chairman)
<b>JL</b>	John Laverick (President)
<b>GE</b>	Cllr Graham Ellis Melksham Town Council
<b>JG</b>	Cllr Jim Grant Swindon BC (for part of meeting)
<b>MH</b>	Cllr Mark Harris Melksham Without PC
<b>JR</b>	Cllr Judy Roberts Oxfordshire CC
<b>MS</b>	Cllr Marina Strinkovsky Swindon BC (for part of meeting)
<b>JA</b>	John Allan Cotswold Canals Trust
<b>CG</b>	Colin Goodhind Melksham Hydro
<b>PH</b>	Paul Harris Oxfordshire CC
<b>RH</b>	Rod Hacker Wilts & Berks Canal Trust
<b>MHo</b>	Martin Holliss Wilts & Berks Canal Trust
<b>GP</b>	Graham Puddephatt K&A Canal Trust
<b>PS</b>	Peter Scatchard Wilts & Berks Canal Trust
<b>DM</b>	Dick Millard Sustrans
<b>KO</b>	Ken Oliver Wiltshire Council (Partnership Officer)
<b>LW</b>	Luke Walker – Wessex Waterways Restoration Trust
<b>1</b>	<b>Apologies:</b> Gavin Champion Cooper Tires; Mike Gibbin WBCT; William Scott Semington PC; Chris Clark Wiltshire Council
<b>2</b>	<b>Notes from the last meeting 7<sup>th</sup> September 2023</b> (pre-circulated) were agreed
<b>3</b>	<b>Chairman’s Announcements</b> <b>NN</b> noted that the monthly update meetings with Canals Officer have been continuing to progress matters between meetings.
<b>4</b>	<b>Action Items –</b> <b>Partnership Deputy Chair- NN</b> asked again if other Councillors would please consider whether they might consider taking on the role as deputy Chair particularly to support the work of the group and to cover for occasional absences of the Chairman at meetings etc. Please contact NN directly if you might consider the role. <b>Towpath Challenge sub group report back- KO</b> said that the group was due to meet again the following week on Dec 13 <sup>th</sup> . The concept of the Towpath Challenge seems to be getting quite a bit of traction with those who are not directly involved in the canal restoration. Recently there had been discussions with Wiltshire Council Transport planners with the aim of getting the project included in the Local Cycling & Walking Improvement Plan (LCWIP). The Wilts & Berks Canal Trust has recently appointed Abi

	<p>Oluwande to lead on the Towpath Challenge and she is currently starting to familiarise herself with the project – hopefully this will revive the impetus of the project to move things forward in the same way that the original project manager had managed to do some time ago. Abi is a keen towpath walker on the K&amp;A Canal and would like to be able to inspire and deliver further progress to the Towpath Challenge.</p> <p><b>Funding-Group-</b>Setting up of the group is deferred to 2024. <b>KO</b> noted that the aim of the group will be identify the sort of funding that would be possibly helpful to the project. An example of this is the DeFRA Rural England Prosperity Fund. Most of this type of funds have defined application windows and therefore knowing about them in good time is essential.</p> <p><b>Letter of Support from Local Authorities</b> <b>NN</b> said that a draft is currently the legal team for checking. <b>NN</b> suggested that the draft is sent by WBCT to the new representatives from Oxfordshire CC and Swindon BC for consideration. <b>MHo</b> said that the aim was to continue building the case for support for the project. <b>PS</b> asked to be included in the circulation. <b>JG</b> asked that if the letter is sent to him and Cllr Strinkovsky, could further background information also be sent as they were both new to the project. <b>JG</b> noted that he would appreciate as much information as possible as the canal restoration was ‘hard to sell’ in Swindon.</p>	
5	<p><b>Proposed Partnership changes to MoU and revised Strategy</b> (pre-circulated)- <b>KO</b> said that the Strategy document had last been revised in 2019. The revision was to consolidate in the document the change in emphasis for the priority of the Towpath Challenge, to remove details of the Masterplan projects (which are now being dealt with directly by WBCT) and to generally update projected timescales and costs. The revision of the MoU was to more closely reflect how the Partnership operates. <b>MHo</b> noted that the Cotswold Canals Partnership had very active support from Stroud DC and hoped that with four major Local Authorities along the line of the Wilts &amp; Berks a similar active support could be encouraged. <b>KO</b> noted that the support of LA’s is more easily gathered when external funds for restoration are in place. The ‘attractiveness’ of the restoration is certainly enhanced when major projects are actually being delivered and it is fair to say that there is active support for projects like the Melksham Link <b>JL</b> agreed that the HLF funding for the K&amp;A restoration was a major factor but that partnership had been built on an existing strong foundation of Local Authority support prior to funding being received. <b>CG</b> said he was disappointed to learn that the canal restoration in Swindon was a hard sell and wondered if there was anything that could be done to help. <b>JA</b> said that the Stroud DC had stepped in to support the project when British Waterways withdrew. The arrival of the funding was at the same time, but beforehand Stroud DC had been actively involved not least because the canal is located in the centre of the town- the situation is circular in the interest attracts the money and vice-versa.</p> <p><i>[ At this point connection was temporarily lost with NN- KO temporarily took over the role of chairing]</i></p> <p><b>MS</b> said that to sell the canal in Swindon required outreach and information. Interaction with those in the town was primarily via the boating activity of Dragonfly in Wichelstowe. While this was a positive experience, the town centre required much more outreach from the Canal Trust, not so much to identify the value of restoration, but to explain the theory of change so the community can envisage the digging up of the town centre to recreate the</p>	KO

	<p>canal, and what that means in terms of disruption and loss of what is already there (which has an intrinsic value to residents). Using the shop might be one of the ways to help explain the journey to get from the current situation to the finished scheme to create somewhere like the setting of the Oracle in Reading – why is it realistic – why should the investment be made- why will it succeed. The local scepticism in Swindon is all about the answers (some of which may not be possible) around these perceived issues – residents need to see a clear roadmap from A to B. <b>KO</b> noted that there were many examples (Liverpool for instance) where major works had restored or created new canals and perhaps these could be used as examples. <b>MHo</b> said that perhaps first the attention should be focussed on less contentious sections where short term restoration/construction is more easily achievable. <b>MS</b> agreed that demonstration of the advantages and benefits of the canal to the local community in sections where there is less disruption would be a stepping stone to tackling the more difficult areas. <b>KO</b> said that perhaps the first ‘difficult’ section to be considered should be the extension of the canal from Kingshill to Wharf Green where the line is obvious (although still technically challenging).</p> <p><b>KO</b> said that he was seeking approval of the document revisions but if members required more time, then this could be done at the next meeting. <b>MHo</b> said that the two key issues for moving the project on were land and funding and it would be good to see some proposals for dealing with these potential problems. The meeting <b>agreed</b> to defer the approval until the March meeting.</p>	
6	<p><b>WBCT update</b> <b>MHo</b> said WBCT has now agreed the six objectives for 2024 and these will be circulated in a separate document with these notes. <b>MHo</b> then said that the main potential issue for WBCT is that it is now certain that the Trust will be prosecuted for a breach of the Health &amp; Safety at Work regulations following the fatality on site in August 2016. In the event of a fine, this will impose a severe financial strain on the Trust. The conclusion of the aftermath of this tragic event will however allow WBCT to move on and engage with funders in a way that has not been possible for seven years.</p> <p><b>MHo</b> said that WBCT was currently the only other member of the Partnership that funds the project officer post (with the exception of Wiltshire Council) .WBCT while remaining fully committed to supporting the officer post would like to urge other members to consider whether they might be able to financially contribute.</p> <p><b>Wiltshire Local Plan consultation – summary of WBCT responses.</b> <b>RH</b> said that the WBCT response had been made in two parts - firstly to comment on the issues raised by Wiltshire Council in the consultation documentation and secondly to submit a detailed land-take requirement for the restoration of the canal.</p> <p>The aim of the response has been to try to bring some coherence to other policies in the document to the aims of Policy 94 (Canals) and also to align with the policies set out by Swindon BC and the Vale of the White Horse DC in their Local Plans.</p> <p>The response also suggested that canal restoration might be relevant to other Policies in the Local Plan (sustainable transport- wellbeing etc) In general WBCT supports the positive changes that are outlined in Policy 94, particularly to support the restoration as well as safeguard the route.</p>	RH

	<p>However one particular issue is causing WBCT anxiety in the requirement of an environmental impact assessment for the whole canal to be part of any individual standalone restoration planning application. <b>MHo</b> said that while they fully supported environmental assessment of any plans, this requirement is in the view of WBCT not proportionate and is over burdensome. <b>KO</b> noted that he had sought out the experience of other restorations and it seems that there is considerable variability in the requirements of other Local Authority planners. <b>RH</b> added that WBCT had also commented on what appeared to be onerous requirements for Blue/Green infrastructure audits. <b>JR</b> noted that the joint South &amp; Vale Local Plan was out for consultation at shortly. <b>RH</b> said that work had already been done with VWHDC spatial planners who had already removed the EIA requirement (suggested modification by Oxfordshire CC).</p>	
7	<p><b>Partnership Officer Report- Melksham Link- planning application- update.</b> <b>KO</b> reported that following some S106 funding a contract had been placed with consultants to prepare a report on the proposed river scheme particularly looking at habitat and Biodiversity Net Gain issues. When the report is completed, it will be submitted as a further planning document together with other updates and will go once again to public consultation.</p> <p><b>Melksham Hydro Scheme CG</b> noted that a project meeting is scheduled for the New Year and that he was pleased that there was some interest in the scheme from Wiltshire Councillors.</p>	
8	<p><b>Projects update – Swindon Wichelstowe Canalside</b> <b>KO</b> said that the project team are still waiting for planning consent for the next section of canal and hope to start work in spring 2024.</p> <p><b>East Wichel-KO</b> said that work on the canal leak has had to be paused due to high levels of rainfall.</p> <p><b>Landowner issue Westleaze</b> <b>KO</b> reported that the blockade is still in place and the matter is being dealt with by Swindon BC Property/Legal team. <b>MHo</b> said he would follow up the matter with the local WBCT team.</p> <p><b>Repairs Rushey Platt –</b> funding is in place from Swindon BC and subject to environmental issues WBCT volunteers should commence the work early in 2024.</p> <p><b>Mouldon Hill-</b> no further progress to report.</p>	
9	<p><b>Partners Reports and Issues</b></p> <p><b>Cotswold Canals –JA</b> said he noted that from a funding perspective the two bookshops run by CCT had raised in the order of £100k last year and perhaps as importantly, were a way of engaging with the local community, and wondered if this is an idea to deal with the ‘challenges’ in Swindon.<b>MS</b> said that her impression of the shop in Swindon ( based on a visit) was that there was room for improvement in its ambassadorial role and she would be happy help with this process. <b>JA</b> said that in terms of promotion of the project, the new visitor centre (run jointly with Cotswold Lakes Trust ) had over 5000 visitors in its first year of operation (open part time). <b>JA</b> said that they hoped to get planning consent for Phase 1b in February 2024, but the biggest challenge particularly with continuing delays is construction cost escalation. The original estimation had risen by 20% which posed a serious funding challenge.</p>	<p><b>JA</b> <b>LW</b></p>

	<p><b>Wessex Waterways Restoration Trust LW</b> thanked Wiltshire Council for facilitating a meeting with WBCT in October. Although he had not had an opportunity to progress the issues discussed, a meeting had been set up between WWRT Vice – Chair ( joint owner of a section of the canal at Dauntsey) and WBCT (MHo). The WWRT volunteers continue to maintain this section. <b>MHo</b> said that the two meetings referred to were both difficult and forthright and wondered if there had been any updates following the subsequent email exchanges <b>LW</b> said that as this was a landowner issue then he was not in a position to comment. <b>MHo</b> said that he would like some further clarity about whether WWRT had written to the Charity Commission to challenge WBCT’s policy on restoration. <b>LW</b> said that he is seeking a view on the divergence of policy between WBCT and WWRT on the issue security of tenure for restoration projects where charitable funds are being used.</p> <p><i>[At this point connection was restored with NN]</i></p> <p><b>NN</b> apologised for the technical issues in connection and asked if there were any further items for discussion</p>	
<p><b>10</b></p>	<p><b>Date and time and location of next meeting:</b>  Next meeting 2pm Thursday 7<sup>th</sup> March 2024 2pm Hybrid/ Monkton Park Chippenham  Proposed dates 2024 - 6<sup>th</sup> June – Proposed in person - provisionally Swindon BC offered to host this meeting .  -5<sup>th</sup> September- 5<sup>th</sup> December</p>	

DRAFT

## Lorraine McRandle

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**Subject:** FW: PL/2023/02893 Certificate of Lawfulness

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**From:** Rivans, Natalie <[Natalie.Rivans@wiltshire.gov.uk](mailto:Natalie.Rivans@wiltshire.gov.uk)>  
**Sent:** 13 December 2023 20:10  
**To:** Lorraine McRandle <[office@melkshamwithout-pc.gov.uk](mailto:office@melkshamwithout-pc.gov.uk)>  
**Subject:** RE: PL/2023/02893 Certificate of Lawfulness

Hi Lorraine,

This is currently being appealed by the owner, therefore until the Planning Inspector has made a decision on the appeal against the above refusal, the LPA can not take formal action.

Of course, if the decision is upheld I can then investigate further.

Regards

**Natalie Rivans**  
Planning Enforcement Officer  
Planning Enforcement Team  
Wiltshire Council  
Internal Tel: 15502  
External Tel: 01225 770502  
E-mail: [natalie.rivans@wiltshire.gov.uk](mailto:natalie.rivans@wiltshire.gov.uk)  
Website: [www.wiltshire.gov.uk](http://www.wiltshire.gov.uk)

The views expressed in this e-mail represent an officer's opinion only and are not binding on any future decisions made by elected members of the Council or under powers delegated to officers.

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**From:** Lorraine McRandle <[office@melkshamwithout-pc.gov.uk](mailto:office@melkshamwithout-pc.gov.uk)>  
**Sent:** Wednesday, December 13, 2023 4:41 PM  
**To:** Rivans, Natalie <[Natalie.Rivans@wiltshire.gov.uk](mailto:Natalie.Rivans@wiltshire.gov.uk)>  
**Cc:** Teresa Strange <[clerk@melkshamwithout-pc.gov.uk](mailto:clerk@melkshamwithout-pc.gov.uk)>  
**Subject:** FW: PL/2023/02893 Certificate of Lawfulness

Hi Natalie

We have just received an email from a resident of Semington Road, who has witnessed estate agents showing people around the annex to the above property, despite the application being refused by Wiltshire Council and subject to an Appeal with a decision by the Planning Inspectorate not due until 22 December.

Are you able to look into this.

Best Regards

Lorraine

## Lorraine McRandle

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**Subject:** FW: 489 Semington Road: Planning application: PL/2021/06824: proposed garage and Planning Enforcement

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**From:** Rivans, Natalie <Natalie.Rivans@wiltshire.gov.uk>  
**Sent:** 05 December 2023 08:06  
**To:** Seed, Jonathon <Jonathon.Seed@wiltshire.gov.uk>  
**Cc:** Lorraine McRandle <office@melkshamwithout-pc.gov.uk>  
**Subject:** RE: 489 Semington Road: Planning application: PL/2021/06824: proposed garage and Planning Enforcement

Dear Jonathan and Lorraine,

I have been twice, and no one has been residing in the garage, it remained empty. If anyone has any evidence of this being resided in please can they forward me this.

I am passing next week on my visits so I will do one final unannounced visit and if there is anything of note, I will let you know.

Regards

**Natalie Rivans**  
Planning Enforcement Officer  
Planning Enforcement Team  
Wiltshire Council  
Internal Tel: 15502  
External Tel: 01225 770502  
E-mail: [natalie.rivans@wiltshire.gov.uk](mailto:natalie.rivans@wiltshire.gov.uk)  
Website: [www.wiltshire.gov.uk](http://www.wiltshire.gov.uk)

The views expressed in this e-mail represent an officer's opinion only and are not binding on any future decisions made by elected members of the Council or under powers delegated to officers.

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**From:** Lorraine McRandle  
**Sent:** 23 November 2023 12:44  
**To:** Seed, Jonathon <[Jonathon.Seed@wiltshire.gov.uk](mailto:Jonathon.Seed@wiltshire.gov.uk)>  
**Cc:** Teresa Strange <[clerk@melkshamwithout-pc.gov.uk](mailto:clerk@melkshamwithout-pc.gov.uk)>  
**Subject:** 489 Semington Road: Planning application: PL/2021/06824: proposed garage and Planning Enforcement

Hi Jonathon

As you may know, there has been somewhat of a planning history at this property and we have an item on the Planning agenda for Monday, 27 November regarding correspondence from a resident of Semington Road expressing frustration, despite contacting Planning Enforcement, they do not appear to take action with regard to concerns the double garage currently being constructed is not being built to plan and is being constructed in such a way ie with French doors installed at the front, to suggest it will be used as a dwelling (picture attached taken in July), therefore any vehicles will park on the road and exacerbate existing parking issues on Semington Road.

This Council have the same concerns and also contacted Planning Enforcement in the Summer, to be informed there had been no breach of planning control following a site visit. The approved plan did not show any particular door to be installed and the owner had stated in writing, they were using ramps to get vehicles in and out. Enforcement

stated they would make a further unannounced site visit, once the garage had been completed to make sure it was being used as per the approval. We are not aware if a recent site visit has taken place as yet.

Prior to receipt the correspondence stated above, frustration was expressed at a recent Full Council meeting that Enforcement did not appear to take concerns seriously and therefore, it was agreed to approach you to make you aware of the concerns and if there is anything you can do.

Look forward to hearing from you.

Best Regards

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](mailto:office@melkshamwithout-pc.gov.uk)  
[www.melkshamwithout-pc.gov.uk](http://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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## Lorraine McRandle

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**From:** Rivans, Natalie <Natalie.Rivans@wiltshire.gov.uk>  
**Sent:** 02 January 2024 14:46  
**To:** Lorraine McRandle  
**Cc:** Teresa Strange  
**Subject:** RE: Unit 1 Lancaster House, Bowerhill - ENF/2023/00638

Hello,

Happy New Year. Once validated the application will be - **PL/2023/11068**.

Regards

**Natalie Rivans**

Planning Enforcement Officer  
Planning Enforcement Team  
Wiltshire Council  
Internal Tel: 15502  
External Tel: 01225 770502  
E-mail: [natalie.rivans@wiltshire.gov.uk](mailto:natalie.rivans@wiltshire.gov.uk)  
Website: [www.wiltshire.gov.uk](http://www.wiltshire.gov.uk)

The views expressed in this e-mail represent an officer's opinion only and are not binding on any future decisions made by elected members of the Council or under powers delegated to officers.

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**From:** Lorraine McRandle <office@melkshamwithout-pc.gov.uk>  
**Sent:** Tuesday, January 2, 2024 2:40 PM  
**To:** Rivans, Natalie <Natalie.Rivans@wiltshire.gov.uk>  
**Cc:** Teresa Strange <clerk@melkshamwithout-pc.gov.uk>  
**Subject:** FW: Unit 1 Lancaster House, Bowerhill - ENF/2023/00638

Hi Natalie

Happy New Year to you.

Further to your email below in September regarding new fencing being erected outside Unit 1 Lancaster House without planning permission, just wondering if there is an update, as we are not aware of a planning application having been submitted as yet.

Also, one of our councillors over Christmas noted the end unit now has two doors where there were windows and paths have been laid. The two middle windows are now full-height instead of half-height. We are not aware of any planning application having been submitted to undertake this work.

Are you able to look into this.

Look forward to hearing from you.

Best Regards



01 December 2023

Development Services  
Wiltshire Council  
Tel: 0300 456 0114  
[www.wiltshire.gov.uk](http://www.wiltshire.gov.uk)  
[PlanningAppeals@wiltshire.gov.uk](mailto:PlanningAppeals@wiltshire.gov.uk)

Dear Sir/Madam,

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

APPELLANTS NAME:	Mr Nathan Hall
APPEAL SITE:	89 CORSHAM ROAD, WHITLEY, MELKSHAM, SN12 8QF
PLANNING APPLICATION REF:	PL/2023/03257
PROPOSED DEVELOPMENT:	Proposed side extension
INSPECTORATE REFERENCE:	APP/Y3940/D/23/3332925
APPEAL START DATE:	30 November 2023

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

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

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

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

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

Yours faithfully

Head of Development Management

## Lorraine McRandle

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**Subject:** FW: Update following the end of the Melksham NHP Reg 14 formal consultation

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

**Sent:** 13 December 2023 09:43

**To:** David Pafford <david.pafford@melkshamwithout-pc.gov.uk>; Alan Baines <alan.baines@melkshamwithout-pc.gov.uk>; John Glover <john.glover@melkshamwithout-pc.gov.uk>; Mark Harris <mark.harris@melkshamwithout-pc.gov.uk>; Richard Wood <richard.wood@melkshamwithout-pc.gov.uk>; Terrence Chivers <terry.chivers@melkshamwithout-pc.gov.uk>; Peter Richardson <peter.richardson@melkshamwithout-pc.gov.uk>

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

**Subject:** FW: Update following the end of the Melksham NHP Reg 14 formal consultation

Dear Planning Committee

Just to keep you updated on the NHP following the end of the formal consultation period, please see below.

There is a sizeable amount of work to be undertaken by officers up until April, and this is on the agenda for the Staffing Committee to consider on Monday evening (in conjunction with an item that I have managed to get on to the Town Council's full council meeting on Monday evening too for the same reason) for the agreement of some funding for Place & possibly A N Other to do some of the work due to the lack of Town Council officer capacity (in discussions with the Mayor, in conjunction with Cllr Glover).

With kind regards,

Teresa

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**From:** Teresa Strange

**Sent:** 13 December 2023 09:38

**To:** Members of Steering Group

**Cc:** Vaughan Thompson ([vaughan@placestudio.com](mailto:vaughan@placestudio.com)) <[vaughan@placestudio.com](mailto:vaughan@placestudio.com)>; Katie Lea ([katie@placestudio.com](mailto:katie@placestudio.com)) <[katie@placestudio.com](mailto:katie@placestudio.com)>; Lorraine McRandle <[office@melkshamwithout-pc.gov.uk](mailto:office@melkshamwithout-pc.gov.uk)>; Marianne Rossi <[admin@melkshamwithout-pc.gov.uk](mailto:admin@melkshamwithout-pc.gov.uk)>; Linda Roberts ([linda.roberts@melksham-tc.gov.uk](mailto:linda.roberts@melksham-tc.gov.uk)) <[linda.roberts@melksham-tc.gov.uk](mailto:linda.roberts@melksham-tc.gov.uk)>; Committee Clerk <[committee.clerk@melksham-tc.gov.uk](mailto:committee.clerk@melksham-tc.gov.uk)>; Gloria Delves <[Gloria.Delves@melksham-tc.gov.uk](mailto:Gloria.Delves@melksham-tc.gov.uk)>; Sarah Askew <[sarah.askew@melksham-tc.gov.uk](mailto:sarah.askew@melksham-tc.gov.uk)>

**Subject:** Update following the end of the Melksham NHP Reg 14 formal consultation

Dear Melksham Neighbourhood Plan Steering Group

Just to confirm/remind you of the next Steering Group meeting on Weds 17<sup>th</sup> January at 6.30pm at the MWPC offices.

Topics to cover are:

- Numbers/depth/range of consultation responses
- Highlights of the Wiltshire Council response to the Reg 14 consultation
- Highlights of the Plan Health Check which has been undertaken by Intelligent Plans as technical support
- Community responses to the consultation
- Update on Cooper Tires work and the viability assessments on the brownfield site allocations (technical support)
- To note the SEA (Strategic Environment Assessment) undertaken by AECOM and the Car Park Audit (currently outstanding)
- To agree positions on some of the emerging themes from the stakeholder consultation responses such as objections raised to the Green Wedges, Employment Land/Golf Course land, local green spaces (including the campaign for the Cooper Tires "plot B" land), Whitley Farm

MTC and MWPC officers met with Place yesterday, and we agreed a way forward for collating the responses, they have fallen broadly into two camps with the majority of responses from the online questionnaire coming from the community, and the bulk of the responses received by email (in the last few days of the consultation period) from stakeholders. So we have agreed the best way forward is to produce two reports/spreadsheets so that the comments raised by the community are separate from those raised by the stakeholders (statutory consultees, land owners, developers etc). Wiltshire Council's response was late, they asked for an extension, and so we have only had a day or so, and are still to take in properly. We propose just sending you highlights of the main points, you don't need to be bogged down by lots of text/referencing comments!

The collation and the beginning of draft responses to the comments received (and health check and viability assessments on the brownfield sites) will continue in late January and February (and will be informed by some of the positions that you decide at the 17<sup>th</sup> January meeting), with the aim to approve the final version at the end of March, ready for approval by the qualifying bodies (MTC & MWPC) and submission to Wiltshire Council in April.

Forthcoming meetings are scheduled for Weds 28<sup>th</sup> Feb and Weds 27<sup>th</sup> March to keep to programme, and I will send you separate calendar invites for those meetings too.

Have a good Christmas break, and we look forward to analysing all the responses with you in the New Year!

Kind regards, Teresa

Teresa Strange  
Clerk & Responsible Financial Officer  
Melksham Without Parish Council  
First Floor  
Melksham Community Campus  
Market Place, Melksham  
Wiltshire, SN12 6ES  
01225 705700  
[www.melkshamwithout-pc.gov.uk](http://www.melkshamwithout-pc.gov.uk)

**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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**Additional resource required to backfill lack of Town Council officer capacity for work required on the Joint Melksham Neighbourhood Plan 2 (JMNP2) in January, February, March to respond to the comments received in the Regulation 14 consultation and Plan Health Check undertaken, to revise the Plan and submit to Wiltshire Council. To include all changes required to amend the suite of accompanying evidence documents.**

**In terms of resource and the split of workload between MTC and MWPC, the tasks have been split down and shared between inhouse capacity (existing staff), what needs technical planning expertise (Place Studio), what needs JMNP2 and some planning knowledge (Teresa Strange, MWPC Clerk) and what can reasonably be given as a task to “bought in resource” without that knowledge.**

**There are 92 responses to the online questionnaire and 80 email responses, but the majority of the responses have a long list of comments against different policies and most do not state the policy number, so will need reading and analysis to align to the correct policy.**

<b>Resource</b>	<b>Task</b>	<b>Indicative Cost</b>	<b>Cost</b>
Teresa Strange, MWPC	To triage responses received by online questionnaire and by email into community and stakeholder responses	INHOUSE 1 day	-
Sarah Askew, MTC	To input community responses received by email into the online questionnaire	INHOUSE 2 hours	-
Marianne Rossi, MWPC	To remove from online questionnaire the stakeholder responses and send to email folder for triage and analysis	INHOUSE 2 hours	-
Place Studio	To triage the responses received from stakeholders (statutory consultees, developers, land owners) into those that need planning expertise to analyse and to cut and paste into the right policy spreadsheet tab	2 x full day at £550 per day  NB to analyse and draft response to comments and make changes in the draft JMNP2 already covered in	£1,100 excluding VAT

		Place original quote and approved.	
Bought in Additional Resource	To analyse, cut and paste the stakeholder responses (NON planning expertise required) into the relevant policy spreadsheet tab.	Hard to estimate until start digging into responses to see quantity/quality/complexity, but say 3 days at say £20 per hour (£150 per day)	£450
Bought in Additional Resource	To analyse, cut and paste the community responses into the relevant policy spreadsheet tab.	Hard to estimate until start digging into responses to see quantity/quality/complexity, but say 3 days at say £20 per hour (£150 per day)	£450
Bought in Additional Resource	To analyse responses to policies on the community spreadsheet and highlight/group into common themes	Say 2 days at say £20 per hour (£150 per day)	£300
Teresa Strange, MWPC Clerk	To analyse responses to policies on the stakeholder spreadsheet and highlight/group into common themes	INHOUSE Say 2 days	-
Teresa Strange, MWPC Clerk	To draft responses to comments on both the community and stakeholder spreadsheets (for the NON planning expertise required element)	INHOUSE Say 2 days	-
Teresa Strange, MWPC Clerk	To compile bullet point list of all points raised internally during Reg 14 consultation period – amendments required, typos noticed, anything that was raised as part of the review of the draft Local Plan response, items raised by councillors and steering group members	INHOUSE ½ day	-

Bought in Additional Resource  Teresa Strange, MWPC Clerk	To read ALL evidence documents to see if updates required further to changes in circumstances since prepared eg approval of planning applications, draft Local Plan, any comments raised in the Health Check or Reg 14.  To check all maps and figures in the draft JMNP2 for same reason.  To check documents further to changes requested to AECOM (Town Centre Master Plan, Design Guide and Site Assessments) – outstanding town council action	Say 3 days	£450
Teresa Strange, MWPC	Ongoing work with Cooper Tires viability and Economic Regeneration team, Car Park Audit, Melksham Green Spaces team (campaign to protect Cooper Tires Plot B greenfield land)	ONGOING INHOUSE NB: all in town and not parish	
Teresa Strange, MWPC	Liaison with Place Studio, Wiltshire Council, Steering Group, Locality, AECOM and other technical support providers and provide support to Steering Group meeting (agendas, meeting attendance, minutes and resulting actions)	ONGOING INHOUSE	
Teresa Strange, MWPC Clerk  Bought in resource	To proof read revised version of JMNP2 before submission – from content point of view  To proof read revised version of JMNP2 before submission – from typo, accessibility, point of view	INHOUSE  Say 1 day	£150

Teresa Strange, MWPC	Oversee financial management of JMNP2 costs against quotes and budgets agreed, against grants and technical support obtained, liaise with Mel Rolph (MTC finance) as held in MTC bank account as lead council	ONGOING INHOUSE	
	<b>TOTAL INDICATIVE COST TO MELKSHAM TOWN COUNCIL</b>		<b>£2,900</b>

Teresa Strange, Clerk & RFO

Melksham Without Parish Council

15<sup>th</sup> December 2023

## Lorraine McRandle

---

**From:** Teresa Strange  
**Sent:** 19 December 2023 16:06  
**To:** David Pafford; Alan Baines; John Glover; Mark Harris; Richard Wood; Terrence Chivers; Peter Richardson  
**Cc:** Lorraine McRandle; Marianne Rossi  
**Subject:** FW: Update from GOV.UK for: Levelling-up and Regeneration Bill: reforms to national planning policy

**Importance:** High

Dear Planning Committee

The highlights are that the Paragraph 14 now gives NHPs 5 years of protection (not 2) and Wiltshire Council can go down to a 4 year land supply figure (para 226).

We need WC to prove that is what they have – as the recent appeal at Land south of Western Way the Inspector noted that it had been called into question at 3.6 by the appellants.

The NHP steering group will need to think carefully about programming now, as the current plan will have 5 year's protection.

All for after the Christmas break!

All the best, Teresa

---

**From:** Teresa Strange  
**Sent:** 19 December 2023 13:51  
**To:** Nick.Holder@wiltshire.gov.uk; Vaughan Thompson (vaughan@placestudio.com) <vaughan@placestudio.com>; Katie Lea (katie@placestudio.com) <katie@placestudio.com>; Lorraine McRandle <office@melkshamwithout-pc.gov.uk>; Cllr David Pafford (david.pafford@melkshamwithout-pc.gov.uk) <david.pafford@melkshamwithout-pc.gov.uk>; Councillor Alan Baines (alan.baines@melkshamwithout-pc.gov.uk) <alan.baines@melkshamwithout-pc.gov.uk>; Councillor John Glover (john.glover@melkshamwithout-pc.gov.uk) <john.glover@melkshamwithout-pc.gov.uk>; Councillor Mark Harris (mark.harris@melkshamwithout-pc.gov.uk) <mark.harris@melkshamwithout-pc.gov.uk>; Councillor Richard Wood (richard.wood@melkshamwithout-pc.gov.uk) <richard.wood@melkshamwithout-pc.gov.uk>; Councillor Terry Chivers (terry.chivers@melkshamwithout-pc.gov.uk) <terry.chivers@melkshamwithout-pc.gov.uk>; Peter Richardson <peter.richardson@melkshamwithout-pc.gov.uk>  
**Subject:** FW: Update from GOV.UK for: Levelling-up and Regeneration Bill: reforms to national planning policy  
**Importance:** High

Time to read it and take it in!

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**From:** GOV.UK Email <[gov.uk.email@notifications.service.gov.uk](mailto:gov.uk.email@notifications.service.gov.uk)>  
**Sent:** 19 December 2023 13:38  
**To:** Teresa Strange <[clerk@melkshamwithout-pc.gov.uk](mailto:clerk@melkshamwithout-pc.gov.uk)>  
**Subject:** Update from GOV.UK for: Levelling-up and Regeneration Bill: reforms to national planning policy



**GOV.UK**

Update from GOV.UK for:

# Levelling-up and Regeneration Bill: reforms to national planning policy

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## [Levelling-up and Regeneration Bill: reforms to national planning policy](#)

Page summary:

The Department for Levelling Up, Housing, and Communities is seeking views on how we might develop new national planning policy to support our wider objectives.

Change made:

Added full government response.

Time updated:

1:37pm, 19 December 2023

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## Teresa Strange

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**From:** Teresa Strange  
**Sent:** 20 December 2023 12:32  
**To:** Blackham, Mark (Nokia - GB/Reading) (mark.blackham@nokia.com); chris.b.holden (chris.b.holden@btinternet.com); Cllr David Pafford (david.pafford@melkshamwithout-pc.gov.uk); Councillor John Glover (john.glover@melkshamwithout-pc.gov.uk); Graham Ellis (graham.ellis@melksham-tc.gov.uk); John Hamley (john.hamley@btinternet.com); Mike Sankey; pat.aves (pat.aves@melksham-tc.gov.uk); Shirley Mccarthy (s.a.mccarthy49@gmail.com); as; chris.b.holden (chris.b.holden@btinternet.com)  
**Cc:** Lorraine McRandle; Vaughan Thompson (vaughan@placestudio.com); Katie Lea (katie@placestudio.com); Committee Clerk; Linda Roberts (linda.roberts@melksham-tc.gov.uk)  
**Subject:** FW: FW: Update from GOV.UK for: Levelling-up and Regeneration Bill: reforms to national planning policy

Dear Neighbourhood Plan Steering Group

As you will probably be aware, there was an announcement by the Government yesterday on the changes to the NPPF.

The full document is below, but the most useful information you need are the bits that Katie has extracted immediately below.

The Steering Group meeting on Weds 17<sup>th</sup> January, will be looking at any implications to the programme of NHP2 for you to consider.

Kind regards, Teresa

---

**From:** Teresa Strange  
**Sent:** 19 December 2023 17:43  
**To:** Cllr David Pafford (david.pafford@melkshamwithout-pc.gov.uk) <david.pafford@melkshamwithout-pc.gov.uk>; Councillor Alan Baines (alan.baines@melkshamwithout-pc.gov.uk) <alan.baines@melkshamwithout-pc.gov.uk>; Councillor John Glover (john.glover@melkshamwithout-pc.gov.uk) <john.glover@melkshamwithout-pc.gov.uk>; Councillor Mark Harris (mark.harris@melkshamwithout-pc.gov.uk) <mark.harris@melkshamwithout-pc.gov.uk>; Councillor Richard Wood (richard.wood@melkshamwithout-pc.gov.uk) <richard.wood@melkshamwithout-pc.gov.uk>; Councillor Terry Chivers (terry.chivers@melkshamwithout-pc.gov.uk) <terry.chivers@melkshamwithout-pc.gov.uk>; Peter Richardson <peter.richardson@melkshamwithout-pc.gov.uk>  
**Cc:** Lorraine McRandle <office@melkshamwithout-pc.gov.uk>  
**Subject:** FW: FW: Update from GOV.UK for: Levelling-up and Regeneration Bill: reforms to national planning policy

Dear Planning Committee

Here are the relevant bits that Katie at Place has extracted.....

T

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**From:** Katie Lea <katie@placestudio.com>  
**Sent:** 19 December 2023 15:10  
**To:** Teresa Strange <clerk@melkshamwithout-pc.gov.uk>  
**Subject:** Re: FW: Update from GOV.UK for: Levelling-up and Regeneration Bill: reforms to national planning policy

Key points relevant to WC and Wiltshire highlighted below - importantly WC no longer have the 5YHLS hanging over them as they have reached the Reg 19 stage of plan making with the Local Plan...

See Question 4 and para 14 (and annex 1 for detail) of the new NPPF [https://assets.publishing.service.gov.uk/media/65819679fc07f3000d8d4495/NPPF\\_December\\_2023.pdf](https://assets.publishing.service.gov.uk/media/65819679fc07f3000d8d4495/NPPF_December_2023.pdf)

The government has decided to proceed with the proposed amendments to paragraph 14 of the National Planning Policy Framework. This will mean that the protection under paragraph 14 will be available for neighbourhood plans that are up to 5 years old instead of the current 2 years. Additionally, this protection will no longer be conditional on local planning authorities needing to demonstrate a minimum housing land supply and have delivered a minimum amount in the Housing Delivery Test.

...The government believes our proposed amendments strike the right balance. The protections will continue to only apply in cases where the neighbourhood plan contains policies and allocations to meet its identified housing requirement. The changes do, however, recognise the time communities invest in preparing their neighbourhood plans and will provide the appropriate protections.

See Question 16 and para 11(d)

The government has carefully considered the range of responses and has decided to proceed with the proposal to reflect the support shown in the consultation responses. Given confusion regarding eligible plans, the reference to paragraph 61 contained in the consultation version of the Framework has been removed. To help further address concerns about interactions with other supply policies, we have made clear that the policy will apply to local plans at examination, Regulation 18, or Regulation 19 stage with a policies map and proposed allocations towards meeting housing need. When an authority has an emerging plan that meets these requirements, the respective authority need only demonstrate a 4-year housing supply for decision making purposes.

Katie Lea

**place**

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*Please note I don't usually work on Fridays*



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On Tue, 19 Dec 2023 at 13:51, Teresa Strange <[clerk@melkshamwithout-pc.gov.uk](mailto:clerk@melkshamwithout-pc.gov.uk)> wrote:

| Time to read it and take it in!

---

**From:** [GOV.UK](#) Email <[gov.uk.email@notifications.service.gov.uk](mailto:gov.uk.email@notifications.service.gov.uk)>

**Sent:** 19 December 2023 13:38

**To:** Teresa Strange <[clerk@melkshamwithout-pc.gov.uk](mailto:clerk@melkshamwithout-pc.gov.uk)>

**Subject:** Update from [GOV.UK](#) for: Levelling-up and Regeneration Bill: reforms to national planning policy



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Update from GOV.UK for:

## **Levelling-up and Regeneration Bill: reforms to national planning policy**

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### **[Levelling-up and Regeneration Bill: reforms to national planning policy](#)**

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## Summary

This consultation seeks views on the detailed operation of street vote development orders.

This consultation closes at **11:59pm on 2 February 2024**

## Consultation Description

The government has secured new powers in the Levelling Up and Regeneration Act 2023 to introduce a new route to planning permission called street vote development orders.

Street vote development orders are an innovative new tool that will give residents the ability to propose development on their street and, subject to the proposal meeting certain requirements, vote on whether the development should be given planning permission. They will support the government's long-term plan for housing – facilitating housing delivery and growth across England in partnership with local communities.

Today's public consultation seeks views on the detailed operation of street vote development orders and will be open for 6 weeks. The government will carefully consider all responses before responding. Views received will inform secondary legislation that will set out the detail on how street vote development orders will operate.

<https://www.gov.uk/government/consultations/street-vote-development-orders-consultation>

# BACS REMITTANCE ADVICE

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Supplier Name: Melksham Without Parish Council  
Payment Date: 04/01/2024 Total paid to your bank: £ 83,227.16

Invoice Date	Your Ref/Invoice Number	Deductions (CIS/Discount) (in GBP £)	Amount Paid (in GBP £)
01/12/2023	90379326 CIL-19/00221/FUL Tranche 1 of 1 63 Shaw Hill Shaw	0.00	900.00
01/12/2023	90458602 CIL-PL/2022/02749 Tranche 1 of 3 Land at Semington Road	0.00	82,327.16
		<b>Total</b>	<b>83,227.16</b>

Page: Page 1 of 1