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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

Tuesday, 20 June 2023

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

You are invited to attend the Planning Committee Meeting which will be held on **Monday, 26 June 2023 at 7.00pm at Melksham Without Parish Council Offices (First Floor), Melksham Community Campus, Market Place, SN12 6ES** to consider the agenda below:

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

Click link here:

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

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

YOU CAN ACCESS THE AGENDA PACK HERE

Yours sincerely,

Teresa Strange, Clerk



Serving rural communities around Melksham

AGENDA

1. **Welcome, Announcements & Housekeeping**
2. **To receive Apologies and approval of reasons given**
3. **Declarations of Interest**
 - a) **To receive Declarations of Interest**
 - b) **To consider for approval any Dispensation Requests received by the Clerk and not previously considered.**
 - c) **To note standing Dispensations relating to planning applications.**
4. **To consider holding items in Closed Session due to confidential nature**
Under the Public Bodies (Admission to Meetings) Act 1960, the public and representatives of the press and broadcast media be excluded from the meeting during consideration of business item 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:**
 - [PL/2023/03148](#):** The New Inn, Semington Road. Pizza Parlour and all Weather shelter. Applicant Wiltshire Pub Company. **(Comments by 11 July)**
 - [PL/2023/03324](#):** Old Loves Farm, Bowerhill. Replacement windows and doors. (Listed Building Consent). Applicant Mr Gwilliams **(Comments by 7 July)**
 - [PL/2023/03751](#):** 113A Beanacre. Proposals for side and rear extensions. Applicant Nigel Bridgeman **(Comments by 8 June: extension on Parish Council comments approved).**
 - [PL/2023/03847](#):** Belmont, 410 The Spa, Bowerhill. Rebuild a collapsed garden wall to the rear of the property. Retrospective planning for a patio area, Replace two windows with French doors from the kitchen to rear garden. (Householder Planning Permission). Applicant Lee Emery **(Comments by 30 June)**
 - [PL/2023/04198](#):** Belmont, 410 The Spa, Bowerhill. Rebuild a collapsed garden wall to the rear of the property. Replace two windows with French doors from the kitchen to rear garden (Listed Building Consent). Applicant Lee Emery **(Comments by 30 June)**
 - [PL/2023/04036](#):** Snarlton Farm, Snarlton Lane. Erection of commercial building specifically falling within use class B8, associated works and associated parking. Applicant T & J Stainer Ltd **(Comments by 5 July)**

PL/2023/04210: Pear Tree Inn, Top Lane, Whitley. Proposed Community Village Shop. Applicant Shaw & Whitley Community Hub Ltd.
(Comments by 5 July)

PL/2023/04523: Pear Tree Inn, Top Lane, Whitley (Consent to Display an Advertisement). Applicant Shaw & Whitley Community Hub.
(Comments by 5 July)

PL/2023/04546: 16A The Beeches Shaw. Construction of single storey extension to the rear of the property along with internal alterations and roof lantern.
Applicant Mr Brown **(Comments by 17 July)**

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

PL/2023/00808: Land at West of Semington Road, Melksham. Approval of reserved matters following Outline application 20/07334/OUT approved under Appeal ref APP/Y3940/W/21/3285428 for up to 50 dwellings, (appearance, scale, layout and landscaping). Applicant Living Space Housing **(Comments by 10 July)**

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

a) **Planning Application PL/2021/06824:** Proposed garage 489a Semington Road. To note development of a garage appears to be contrary to proposals. The matter has been referred to Planning Enforcement for investigation.

9. **Planning Appeal - PL/2022/02675:** Land adjacent to 6 Guinea Cottage, Forest Road, Melksham. Erection of a dwelling. To note arrangements to determine the appeal.

10. **Current planning applications:** Standing item for issues/queries arising during period of applications awaiting decision.

a) **Land West of Semington Road - Application for 53 dwellings (PL/2022/08155 Outline)**

b) **Land West of Semington Road - Appeal site to rear of Townsend Farm for 50 dwellings (PL/2023/00808 Reserved Matters)** To consider specific outcomes for request at the Western Area Committee meeting.

c) **Land East of Semington Road (Planning Application PL/2023/02749) - Development comprising the erection of 144 dwellings with informal and formal open space, associated landscaping and vehicular and pedestrian accesses of Semington Road. Applicant: David Wilson Homes.** To approve additional street names for the development (if required).

d) **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 note the responses of statutory consultees.

- e) **Land at Verbena Court (Planning Application No PL/2023/03797): Modification of Planning Obligation Address: Land at Verbena Court, Melksham. Application to modify obligations contained within the S106 agreement relating to marketing land within the Local Centre pursuant to consented outline planning permission 04/01895/OUTES.**

11. Planning Policy

a) Neighbourhood Planning

- i) To note draft minutes of Steering Group Meeting held on 7 June 2023 (if received).
- ii) Update on the Neighbourhood Plan Review and to consider any time critical requests before the next Steering Group meeting.
- iii) To note that appointed substitutes will be attending next Steering Group meeting on 26 July (Cllr Baines & Cllr Wood)
- iv) To approve budgetary spend to enable quotation from Place to be approved at Steering Group meeting (revised quotation to Plan adoption)

- b) **Five Year Land Supply.** To note latest 5 Year Land Supply & Housing Delivery Test update from Wiltshire Council.

- c) To note s106 NHS contributions from developments in the Parish and meeting booked with NHS representative to ensure contributions have been requested for all current applications.

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

a) To note update on ongoing and new S106 Agreements

- i) **Hunters Wood/The Acorns:**
 - To note any updates on footpath to rear of Melksham Oak School.
- ii) **Pathfinder Place:**
 - To note update on outstanding issues, including play area transfer.

b) To note any S106 decisions made under delegated powers

c) Contact with developers

Copy to all Councillors

Lorraine McRandle

Subject: FW: PL/2021/06824 Garage at 489a Semington Road
Attachments: Image.jpeg

From: [REDACTED]
Sent: 16 June 2023 08:49
To: Lorraine McRandle <office@melkshamwithout-pc.gov.uk>; Teresa Strange <clerk@melkshamwithout-pc.gov.uk>; developmentmanagement@wiltshire.gov.uk
Subject: PL/2021/06824 Garage at 489a Semington Road

Hi Teresa/Lorraine

I would like to bring your attention to what I believe is a serious planning breach at the above property - application number referenced.

As I had previously mentioned on the comments for this application. There is no intention from the owner to use this building as a double garage for the storage of motor vehicles. He has recently installed patio doors in the openings where garage doors should be.

The intention as predicted is clear. The owner intends to use this property for illegal accommodation purposes and not for the storing of motor vehicles.

I am sure there will be a cynical change of use application coming shortly. Please can you investigate and bring this to the attention of the relevant people and departments. Thanks.

Regards

[REDACTED]

Sent from [Outlook for iOS](#)



489 Semington Road

Lorraine McRandle

From: Wiltshire Council <planning@sf.wiltshire.gov.uk>
Sent: 20 June 2023 08:51
To: Lorraine McRandle
Subject: 489A Semington Road, Melksham SN12 6DR - ENF/2023/00490



Reference No:	ENF/2023/00490
Site Location:	489A Semington Road, Melksham SN12 6DR
Complaint:	Development contrary to plans for PL/2021/06824 relating to garage

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: Teresa Strange
Sent: 16 June 2023 12:21
To: Lorraine McRandle
Subject: FW: Planning Appeal - PL/2022/02675 - Land Adjacent to 6 Guinea Cottage, Forest Road, Melksham - APP/Y3940/W/22/3310947
Attachments: Hearing Notification - 1st letter.pdf

From: PlanningAppeals <PlanningAppeals@wiltshire.gov.uk>
Sent: 16 June 2023 11:05
Subject: Planning Appeal - PL/2022/02675 - Land Adjacent to 6 Guinea Cottage, Forest Road, Melksham - APP/Y3940/W/22/3310947

Further to the previously sent letter (attached) The Planning Inspectorate no longer consider the hearing procedure appropriate to determine this appeal and it will be determined on the basis of written evidence and a site inspection. Whilst there will no longer be a hearing forum to make your views known, there is still a window of opportunity for you to make your views known in writing. Please send any written representations you wish to make on this matter to Pauline Dun by 6th July 2023, to VE.RT@planninginspectorate.gov.uk or submit them over the planning portal <https://acp.planninginspectorate.gov.uk>. **No further written evidence will be accepted after 6th July 2023.**

With best regards

Planning Appeals
Development Services
Wiltshire Council

Tel: 0300 456 0114
Web: www.wiltshire.gov.uk

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05 June 2023

Development Services
Wiltshire Council
Tel: 0300 456 0114
www.wiltshire.gov.uk
PlanningAppeals@wiltshire.gov.uk

Our Ref: PL/2022/02675

Dear Sir/Madam,

TOWN AND COUNTRY PLANNING ACT 1990

APPELLANTS NAME:	Richard Bourne
APPEAL SITE:	Land Adjacent to 6 Guinea Cottage, Forest Road, Melksham SN12 7RB
PROPOSED DEVELOPMENT:	Erection of a dwelling
INSPECTORATE REFERENCE:	APP/Y3940/W/22/3310947
APPEAL START DATE:	01 June 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 of planning permission in respect of the above site and is to be decided on the basis of the **Hearing** procedure. **No date, venue or time for the Hearing has been established as yet, however once these details are confirmed, I will write to you to inform you of the arrangements.**

The Planning Inspectorate have introduced an online appeals service which you can use to comment on this appeal. You can find the service through the Appeals area of the Planning Portal – see <https://acp.planninginspectorate.gov.uk>. Alternatively, you can send your comments to ve.rt@planninginspectorate.gov.uk or Planning Inspectorate, Room 3c, Temple Quay House, 2 The Square, Bristol BS1 6PN, quoting the Inspectorate reference. Comments should be received by **6 July 2023**.

The Inspectorate may publish details of your comments, on the internet (on the appeals area of the planning portal). Your comments may include your name, address, email address or phone number, please ensure that you only provide information, including personal information belonging to you that you are happy will be made available to others in this way. If you supply information belonging to a third party please ensure you have their permission to do so. More detailed information about data protection and privacy matters is available on the Planning Portal.

Any representations received after the deadline will not normally be seen by the Inspector and will be returned.

Any comments you may have already made following the original application will also be forwarded to the Inspectorate (unless they are expressly confidential) but you may withdraw, modify or amplify them now if you wish. All comments received will be copied to the appellant and will be taken into account by the Inspector in deciding the appeal.

If you wish to receive a copy of the appeal Decision Letter, you should write to the Planning Inspectorate specifically requesting one.

The Planning Inspectorate will not acknowledge your letter unless you specifically ask them to do so. They will, however, ensure that your letter is passed on to the Inspector dealing with the appeal.

Finally, you can get a copy of one of the Planning Inspectorate's "Guide to taking part in planning appeals" booklets free of charge from GOV.UK at <https://www.gov.uk/government/collections/taking-part-in-a-planning-listed-building-or-enforcement-appeal>.

When made, the decision will be published online at <https://acp.planninginspectorate.gov.uk>.

Yours faithfully,

Head of Development Management

Lorraine McRandle

From: Teresa Strange
Sent: 20 June 2023 14:34
To: Kidner, James
Cc: Gomez, Carlos; Lorraine McRandle
Subject: RE: David Wilson Homes - Land East of Semington Rd - Street Names
Attachments: Canal History3.docx

Hi James
My apologies for the delay.....

The parish council would like to use street names relating to Canal Engineers, to reflect the historic line of the Wilts & Berks Canal through the development. It continues the theme with the adjacent Bowood View development. The names have been suggested by the Canal Trust. Please see the attached document for more background/context, but note that some on that list have been used, so it's the list in this email below:

Whitworth
Dadford
Hensall
Outram
Sheasby
Smith

With a preference that Whitworth be used particularly for the spinal road for this development. Do you know how many are required? The street naming department at Wiltshire Council often ask for a couple more than required. We usually have paperwork to complete and send to them direct.

With kind regards, Teresa

From: Kidner, James <james.kidner@dwh.co.uk>
Sent: 15 June 2023 12:33
To: Teresa Strange <clerk@melkshamwithout-pc.gov.uk>
Cc: Gomez, Carlos <Carlos.Gomez@dwh.co.uk>
Subject: RE: David Wilson Homes - Land East of Semington Rd - Street Names

Hi Teresa

I hope you are well,

Sorry to chase you , would you be able to come back to me on the below when you get a chance? I note from your other email to Cecelia that you have some names in mind,

Many thanks

James Kidner
Senior Technical Coordinator

Barratt David Wilson South West

DD: 01454 278030

M: 07887 217580

From: Kidner, James

Sent: 05 June 2023 14:51

To: clerk@melkshamwithout-pc.gov.uk

Cc: Gomez, Carlos <Carlos.Gomez@dwh.co.uk>

Subject: David Wilson Homes - Land East of Semington Rd - Street Names

Hi Teresa,

Firstly, I would like to introduce myself at the technical project manager overseeing this development now that we have received planning consent. I would be happy for you to contact me at any point if you have any questions or issues you would like to raise.

As I mentioned to Cecelia in my last email, I am wanting to apply for postal addresses from the County Council and therefore want to engage with the Parish Council as to whether you have any preference or suggestions of street names. Do you have a process for this? I have attached the approved planning layout for ease.

For your information we expect to make a start on site in August this where we will construct the roads and drainage infrastructure before commencing works on the houses – with the first home likely to be occupied in spring next year. At present we don't have any other works on site planned before this, but if that changes I can let you know. The marketing name of the development will be Buckley Gardens.

Kind regards,

James Kidner

Senior Technical Coordinator

Barratt David Wilson South West (a trading name of BDW Trading Ltd)

Wellington House, Unit 1, West Point Court, Great Park Road, Bradley Stoke, Bristol, BS32 4PY

DD: 01454 278030

M: 07887 217580

Switchboard: 01454 278000



DAVID WILSON HOMES
WHERE QUALITY LIVES



The sender of this e-mail is a member of the Barratt Developments PLC group of companies, the ultimate parent of which is Barratt Developments PLC (company number 00604574). Barratt Developments PLC is registered in England and Wales with its registered office at Barratt House, Cartwright Way, Forest Business Park, Bardon Hill, Coalville, Leicestershire LE67 1UF, together with its principal subsidiaries BDW Trading Limited (03018173), and Wilson Bowden Developments Limited (00948402). Barratt Homes, Barratt London and David Wilson Homes are trading names of BDW Trading Limited. This e-mail message is meant only for use by the intended addressee and may contain privileged and/or confidential information. If you have received this message in error please notify us and remove it from your system. Please view our 'Email Addendum v2.0' at www.barrattcommercialsupport.co.uk/barratt-developments-plc-email-a for further details.

A Brief History of Britain's Canals.

In the early part of the 18th century in Britain, goods were moved across the land by horse-drawn wagons. Transport was slow, unreliable and weather dependent, and it was expensive to move heavy, low value freight like coal.

The 3rd Duke of Bridgewater had a coal mine at Worsley and decided that a canal would be the best way of getting his coal to customers in nearby Manchester, so he commissioned local engineer James Brindley to build one.

The Chinese built the first canals in the 3rd century BC but Brindley's was the first successful canal to be built in Britain. It was started in 1759, took 2 years to complete, and the Bridgewater Canal as it was called, revolutionised freight transport. Over the next 50 years, hundreds of miles of canals were built in Britain in an era that has become known as "Canal Mania".

The ability to move heavy goods like coal and iron ore, economically over long distances enabled the Industrial Revolution to accelerate and Great Britain to become a world leader as a manufacturing and trading nation.

The Wilts & Berks Canal was built primarily to provide an alternative route for coal from the Somerset coalfields to be transported to the big markets in South East England. The Kennet & Avon Canal was the first to exploit this trade but the Caen Hill flight of 29 locks at Devizes took narrow boats all day to climb and the Wilts & Berks provided a quicker route to the Thames at Cricklade and Abingdon.

The canal was designed and built by Robert Whitworth. In 1794, aided by his son William, he surveyed the full route, and construction started the following year. All the work was done by hand and horsepower, with armies of "navvies" digging and moving earth 6 days a week. They set up camps and worked their way from start to finish, making their own bricks for bridges and culverts and 'puddling' the clay to make the canal watertight. Work commenced at Semington, where enterprising locals built the New Inn at Berryfield to sell beer to the navvies on Sundays! Young William supervised the work and based himself at the Kings Arms in the Market Place, Melksham. To save on cost, the Wilts & Berks was designed as a "Narrow Gauge" canal with locks only 7ft wide compared to 15ft on canals like the Kennet & Avon where 2 narrow boats could fit side by side in the locks.

The success of canals was brought to an end with the coming of the next technological leap - railways, and by the mid 19th century, canals began to fall into decline. Railways were faster and more economic. When Brunel was building the Great Western Railway, he chose the village of Swindon as a base because he could get goods there via the canal. So, Swindon grew and once the railway was built, the Wilts & Berks declined until it was finally 'abandoned' by Act of Parliament in 1914.

The Wilts & Berks Canal Reborn

The restoration of the Wilts & Berks started in 1976 with various groups along the line forming the "Wilts & Berks Canal Amenity Group". In the 1990's a major study concluded that it would be feasible to restore the whole waterway, albeit with new "Links" around the main towns where the original line had been lost to development. The Wilts & Berks Canal

Trust achieved charitable status in 1996 and in 2006 HRH the Duchess of Cornwall became Patron. The Trust won the Queens Award for Voluntary Service in 2012.

The last 30 years have seen a turn-around in the fortunes of the old canals. Today, the restored waterways have brought great benefits to towns and cities once more, this time through tourism, leisure pursuits and wildlife.

The huge task of restoring the Wilts & Berks will take a long time, but the Trust is dedicated to that objective in the knowledge that the navigation would bring great benefits to the towns on route, and to the canal network in the south of England.

In Melksham, restoration of the original route will not be possible because of development over the last century, so a new “Melksham Link” waterway is proposed, and a planning application was submitted in 2012. The proposed route will use the River Avon through the town – something that was never considered by the early canal designers because the boats had to work all year round and couldn’t cope with winter floods. In the 18th century, there was no control over development so new canals were designed one year and construction started the next. These days, it takes a little longer !

Canal Engineers

Brindley

James (1716 – 1772). James Brindley was the ‘father’ of Britain’s canal engineers. Born in Derbyshire, he started work building pumps and other machines and earned a reputation as a problem solver. When the 3rd Duke of Buckingham had the idea of transporting coal from his mines near Manchester by a canal to the city, he commissioned Brindley to build it. It became known as the Bridgewater Canal and was built in the years 1759-63. To keep the canal watertight, he invented the process of ‘puddling’ whereby clay was worked to make a waterproof lining. This technique was used by all the engineers that followed him and still keeps the water in our canals today. Brindley went on to design and build the Staffordshire & Worcester Canal (1766-72), the Trent & Mersey Canal (1768-77), the Coventry Canal (1768-69), and the Oxford Canal (1769-72).

Smeaton

John (1724 – 1792). John Smeaton was born in Leeds and became known as the ‘Father of Civil Engineering’. He started out as an instrument maker but became interested in waterwheels and windmills and other sources of power. In 1755 he started the reconstruction of the Eddystone Lighthouse using Portland Cement for the first time. He built the Coldstream Bridge over the River Tweed (1763-66) and Smeaton’s Pier in St Ives (1767-70). He then turned his attention to canals designing and building the Ripon Canal (1766-73) and the Birmingham & Fazeley Canal (1782-89). He also built canals in Scotland (Forth & Clyde) and Ireland (The Grand Canal)

Whitworth

Robert (1734 – 1799). Robert Whitworth was born in Sowerby, Yorkshire and qualified as a land surveyor. He worked with James Brindley and John Smeaton on several canal projects, before surveying, designing and building the Wilts & Berks Canal (1796-1810). He was assisted by his son, William who took over the role of engineer for the Wilts & Berks Canal after his father’s death.

Jessop

William (1745 – 1814). William Jessop was born in Devon, the son of a naval shipwright. He was trained as an engineer by John Smeaton and worked with him on the Eddystone Lighthouse. Jessop went on to be the engineer on the Grand Union Canal and the Llangollen Canal and earned the reputation of being the greatest expert on canal and river navigations of his time. He was also responsible for the East India docks in London and dock improvements in Bristol.

Telford

Thomas (1757 – 1834). Thomas Telford was born in Eskdale, Dumfries, and trained as a stonemason. He worked his way up and became the Surveyor of Public Works for Shropshire. He worked under William Jessop on the Ellesmere Canal (Llangollen) (1783 – 95) and became chief engineer on the Shrewsbury Canal (1795-97). He designed the Caledonian Canal (built 1803-1822) as well as many road bridges including the famous Menai Straights suspension bridge to Anglesey. He acquired the nickname Colossus of Roads and was buried in the nave of Westminster Abbey.

Rennie

John (1761 – 1821). John Rennie was born in East Lothian, Scotland, and was a new type of university-trained engineer. He started in business as a Mechanical Engineer in 1791. He was engineer on the Lancaster Canal (1792-97) and then the Kennet & Avon Canal (1794-1810). Amongst his legacies are the Dundas aqueduct near Bath, the Caen Hill flight of locks at Devizes and the Crofton Pumping Station near Hungerford. Rennie also designed and built bridges including Waterloo Bridge in London.

Dadford

Thomas (1745? – 1809). Thomas Dadford was a pupil of James Brindley and worked with him on the Staffordshire & Worcester Canal and the Birmingham Canal Navigations. In 1774 he surveyed the Stroudwater Canal and then worked mainly in Wales on the Monmouthshire & Brecon Canal (1790's) aided by his 3 sons Thomas Jr, John and James.

Henshall

Hugh (1731 – 1816). Hugh Henshall was the brother-in-law and student of James Brindley. He helped survey the Trent & Mersey Canal in 1758 and the Staffordshire & Worcester Canal. After Brindley's death in 1772 he completed the Bridgewater Canal and then worked with William Jessop on the Great Western Canal in Somerset and Devon.

Hore

John (1680? – 1763). John Hore was born in Berkshire and his first job was a Millwright. In 1715 work began on 'improving' a stretch of the River Kennet from Newbury to Reading to make it navigable by installing locks. The original engineering was poor and in 1719 John was appointed as Surveyor and Engineer to sort out the problems. The navigation eventually opened in 1723. Two years later, Hore was employed to make the Bristol Avon navigable from Bath to Bristol which he completed in 1727. Seventy years later these two navigations were joined by the Kennet & Avon Canal.

Outram

Benjamin (1764 – 1805). Benjamin Outram assisted William Jessop in the building of the Cromford Canal in Derbyshire. In 1792 he was appointed as Engineer for the Nottingham Canal, and the following year, the Derby Canal. Outram set up his own ironworks company in 1790 which produced the first cast-iron aqueducts.

Sheasby

Thomas (1740? – 1799). Thomas Shearsby was born in Tamworth and worked as contractor on the Birmingham & Fazely Canal in the late 1780's. Then, in partnership with Thomas Dadford, he worked on the Glamorganshire Canal which opened in 1794. A dispute with the canal company resulted in the pair being imprisoned but they were later released and compensated following arbitration.

Smith

William (1769 – 1839). William Smith was born in Oxfordshire and became known as the "Father of English Geology". He had no formal education but learned surveying and worked in the Somerset coalfields first on coal mines, then on the Somerset Coal Canal. The experience he gained on excavations led to his creation of the first detailed geological map of England. His work in geology was finally recognised in 1831 when the Geological Society of London conferred on him the first Wollaston Medal.

Wiltshire Council Spatial Planning Service

To:	Steven Sims – Senior Planning Officer, Development Management	
From:	David Way – Senior Planning Officer, Spatial Planning	
Cc:		
Date:	20 th April 2023	
Planning Application/Pre-Application Number:	PL/2023/01949	
Site Address:	Land at Blackmore Farm, Melksham, Wilts	
Description of Development:	Outline permission with some matters reserved for demolition of agricultural outbuildings and development of up to 650 dwellings; land for primary school; land for mixed-use hub (class E / class F); open space; provision of access infrastructure from Sandridge Common (A3102); and provision of all associated infrastructure necessary to facilitate development of the site (access only).	
Local Development Plan:	<p>Section 70(2) of the Town and Country Planning Act 1990 and Section 38(6) of the Planning and Compulsory Purchase Act 2004 require that the determination of planning applications must be made in accordance with the Development Plan unless material considerations indicate otherwise.</p> <p>The statutory status of the local development plan is further reinforced at paragraph 47 of the National Planning Policy Framework ('the Framework').</p> <p>What follows is a list of the <u>key</u> relevant plans, policies and supplementary guidance that address the principle of development. Other policies of the development plan may well be relevant and will be covered by other specialist consultees.</p>	
Plan	Relevant planning policies	
Wiltshire Core Strategy, adopted January 2015 (including all relevant saved policies set out in Appendix D)	Core Policy 1 – Settlement Strategy Core Policy 2 – Delivery Strategy Core Policy 15 – Melksham Community Area Strategy	
West Wiltshire Leisure & Recreation Development Plan Document (DPD) – adopted 2009	A number of its policies continue to be saved in the WCS. Of potential relevance to this submission are saved policies LP2 and LP3	
Joint Melksham Neighbourhood Plan 2020-2026, 'Made' July 2021	Policy 6 – Housing in Defined Settlements Policy 7 – Allocation of land at Middle Farm, Whitley Policy 8 – Infrastructure Phasing and Priorities	
Wiltshire and Swindon Waste Core Strategy, adopted July 2009	Policy WCS6 Waste Reduction and Auditing	
Supplementary Planning Document(s) N/A		

Main issue for consideration in policy terms – The Principle of Development

Comments

The application proposes the demolition of agricultural outbuildings and development of up to 650 dwellings; land for primary school; land for mixed-use hub (class E / class F); open space; provision of access infrastructure from Sandridge Common (A3102); and provision of all associated infrastructure necessary to facilitate development of the site (access only).

This planning policy response will consider the principle of the proposed development. Other policies of the development plan considered relevant to the proposal will be addressed by other specialist consultees, such as ecology, drainage, landscape and heritage officers etc.

Wiltshire Core Strategy

In terms of assessing the relative merits of the proposal, the starting point is the development plan and specifically the Wiltshire Core Strategy (WCS). In this regard, the Settlement Strategy is set out in WCS Core Policy 1. Melksham and Bowerhill, where this site is located, is defined in Core Policy 1 as a Market Town, based on an assessment of its role and function. Market towns are defined as settlements that have the ability to support sustainable patterns of development through their current levels of facilities, services and employment opportunities, and have the potential for significant development that can improve self-containment.

WCS Core Policy 2 sets out the Delivery Strategy for growth for the period 2006 to 2026 and aims to distribute development in a sustainable manner. Within the defined limits of development for settlements there is a presumption in favour of permitting sustainable development. Development proposals outside these defined limits would not be supported, except in certain specified circumstances set out in paragraph 4.25 of the WCS; none of these exceptions apply in this case. The policy goes on to emphasise the point that these limits of development may only be altered through the identification of sites for development through subsequent Site Allocations DPDs and neighbourhood plans. This site has not been allocated either through a Site Allocations DPD or neighbourhood plan. Emerging policy ie the Wiltshire Local Plan Review, is still in the early stages of preparation and no decisions on potential housing site allocations at Melksham and Bowerhill have been made at this stage.

The limits of development applying to Melksham and Bowerhill have been comprehensively reviewed through the Wiltshire Housing Site Allocations Plan (WHSAP), which was adopted in February 2020. In other locations across Wiltshire, certain neighbourhood plans have reviewed their own limits of development in accordance with Core Policy 2, however this does not apply to Melksham and Bowerhill. The development site lies outside of the revised limits of development for Melksham and Bowerhill and therefore the presumption in favour of sustainable development set out in Core Policy 2 does not apply.

Also of relevance to the consideration of this proposal is WCS Core Policy 15 which deals specifically with the Melksham Community Area. This policy anticipates that approximately 2,240 new homes will be delivered at Melksham and Bowerhill over the plan period 2006 to 2026. The latest Housing Land Supply Statement¹ (Appendix 6), published in April 2022, shows that 2,634 homes have either been completed or are developable commitments. This is an exceedance of 118% of the requirement, with completions likely to have increased further since the report's base date of April 2021, with several large permissions either completed or being built out². As such, this proposal to deliver a further up to 650 dwellings at Melksham and Bowerhill would exceed the planned level of supply even further. This is a significant increase with three years of the Plan period remaining, with possible detrimental effects on the spatial strategy, as Melksham delivers increased levels of housing to make up for a lack of delivery in other areas, notably in Chippenham and Trowbridge, without significant accompanying infrastructure.

WCS paragraph 5.83 specifically refers to the need for residential growth in Melksham to contribute towards delivering improved infrastructure, as well as contributing towards town centre regeneration. There is also a need to increase the capacity of GP surgeries and strategic road infrastructure in Melksham.

West Wiltshire Leisure & Recreation Development Plan Document (DPD)

¹ Housing Land Supply Statement Base Date April 2021 (Wiltshire Council, April 2022) – Appendix 6.

² 18/04477/REM (213 dwellings), 17/12514/REM (150 dwellings), 17/01096/REM (100 dwellings), 18/04644/REM (447 dwellings). This list is not exhaustive.

This DPD was adopted in 2009 and a number of its policies continue to be saved in the WCS. Of potential relevance to this submission are saved policies LP2 and LP3.

Joint Melksham Neighbourhood Plan 2020-2026

This neighbourhood plan was 'made' in July 2021 and now forms part of the development plan. Its policies should be given full weight when assessing these proposals.

NPPF paragraph 14 is currently relevant with all four criteria being met³ – this means that for applications involving the provision of housing, the adverse impact of allowing development that conflicts with the neighbourhood plan is likely to significantly and demonstrably outweigh the benefits. Neighbourhood plan Policy 6 – Housing in Defined Settlements, Policy 7 – Allocation of land at Middle Farm, Whitley and Policy 8 – Infrastructure Phasing and Priorities are especially relevant to this application. The neighbourhood plan did not make any housing site allocations at Melksham and Bowerhill since the relevant housing requirement has been significantly exceeded.

Conclusion

Having regard to the above policies, it is considered that the proposed development of up to 650 dwellings would not accord with the strategy and pattern of development anticipated by the WCS and the Joint Melksham Neighbourhood Plan. Therefore, from a strategic policy perspective, the proposal would not constitute sustainable development and thereby also conflict with the principle aims of the National Planning Policy Framework.

Emerging Policy – Wiltshire Local Plan Review (LPR)

At the current time, the Council have consulted on LPR Regulation 18 draft proposals in early 2021. A Regulation 19 pre-submission draft is likely to be published for consultation in Q3 of 2023. The LPR is therefore still at an early stage of development. The Regulation 18 draft proposals list a total of 17 sites at Melksham which need to go through a site selection process before any decisions are made on potential site allocations in the plan. The proposed development site, subject of this application, forms part of one of these 17 sites.

Other material considerations – Five-year housing land supply

Comments

The NPPF, within the context of a presumption in favour of sustainable development, aims to significantly boost the supply of housing. It requires local planning authorities to identify a supply of specific, deliverable sites sufficient to provide five years' worth of housing land supply. The NPPF makes it clear that, where this cannot be demonstrated, the most important policies for determining the application are considered to be out-of-date, and planning permission should be granted unless:

- i) the application of policies in the NPPF that protect areas or assets of particular importance provides a clear reason for refusing the development proposed; or
- ii) any adverse impacts of doing so would significantly and demonstrably outweigh the benefits.

The Council's current 5-year housing land supply position is as follows: the latest published HLSS (April 2022) shows that the Council does not currently have a 5-year deliverable housing supply in the Wiltshire LPA (the Council's strategic housing policies are now over five years old and, under the provisions of NPPF paragraph 73, the requirement to be used in the 5-year housing land supply calculation is now the Local Housing Need which is set out at a district level). The current position in the latest HLSS shows a 4.72-year supply.

It should be noted that:

- i) although the Wiltshire Core Strategy (WCS) is over 5 years old, this does not render the plan out-of-date⁴ and is still the starting point for determining planning applications.

³ Refer to appeal decision APP/Y3940/W/21/3285428 [Appeal: AP-36412 \(wiltshire.gov.uk\)](https://www.wiltshire.gov.uk/appeal/AP-36412) 30th May 2022 which states at para 19 "...therefore conclude that all aspects of paragraph 14 of the Framework have been satisfied..." and "the JMNP complies with paragraph 14b of the Framework with respect to the development plan as a whole."

⁴ Planning Practice Guidance (paragraph: 064 Reference ID: 61-064-20190315) (<https://www.gov.uk/guidance/plan-making>)

ii) the current Local Housing Need figure is very similar to the sum of the housing requirements for the three HMAs in the adopted policies of the WCS. This indicates that the housing requirement in the WCS continues to effectively represent the current housing need for Wiltshire.

Five-year housing land supply and decision-taking

Paragraph 11 (d) and footnote 8 of the NPPF state that where an LPA cannot demonstrate a 5YHLS of deliverable sites, for applications including housing provision, the policies which are most important for determining the application should be considered out-of-date. As a result, the presumption in favour of sustainable development (often referred to as the 'tilted balance') should be applied and permission should be granted unless protection policies set out in footnote 7 of the NPPF apply, or the adverse impacts of granting permission would significantly and demonstrably outweigh the benefits. In this scenario officers will need to give careful consideration to decisions on housing proposals. This means balancing the need to boost housing supply against any adverse impacts of the proposal, considered against the development plan as whole, and any material considerations on a case-by-case basis. This will need to include consideration of what weight to assign to the most important policies.

The extent of the 5-year housing land supply shortfall and the potential for the proposal to deliver housing in the current 5-year period to help remedy the current shortfall should also be taken into account in the balancing exercise.

As stated earlier, NPPF paragraph 14, which refers to adverse impacts of allowing housing development that conflicts with a neighbourhood plan, is relevant in this case as the Joint Melksham Neighbourhood Plan was 'made' in July 2021. All four criteria of paragraph 14 are met, as confirmed in appeal decision APP/Y3940/W/21/3285428, and therefore for applications involving the provision of housing, the adverse impact of allowing development that conflicts with the neighbourhood plan is likely to significantly and demonstrably outweigh the benefits.

Conclusions

The proposal for up to 650 dwellings is not supported in principle as it would not accord with the strategy and pattern of development anticipated by the WCS and Joint Melksham Neighbourhood Plan. Therefore, from a strategic policy perspective, the proposal would not constitute sustainable development and thereby also conflict with the principle aims of the National Planning Policy Framework.

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

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

DEPARTMENT OF CHILDREN SERVICES (EDUCATION)
SCHOOL PLACES & EARLY YEARS PLANNING – PLANNING CONSULTATION RESPONSE

23 03 2023

PLANNING REF: PL/2023/01949 (OL)

SITE NAME/ADDRESS: Land at Blackmore Farm, Sandridge Common, Melksham

ASSESSMENT OF: 650 units – 455 open market & 195 affordable housing (AH). No size mix is supplied.

EXCLUSIONS/DISCOUNTS APPLIED: standard 30% AH housing discount applied to 195 AH units = a reduction in qualifying properties of 58 units.

NUMBER OF PROPERTIES QUALIFYING FOR ASSESSMENT: 592

SCHOOL PLACES NEEDED BY DVLPT: **PRIMARY = 184** **SECONDARY = 130**

DESIGNATED AREA PRIMARY/IES:

- Nominally, Forest & Sandridge CE.
- In addition, Aloeric, River Mead, The Manor and the new primary school planned on the Pathfinder/Western Way development are also within 2 miles safe walking distance of the development site.

DESIGNATED AREA SECONDARY/IES:

- Melksham Oak is the designated secondary serving the Melksham area, and no other secondary lies within 3 miles walking distance of the development site.

EARLY YEARS PLACES - ASSESSMENT DETAILS:

- There are currently 6 preschools/nurseries and 2 childminders within a two-mile safe walking route of this proposed development.
- This provision is operating at full capacity.
- The Local Authority has a duty to provide sufficient childcare for working parents under Section 6 of the Childcare Act 2006.
- Therefore, any increase in population as a result of this development will require additional childcare provision.
- Based on the 592 qualifying properties:

Number of units	2 year olds and below 4 places per 100 dwellings	3 & 4 year olds 9 places per 100 dwellings	Total of places	Total required:
592	24	53	77	£17,522 x 77 = £1,349,194

EARLY YEARS PLACES - S106 CONTRIBUTIONS REQUIREMENTS: Current pupil products: 0.04 per dwelling for 0-2-year-olds (4 per 100 dwellings) and 0.09 per dwelling for 3-4-year-olds (9 per 100 dwellings). Current cost multiplier = £17,522 per place. *(Please note however, that the cost multiplier quoted will be updated shortly for the 2023/24 financial year, and the new figure will apply to S106s signed in that financial year as per our S106 Methodology).

- Total required as per calculations above = £1,349,194 (subject to indexation), towards the development of Early Years provision in this area.
- This development will also require 0.3ha of land to accommodate a new full day care nursery which would need to be provided by the developer in order to meet the infrastructure needs of this development. This is in addition to the 1.8ha expansion land required for the school. This facility must be for the nursery's sole use.
- Both the financial contribution and the land for a nursery will be secured by an S106 agreement to which the Council's standard terms will apply.

PRIMARY SCHOOL PLACES - ASSESSMENT DETAILS:

Aggregated data for all primaries within 2 miles safe walking distance:

- capacity = 1509 places. (This includes new places already secured by S106 agreement.)
- Oct 22 census NOR = 1206 pupils.
- Current peak forecast (including in area housing already completed/underway) = 1206 pupils by September 2023.
- In addition, places required by in area housing registered/approved but not yet completed or in our forecasts = 326.
- So, there are no places currently available across the in area primary schools.

PRIMARY SCHOOL PLACES - S106 CONTRIBUTION REQUIREMENTS: Current primary cost multiplier = £18,758 per place. *(Please note however, that the cost multiplier quoted is due to be updated shortly for the 2023/24 financial year, and the new figure will apply to S106s signed in that financial year as per our S106 Methodology).

- There is no spare capacity across the designated schools for this development.
- As a result, were we assessing this pre-app enquiry as an application registered today, we would require a full developer S106 contribution towards the cost of the 184 new places that this development generates a need for.
- Using the current cost multiplier (but see note *above), of £18,758 per place: 184 x £18,758 = £3,451,472 (subject to indexation).
- We note that the applicant is offering a 1.8 ha primary school site, which we confirm we would require in addition to the land for early years referred to above.
- Both the financial contribution and the primary school site will be secured by an S106 agreement to which the Council's standard terms will apply.

SECONDARY SCHOOL PLACES - ASSESSMENT DETAILS:

- PAN Year's 7 – 11 capacity: 1500 places.
- Oct 22 Years 7 -11 number on roll: 1147 pupils.

- Current forecasts (including in area housing already completed/underway), indicate that the school's numbers will peak at 1220 by September 2025.
- In addition, places required by in area housing applications registered/approved, but not yet included in our forecasts = 259.
- So, there are $1500 - 1220 - 259 = 21$ places available at the school.

SECONDARY SCHOOL PLACES - S106 CONTRIBUTION REQUIREMENTS: Current secondary cost multiplier = £22,940 per place. *(Please note however, that the cost multiplier quoted is due to be updated shortly for the 2023/24 financial year, and the new figure will apply to S106s signed in that financial year as per our S106 Methodology).

- Melksham Oak cannot fully accommodate the pupils that will be generated by the proposed development, without further expansion.
- The 21 places that are currently available can be offset against this development's need for 130 secondary places.
- As a result, we require a developer S106 contribution towards the cost of the $130 - 21 = 109$ places that this development will need, and that do not currently exist.
- Using the current (but please see note *above), cost multiplier of £22,940 per place: $109 \times £22,940 = £2,500,460$.
- This contribution will be subject to indexation and secured by an S106 agreement to which the Council's standard terms will apply.
- However, this expansion would need to be built on existing playing field. As school playing field is protected by statute; the lost playing field would need to be replaced. Land adjacent to the school may be secured through the Local Plan process, however at this time the additional land required is not secured and therefore this planning application is premature in coming forward.

CAVEATS :(see attachment)

Consultation Response Approved by Clara Davies, Head of School Place Commissioning

Department for Children & Education – School & Early Years Places Planning

Standard Caveats to Consultation Responses on Outline/Full Planning Applications

- Impact assessments and consultation responses on applications are specific to the site location, housing number and mix supplied in respect of a housing development, and any changes to any of these will necessitate a new assessment.
- Priority for any spare places available at a school/EY setting, is given based on the date of registration of an application, until they are all accounted for.
- Assessments use the pupil data, forecasts, capacities and details of other known housing in a designated/local area as at the time they are made, so where an application is revised/replaced, this can affect the outcome of our assessment at the later time.
- Where significant time lapses exist between assessments/consultation responses then they are unlikely to remain the same as the situation in schools and EY settings doesn't remain static, and each assessment uses the data current at the time it is made.
- Where contributions are being sought towards school and/or EY expansion projects/new schools, please to refer to Highways colleagues, as they will need to identify any highway, cycleway and footpath works that will be required as a result of the school and/or EY expansion/new school or EY setting and request the relevant funds as part of their S106 requirements.
- Capital cost multipliers for EY and school places quoted are subject to review and update on an annual basis for each financial year, and as per the standard S106 Methodology, those in force at the time of completion of an S106, will apply to it. Figures quoted are therefore, valid only for S106s completed by the end of the relevant financial year.

Planning Application PL/2023/01949: Land at Blackmore Farm, Sandridge Common, Melksham. Proposal: Outline permission with some matters reserved for demolition of agricultural outbuildings and development of up to 650 dwellings;

Urban Design's Comment

This application is for principle of 650 dwellings, a primary school and mixed use hub, with access and circulation.

The site in question is just one piece of a wider area; an area which looks to become a new urban extension (UE) for Melksham and which will need to be masterplanned in a holistic way, with input from a range of stakeholders as well as adjacent landowners. The applicant's seemingly self-serving masterplan references adjacent land promoted by other developers, but does not show what is proposed or how those land uses would integrate with the applicant's masterplan.

Thus it is just not possible to assess, for example, if the location of the residential parcels is appropriate; if the primary street is in the right location and would provide bus access to and through the right parcels; if the community facilities are in the optimum locations for the whole of the new UE's community; if the proposed densities reflect a realistic and deliverable design concept which would make sense after the proposals of adjacent landowners were taken into account; if the indicative edges of the masterplan might not stymie access and appropriate permeability into fields both west, east and south of the applicant's geographically arbitrary red line boundary. In short, it is not possible to meaningfully assess the design merit of the this unilateral masterplan, especially if its primary purpose is to exploit the 5YHLS situation in order to increase the applicant's land value by securing a planning permission for up to a precise number of dwellings (whilst potentially also fixing the location of development parcels and their land use, before the full picture and vision for this urban extension can be understood). ON the other hand, it can be easily argued that it is poor design to masterplan and grant planning permission in a piecemeal fashion, for that will not deliver the requirements of CP57 or the National Design Guide.

For this reason, I recommend that the application is withdrawn or refused.

On a side note, for the applicant to seek to assume an average density of 42dph, which is significantly above what is typically achieved in the area at reserved matters, a proving layout would need to be submitted which demonstrated the assumed mix of homes, and how these could be fitted into

the indicative parcels, along with its parking and garden requirements whilst still paying due regard to urban design and placemaking principles. If this is not forthcoming then I will assume that is because the applicant believes (as I do) that they have exaggerated the achievable density by over 10% and thus the site capacity by at least 65 dwellings.

Date Created

17/04/2023

PL/2023/01949: Land at Blackmore Farm, Sandridge Common, Melksham, SN12 7QS. Outline permission with some matters reserved for demolition of agricultural outbuildings and development of up to 650 dwellings

Rights of Way Response

Potential path upgrades, MELW27, upgraded to a shared use path to adoptable standard and put forward for adoption under the section 38 works. Offsite a contribution is requested to cover the cost of upgrading the section of MELW27 from the proposed development to Eastern Way. Also will a new crossing be required on Eastern Way. A financial contribution will be required to cover the cost of a cycle conversion order.

MELW26, upgraded to a shared use path to adoptable standard and put forward for adoption under the section 38 works through the site. A financial contribution will be required to cover the cost of a cycle conversion order. £3,500 is requested for Countryside Access furniture upgrades to improve access on to MELW41.

MELW41 Forms the access road to Snarlton Farm. It would be desirable for as little of this Bridleway to be used as the Southern Access route into the site to avoid conflict between vehicle traffic and users of the Public Right of Way. Where it is unavoidable a shared use path should be constructed alongside the vehicle access track. I would also request a contribution towards stopping up sections of MELW41 to remove conflict with vehicle users of the farm drive. If possible MELW 41 should be incorporated within the green space as this will provide a more enjoyable experience for the Public Rights of Way users. Before re-joining Browns Lane MELW41 further East. I would also request that this path is created with a designation of a restricted byway to future proof any possible higher rights claims on MELW41.

MELW30 is a footpath which links two bridleways. I request £3,000 for Countryside access furniture upgrades on MELW30, MELW30 would also benefit from a realignment so that it stays in one field rather than crossing into a second field. This would remove a piece of access furniture from the network and also allow the field to managed better given they increase this path will get from the extra housing. (this route is likely to require a diversion of some kind as the proposed new road will intersect it so it may be a case of which project receives planning permission.

MELW29 is likely to receive an increase in usage should this development proceed I am requesting £4,000 for improvements to the access furniture to make the path more accessible for all users.

SEEN54 is likely to receive an increase in usage should this development proceed I am requesting £2,000 for improvements to the access furniture to make the path more accessible for all users. MELW25 is a path that could be improved by diverting it to a more suitable position. I am requesting £5,000 to cover the diversion of this path and upgrades to access furniture which will be required.

MELW23A is likely to receive an increase in usage should this development proceed I am requesting £2,500 for improvements to the access furniture to make the path more accessible for all users.

MELW23B is likely to receive an increase in usage should this development proceed I am requesting £500 for improvements to the access furniture to make the path more accessible for all users.

SEEN33 is likely to receive an increase in usage should this development proceed I am requesting £5,500 for improvements to the access furniture to make the path more accessible for all users.

ROWD22 is likely to receive an increase in usage should this development proceed I am requesting £5,000 for improvements to the route of ROWD22 and the access furniture to make the path more accessible for all users.

MELW25A we have an outstanding request from a user group for improvements to the route of MELW25A £5,000 should cover the legal order.

SEEN21 is likely to receive an increase in usage should this development proceed I am requesting £2,500 for improvements to the access furniture to make the path more accessible for all users.

Total requested £38,500 plus the cost of the cycle conversions and the amount required for surface upgrades on MELW27 and MELW41 which I have not priced yet.

Paul Millard

Date Created

02/06/2023

engage • design • deliver



MWPC CLERK NOTES 20/6/23.

Joint Melksham Neighbourhood Plan Review (Stage 2): Fee estimate Revision | June 2023

Following discussion with Linda Roberts and Teresa Strange, this is a revised fee estimate based on our fee of £550 day rate. Please note that this does not include work that could potentially be generated as a result of:

- Draft Local Plan Content
- Changes in the NPPF

? Additional to quote already
• approved in March 22 of £21,743

D. Plan Writing			
Updating Text and Policy Drafting (Reg 14)	.5	£275	✓
Housing Sites Allocations - site visits + professional surveys.	2	£1,100	✓
SEA / HRA Support (Allowance)	.5	£275	£137.50 approved.
Supporting Documentation Preparation Support	.5	£275	* all approved
Reg 14 Plan Desktop Publishing – accessibility and mapping updates	2	£1,100	✓
Sub Total	5.5	£3025	* £2612.50
E. Support through Formal Stages of Consultation and Examination			
Consultation Support ✓ events @ Shaw + Whitley + Town.	2	£1100	✓
Post Reg 14 Feedback Review - more expected than NHP#1 due to site allocations.	4	£2200	£1,100 approved.
Reg 16 Submission Plan Revisions	1	£550	* all approved
Examination Support (Optional Allowance)	2	£1,100	* all approved
Making changes post examination	1	£550	✓
Sub total		£5,500	* £2,750
Project Management (4 steering groups)		£550	✓ £650*
Total (please note VAT is charged but not included in this total)		£9075	£5,912.50*
Expenses		3%?	✓

* Additional to quote approved. £5,912.50.

ALL NET
OF VAT.

FROM OVERALL EXPENDITURE TRACKER AS AT 03/05/2023 - FIGURES FOR YEAR END 31/3/23

Total spend to date on NHP#2 by both parish and town council in 2022/23

£29,034.60

Of that total, so far amount spent with Place Studio

£18,702.56

Remainder is for Melksham News adverts, printing, consultation materials, Land Registry searches

£10,332.04

£29,034.60

Of which £10,000 from Grant to date

Of which £0 still to come from Grant - must be spend before end of March 23

Melksham Town Council contribution
Melksham Without Parish Council contribution

£13,496.48

£5,569.85

£19,066.33

DOES NOT INCLUDE ANY SUPPORT FOR RESPONDING TO THE LOCAL PLAN; OR TO REFLECT CHANGES TO THE N.P.P.F.

* Some already agreed in original quote.

For financial year 2023/24 + into 2024/5
Inv 6058 Place 7/6/23

+ Revised quote from Place to get thro' to adoption.

+ M. News page adverts for Reg 14 consultation + Referendum. say x 3/4

+ Leaflet drop + Reg 14 launch events. say, 15,000 leaflets + delivery

70% MTC.	£2,770.32	£6,352.50	£1,400.00	£1,120.00	£11,642.82
30% MWPC.	£1,187.28	£2,722.50	£600.00	£480.00	£4,989.78
					MTC
					MWPC.
					TOTAL
					£16,632.60

FIVE-YEAR HOUSING LAND SUPPLY AND HOUSING DELIVERY TEST Briefing Note No. 23-15

Service:	Spatial Planning
Further Enquiries to:	Georgina Clampitt-Dix / Chris Roe
Direct Line:	(01225) 713472 / (01225) 713979
Date Prepared:	31 May 2023

Summary

We have now completed the update to Wiltshire's five-year housing land supply position. The current position is a **4.60 years** supply using a base date of 1 April 2022, which will be used to inform decision-making.

While we cannot currently demonstrate the full five-year requirement, the shortfall is considered to be modest. Although the housing land supply is below the five years required by Government, recent housing delivery in Wiltshire remains strong, with the latest Housing Delivery Test results (from 2021¹) indicating the council has met **141%** of its housing targets over the past three years. Both measures are factors that can be applied in the decision-making process when planning applications are determined.

A shortfall in housing land supply means that when applications for housing come forward the 'presumption in favour of sustainable development' applies in decision-making, which in this context means that less weight is given to development plan policies to help resolve supply issues moving forward. However, this does not mean that every housing application should be granted permission. Careful consideration will need to be given to the merits of each case and appropriate weight afforded to development plan policies when determining applications.

This briefing note provides information on both these Government measures and what the implications are for decision making of not meeting Government expectations.

1. Introduction

1.1 Government policy as set out in the National Planning Policy Framework (NPPF) includes two measures that are designed to drive the delivery of housing:

- (i) Five-year housing land supply
- (ii) Housing Delivery Test

¹ The Government's recent consultation on reforms to national planning policy consulted on whether the proposed changes to the Housing Delivery Test should follow from the publication of the 2022 results or if they should be amended, suspended until the publication of the 2023 Housing Delivery Test, or frozen to reflect the 2021 Housing Delivery Test results while consultation results were being assessed. To date, the 2022 Housing Delivery Test results have not been published by the Government.

1.2 The main difference between the two is that:

- the five-year housing land supply measures the level of 'supply' that can be expected to come forward over a five-year period of time i.e. the number of homes that **will be** built; whereas
- the Housing Delivery Test measures the number of homes that **have been** built over a set period.

1.3 Both measures have established methodologies and assess the expected delivery of homes, and homes that have been delivered respectively, against the housing requirement for a local authority area. There is no latitude as to how the methods are applied.

1.4 The Government's recent consultation proposes to remove the five-year housing land supply test but retain the Housing Delivery Test. It is not clear yet how the Government will proceed in planning reforms. Therefore, at present the council is assessed against both measures.

2. What is the five-year housing land supply?

2.1 The NPPF states that:

*"Local planning authorities should identify and update annually a supply of **specific deliverable sites** sufficient to provide a minimum of five years' worth of housing against their housing requirement set out in adopted strategic policies, or against their local housing need where the strategic policies are more than five years old."* (paragraph 74)

2.2 As the Wiltshire Core Strategy (adopted January 2015) is more than five years old, the housing requirement to be used in the five-year housing land supply calculation is Wiltshire's local housing need based on the Government's standard method². The local housing need is based on future household growth and an adjustment to take account of housing affordability in the local authority. It is recalculated every year based on the latest data, which is applicable at the base date. The standard methodology operates on a local authority basis and does not disperse the local housing need figure to a smaller geographic level.

2.3 The annual update for Wiltshire has now been completed and the results of the assessment, using a base date of 1 April 2022, are set out in the 2022 Housing Land Supply Statement (HLSS). This is available on our website via this [link](#). Key points:

- The council cannot currently demonstrate a five-year housing land supply. The current position indicates there is a **4.60 years** supply.
- The five-year housing land supply position has remained broadly constant since the previously published position (base date 1 April 2021).

² Planning Practice Guidance (DLUHC, July 2019) - <https://www.gov.uk/guidance/housing-and-economic-development-needs-assessments>

3. How is the five-year housing land supply calculated?

3.1 Housing land supply is calculated using a base date from which calculations are made to avoid double counting.

3.2 We have now updated the housing land supply calculation using a base date of 1 April 2022. Using this base date, an explanation is provided below:

Starting point for calculation at base date of 1 April 2022:

Local housing need (1 April 2022) = **2,041** homes per annum

Buffer to be applied = **5%** (5% or 20% depending on the results of the Housing Delivery Test - see below)

5-year requirement including buffer = **10,715 homes**

What can be included in supply?

- (i) Number of homes on small sites (less than 10 homes) with planning permission at 1 April 2022 = **1,727 homes** outstanding of which **1,468 homes** were considered to be deliverable within five years (the reduced number takes into account a delivery rate that is based on historic data on non-implementation and delivery timescales).
- (ii) Number of homes on large sites (10 or more homes) with full planning permission at 1 April 2022 = **4,951 homes** outstanding of which **4,635 homes** were considered deliverable within five years (the reduced number reflects delivery timescales).
- (iii) For other large sites with either outline planning permission; resolution to grant planning permission; or allocated³ at 1 April 2022: the number of homes where there is clear evidence of delivery over a five year period from 1 April 2022 to 31 March 2027 = **10,727** homes outstanding, of which **2,528 homes** were considered deliverable within five years.
- (iv) Windfall allowance: number of homes expected to be completed on new 'windfall' sites (which do not have planning permission at 1 April 2022) over a five-year period from 1 April 2022 to 31 March 2027 = **1,218 homes**

Therefore, in total **9,849 homes** can be included in the deliverable supply.

3.3 (i), and (ii) are relatively straightforward statistical exercises, which involve an understanding of delivery timescales for individual sites.

3.4 (iv) is also a statistical exercise that requires understanding of past delivery trends and the potential for development opportunities to come forward in the future. As these are matters which vary year-on-year, the allowance is reviewed and refreshed as part of each annual update. This year's position now includes an allowance for delivery on both brownfield and greenfield sites.

³ Wiltshire Core Strategy, Chippenham Site Allocations Plan, Wiltshire Housing Site Allocations Plan, and allocations in Neighbourhood Plans which do not yet have planning permission.

- 3.5 (iii) is more complex, and clear evidence must be provided for each site to meet the requirements of paragraph 74 of the NPPF, which requires that sites are deliverable over the five-year period being assessed. This means that for large sites, which take time to deliver, we can only include the first few phases of development in the five-year land supply.
- 3.5 So, while on the face of it there is a substantial pool of large sites, for **18,623 homes** in total, the timescales within which these can be delivered is key. An assessment of the deliverability of these sites has indicated that only **53%** of these are capable of delivery during the five-year period 1 April 2022 to 31 March 2027. Factors determining housing delivery are often outside our control, as the development industry ultimately determines how and when sites come forward, despite planning permissions being granted and sites allocated within the development plan.
- 3.6 It is important for credible judgements to be made in undertaking these assessments because they are subject to scrutiny at appeal by appellants, third parties and the appointed Planning Inspector.

4. What are the implications of not having a five-year housing land supply?

- 4.1 The implications for not having a five-year housing land supply and decision making are set out in previous briefing notes, specifically Briefing Notes No. 20-20 (June 2020), No. 20-37 (December 2020) and No. 22-09 (April 2022).
- 4.2 Where a five-year housing land supply cannot be demonstrated, the presumption in favour of sustainable development, as set out in Paragraph 11d of the NPPF applies. The implications of this are that the policies which are most important for determining the application are deemed to be out of date and permission should be granted unless *“any adverse impacts of doing so would significantly and demonstrably outweigh the benefits”*⁴.
- 4.3 The presumption does not apply where there is a clear reason for refusal due to specific NPPF protection policies that apply, as listed in footnote 7, in relation to: habitat sites including Sites of Special Scientific Interest; Green Belt; Local Green Space; Area of Outstanding Natural Beauty; designated heritage assets; and areas at risk of flooding.
- 4.3 The fact that policies must be considered out of date does not mean they carry no weight, and it is for the decision maker to determine how much weight to give to them taking into consideration their consistency with the NPPF. It is therefore possible for policies to carry significant weight still in decision-making, which are weighed into the presumption in favour of sustainable development (often referred to as the ‘tilted balance’) when decision-making is undertaken.

⁴ In areas with neighbourhood plans, paragraph 14 of the NPPF provides additional policy where the presumption in favour of sustainable development applies. This states that the adverse impacts of allowing development that conflicts with a neighbourhood plan is likely to significantly and demonstrably outweigh the benefits where: the ‘made’ neighbourhood plan is less than two years old; it contains policies and allocations to meet its identified housing requirement; and the local authority has at least a three year supply of deliverable housing sites.

5. What is the Housing Delivery Test and consequences?

5.1 It measures net homes delivery (i.e. net homes built) in a local authority area, such as Wiltshire, against the homes required using local authority completions statistics and local authority planning data.

5.2 The results are published for each local authority area by the Secretary of State in November, see [Housing Delivery Test - GOV.UK \(www.gov.uk\)](https://www.gov.uk/government/news/housing-delivery-test-2020)

5.3 As set out in the NPPF the Housing Delivery Test will apply the day following publication of the results, at which point they supersede previously published results. The most up to date result, at the time of writing, is for 2021.

5.4 Since the inception of the Housing Delivery Test the published results for Wiltshire are:

2018	139% (years measured 2015/16 - 2017/18)
2019	149% (years measured 2016/17 - 2018/19)
2020	140% (years measured 2017/18 - 2019/20)
2021	141% (years measured 2018/19 - 2020/21)

5.5 The three consequences of the Housing Delivery Test (HDT) results are set out in the NPPF, as follows:

1. Triggering the presumption in favour of sustainable development (HDT below 75%)

The presumption in favour of sustainable development (paragraph 11d, NPPF), as explained above, should be applied to decisions where the HDT indicates delivery to be “substantially below” the housing requirement, which is 75% from 2020/21 (footnote 8 and paragraph 222, NPPF).

2. 20% buffer (HDT below 85%)

The five year land supply must include a buffer of 20%, rather than 5%, where the HDT indicates that delivery was below 85% of the housing requirement (paragraph 74, NPPF)

3. Requirement to prepare an action plan (HDT below 95%):

“Where the Housing Delivery Test indicates that delivery has fallen below 95% of the local planning authority’s housing requirement over the previous three years, the authority should prepare an action plan in line with national planning guidance, to assess the causes of under-delivery and identify actions to increase delivery in future years.” (paragraph 76, NPPF)

5.6 Wiltshire has consistently performed well against the HDT and the consequences as set out above do not apply.

6. What can we do to restore a five-year housing land supply?

- 6.1 As set out in the previous briefing notes (referred to in 4.1 above), the council will:
- (i) Work positively with developers to take key strategic sites through the planning system, and seek to approve planning applications on allocated sites promptly where there are no technical matters that have not been addressed.
 - (ii) Continue supporting Neighbourhood Plans, identifying any suitable sites for housing.
 - (iii) Positively consider speculative applications where there are no major policy obstacles material to the decision other than a site being outside settlement boundaries or unallocated.
- 6.2 Since the base date of 1 April 2022, consents have continued to be granted permission on suitable sites. While these do not currently contribute to the housing land supply because they were permitted after the base date of 1 April 2022, they will help to boost the housing land supply in the future. New permissions help replenish the housing land supply as it is reduced due to housing completions, planning permissions lapsing, and delays in delivery on key sites. Table 4 of the HLSS contains a list of large sites (10 or more dwellings) that have been permitted since the base date up to the date of publication.
- 6.3 Work can now commence on the preparation of the next HLSS using a base date of 1 April 2023. These statements take time to prepare, particularly for authorities the size of Wiltshire, and typically take around 9-12 months from the base date to publication.

Teresa Strange

From: Teresa Strange
Sent: 07 June 2023 12:23
To: BROOKES, Amanda (BRADFORD ON AVON AND MELKSHAM HEALTH)
Cc: Rogers, Richard; Nick.Holder@wiltshire.gov.uk
Subject: RE: Melksham 106 potential funding
Attachments: NHS contribution - Land at Semington Road s106 extract.pdf; NHS Wiltshire comments - Land at Semington Road outline application.doc; Report on Pathfinder - why the NHS contribution request not upheld.pdf

Hi Amanda

Good to see you yesterday.

I have had a look through to see what else there might be, so it was a bit of any longer exercise. With the caveat that just because there is planning permission it doesn't always mean its built out of course....

I have listed recent ones built too so you can double check that the money is flowing to the Melksham practices, but on checking them all there doesn't seem to be any. For some I can see no requests from the NHS, and for one it was turned down. I have checked more recent applications, still pending a decision and can see that a Tracey Wallace has commented on one but not another, for 650 houses..... <https://development.wiltshire.gov.uk/pr/s/planning-application/a0i3z000019rkioAAA/pl202301949?tabset-8903c=3> I don't know if this could be followed up? And who would be the appropriate person to do so? I am not sure if the planning officer chases comments/requests if not received?

For ease I have highlighted the line with actual funds.

Hope its useful..... I have copied to Richard Rogers and Cllr Nick Holder, for information and to inform any future Estates meeting that they may be arranging (although noting it won't be Nick moving forward).

PS: I like your wellbeing statement at the bottom of your email which I have copied for my own use!

Kind regards, Teresa

20/01938/OUT Land East of Semington Road 144 dwellings (Marketing has just started under the name "Buckley Gardens"). 30% is affordable housing. This is between the new housing at Bowood View and Shails Lane

<https://development.wiltshire.gov.uk/pr/s/planning-application/a0i3z000014evHV/2001938out?tabset-8903c=2>

This received its outline approval in 2020, when the s106 agreement was signed, and its Reserved Matters (all the details) on 11th May 23 (PL/2022/02749). The latest from the developer, David Wilson Homes, this week, is that they will be starting on site in August, and expecting first occupation in the Spring next year. They have started on the access etc, and asking for street names so we have no reason to believe that this application will not go ahead.

The s106 agreement in its entirety can be seen online against the outline application, see the link, but I have extracted the relevant pages for your contribution. Also the submission from the NHS with the initial request.

In summary, its £137,000 towards the cost of supporting primary care capacity of the Melksham and Bradford on Avon Primary Care Network. Its index linked, and payable to Wiltshire Council initially before 80% occupation of the development.

The developers have commented that they used to sell 1 house per week, but in the current economic climate only 0.5 per week. In terms of the date of when 80% will be occupied, this is something that the parish council keep an eye on informally and inform Wiltshire Council when we think the trigger has been met.

20/07433 Land West of Semington Road 50 dwellings 100% affordable housing This the other side of the road to the one above, and behind Townsend Farm which is opposite the Mobile Home Park

<https://development.wiltshire.gov.uk/pr/s/planning-application/a0i3z000014ev8h/2007334out?tabset-8903c=2>

This was approved at Appeal, so the s106 agreement looks different to normal as the Planning Inspector involved, so in this case its called a "Unilateral Undertaking". This was in May 2021.

Its Reserved Matters (the detailed application) awaiting a decision but the principle and s106 funding already agreed. The developer is Sovereign Housing.

I cannot see any NHS comments/requests for funds in the comments, or on the legal agreement. The parish council always ask for them, not sure why none on here? Because none were requested by the NHS? It may that this did not put any strain on resources, but I can't see anything either way.

16/00497/ Land East of Semington Road 150 dwellings 30% affordable housing.. Next to the mobile home park, with the new village hall

<https://wiltcouncil.force.com/pr/s/planning-application/a0i3z000014ehfNAAQ/1600497out>

This is now built and occupied and known as Bowood View, the developer was Bellway.

I can't see anything in the s106 agreement for the NHS and no comments submitted at the time, this would have been 2016.

15/12454 Land to the north of Sandridge Road 100 dwellings 30% affordable housing. On the A3102 Calne road on the left hand side, Barratt Homes, all the roads named after Prime Ministers

<https://development.wiltshire.gov.uk/pr/s/planning-application/a0i3z000014ejZ8AAI/1512454out?tabset-8903c=2>

This is now built and occupied.

Again, I can't see anything in the s106 agreement and no comments from the NHS at the time, this would have been in 2015.

14/10461 East of Melksham extension 450 dwellings.

<https://development.wiltshire.gov.uk/pr/s/planning-application/a0i3z000014ejZ8AAI/1512454out?tabset-8903c=2>

This is the housing being built behind Spa medical centre, and is now known as Hunters Wood/The Acorns. It's a consortium of developers.

No contribution, from memory, this is the one that Dr Matthews as lead at the time, said that the contribution was not required as there was no need to extend the buildings.

Because from this date it predates the WC latest planning system, the comments aren't there to review.

16/01123 Land south of Western Way 235 dwellings and primary school

<https://development.wiltshire.gov.uk/pr/s/planning-application/a0i3z000014eieZAAQ/1601123out?tabset-8903c=2>

This is the one off Pathfinder Way, its Taylor Wimpey and now built and occupied, and known as Pathfinder Place.

Definite request for funding from the NHS on this one (attached), but not in the s106 as the request was not upheld by Wiltshire Council.

See attached for the extract of the report, which includes the request from the NHS in its text and the reason why it was not upheld.

Teresa Strange
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Want to keep in touch?

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

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From: BROOKES, Amanda (BRADFORD ON AVON AND MELKSHAM HEALTH) <amanda.brookes@nhs.net>

Sent: 07 June 2023 09:17

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

Subject: Melksham 106 potential funding

Morning Teresa

Thank you for the tip-off yesterday about 106 monies, you kindly agreed to let me have more information, which I plan to pass on to the Senior Partners at Spa and Giffords.

Kind regards

Amanda

[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.*

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