

**MINUTES of the Planning Committee of Melksham Without Parish Council  
held on Monday 27 February 2023 at Melksham Without Parish Council Offices  
(First Floor), Melksham Community Campus, Market Place,  
Melksham, SN12 6ES at 7.00pm**

**Present:** Councillors Richard Wood (Chair of Planning), Alan Baines (Vice Chair of Planning), John Glover (Chair of Council), David Pafford (Vice Chair of Council), Terry Chivers, Mark Harris and Peter Richardson

**Officers:** Teresa Strange, Clerk and Lorraine McRandle, Parish Officer

**In attendance:** 5 Members of Public

**421/22 Welcome, Announcements & Housekeeping**

Councillor Wood welcomed everyone to the meeting and went through the fire evacuation procedures for the building in case of a fire.

The Clerk reminded those present that the Neighbourhood Plan consultation boards were on display in the Town Hall and The Campus, with a closing date of 19 March for the consultation.

**422/22 To receive Apologies and approval of reasons given**

There were no apologies as all members of the committee were present.

Due to other commitments, Wiltshire Councillor Nick Holder had tendered his apologies.

**423/22 Declarations of Interest**

**a) To receive Declarations of Interest**

There were no declarations of interest.

**b) To consider for approval any Dispensation Requests received by the Clerk and not previously considered**

None received.

**c) To note standing Dispensations relating to planning applications.**

To note the Parish Council have a dispensation lodged with Wiltshire Council dealing with Section 106 agreements relating to planning applications within the parish.

**424/22** **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.*

The Clerk noted there were no items for discussion in closed session.

**425/22** **Public Participation**

Standing Orders were suspended to allow Members of public to speak.

Several residents of Townsend Farm were in attendance to voice their concerns at proposals for 50 dwellings to the rear of Townsend Farm; which was a Reserved Matters planning application [PL/2023/00808](#): Land West of Semington Road)

Concern was raised at the level of flooding already experienced in the fields to the rear of Townsend Farm on a regular basis throughout the Winter, in particular, and the impact this development would have in dispersing water run off potentially towards Townsend Farm. Residents therefore queried if any water management proposed for the site would be adequate to cope. Residents highlighted the latest flooding which had taken place in the fields in January of this year and provided photographic evidence for Members to view.

Concern was expressed that the GeoRisk Desk Top study report submitted as part of the application had stated the water levels were low, however, the report was dated August 22, following a very dry period of weather which had lasted several months, with residents stating the water table in the area was relatively high.

Concern was also expressed that the 'green lane' between Townsend Farm and the proposed development, which some residents had a right of way over, was included within the red line of the application site. Part of the access into Townsend Farm also appeared to be included within the red line. Title Deeds had been sent to the applicant showing they had a right of access. Concern was expressed this right of way could be blocked off. A resident had contacted the developer who had asked if the right of way was required and offered an alternative right of way.

Clarification was sought from Councillor Glover if the residents owned the land within the red line or just had a right of access and explained that unfortunately issues with regard to rights of access were a private matter.

A resident confirmed they did not own the land but had a right of access since 1978 and felt it was very important to maintain the rear access to

Townsend Farm as this allowed a digger for instance access to their septic tanks if there was an issue.

Another resident expressed concern there was nothing to stop residents of the new development parking in Townsend Farm, which is a private road.

Councillor Wood stated it would be for residents of Townsend Farm to make it clear it was a private road and that this should be raised in any comments residents made to Wiltshire Council regarding the proposals.

A resident raised a concern if fencing was proposed to the rear of the properties of the proposed development, there was nothing stopping them installing a gate in the future, in order to access the 'green lane' to the rear of Townsend Farm and therefore wished to see something more secure, such as a walled boundary installed.

Concern was expressed on where surface water would drain to, noting in one of the plans it had stated the site was unsuitable for soakaways.

Councillor Baines noted at outline stage it had been suggested the surface water would be pumped away from the site, with the Drainage Team at Wiltshire Council being content with this. Councillor Baines expressed a concern if the pump system failed there could be flooding, noting it was unusual for surface water to be pumped away and it was unclear where the surface water would be pumped to.

Members noted the Drainage Team were a consultee for the application and therefore the concerns with regard to surface water drainage and the site being unsuitable for soakaways could be raised with them.

It was understood by one of the residents that there used to be a ditch between Townsend Farm and the proposed development, however, this had been filled in some time ago.

A resident noted that whilst the GeoRisk report stated the pond in the South Eastern corner of the site was no longer present, most Winters it did appear.

Residents expressed confusion in reading some of the reports as they often referenced the adjacent field, to the West and not the field this application was for.

Councillor Glover reminded residents such local knowledge was important to include in responses to Wiltshire Council.

Standing Orders were reconvened.

**426/22 To consider the following Planning Applications:**

**PL/2023/00808:** Land West of Semington Road. 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 Spaces

**Comments:** Whilst welcoming the following aspects of the proposals:

- Smaller units which had been highlighted as a need for Melksham in the recent Housing Needs Survey completed as part of Melksham's Neighbourhood Plan Review.
- Each property will be fitted with air source heat pumps
- The inclusion of electric charging points to each property.
- Maximum of two storey dwellings within the development.
- The layout is garden to existing garden.
- Preference for local contractors

Members made the following observations:

- The areas set aside for bin collection do not appear to be large enough, particular as 2 bins can often be collected on the same day. Therefore, the Parish Council ask that these areas are large enough for 2 bins each to be stored.
- With the current layout and several dead ends, concern was raised whether refuse vehicles would be able to negotiate the road layout satisfactorily.

It was noted on the swept path analysis plan, it assumed no vehicles would be parked on the side of the road and therefore, a refuse lorry may have difficulties negotiating some areas.

Members noted that with a different layout two circular routes could be created within the design, eliminating several of the dead ends and making maneuverability of refuse vehicles in particular easier.

- The parish council were disappointed to note no play area was proposed for the site as discussed

previously with the applicant. Whilst it had been noted during discussions with the applicant one was not required for a development of 50 dwellings, it was noted if the development adjacent to their site were to be approved (PL/2022/08155 - Phase 2) a play area could be located to the North West of this site.

Members felt it was important to request a play area or at least leave space for one if Phase 2 were approved, including some space for a ball to be kicked about.

- Reassurances are sought there is an effective management of water run off for the site and query where it is proposed to pump surface water to, particularly given the concerns of residents of Townsend Farm. It is noted Wiltshire Council's Drainage Team is to be consulted on the proposals which was welcomed.
- Whilst welcoming the provision of air source heat pumps, Members noted there was no mention of solar panels being installed. However, at a meeting with the applicant it had been suggested these would be included.

Therefore, Members ask for solar panels to be included in the design, at least on those properties with South facing roofs and the provision of battery storage facilities as well, in order to make dwellings more energy efficient and sustainable. Those dwellings facing East/West should be provided with air source heat pumps.

Concern was raised at a number of inaccuracies in the Design and Access Statement dated October 2022 as follows:

- 5.2.1 Mentions local amenities, including a cinema, however, there is no cinema in Melksham and there has not been one for several decades.

It also mentions a hospital, but it has no Minor Injuries offering, and is used for very specific services like wheelchair repair, limited Xray and physiotherapy.

Unfortunately, on page 10 it shows a photo of

the old Library. A new Library opened as part of Melksham Community Campus in August 2022.

- 5.2.4 Mentions preschools and convenience stores within 800m.

There is only one small shop attached to the petrol station on Semington Road. The next nearest convenience stores being located some distance away in the town centre.

The nearest preschools are more than 800m away.

- 5.3.2 States the railway station is approximately 1 mile away from the application site, taking 10 minutes to walk. Whilst the railway station might be 1 mile way if using the A350 via a vehicle, there is no footpath along this route. People will have to walk via the town centre, making the walk to the railway station more than 1 mile away.

- 5.4 Conservation Area Analysis shows a map highlighting **Browerhill** Conservation area. However, **Bowerhill** is not within a conservation area and only parts of the town centre are within a Conservation area.

- 5.7.2 States King George V playing field lies to the South, which is not the case it lies to the North.

References a nature reserve of Melksham Forest, situated within a short walk of the site. This statement is confusing as the area known as Melksham Forest is located some distance away from the site to the North and there is no forest in Melksham unless this is a reference to Conigre Mead Nature Reserve.

- 6.3.3 States opportunities to link and enhance the existing residential development to the East with further high quality homes. This statement is confusing. There are proposals for a new development to the West of this site (PL/2022/08155 - Phase 2 for 53 dwellings), however, this has not been approved as yet.

- 10.2.2 It is queried whether the principle facing

materials of red brick and render and roofing materials of blue and red tile to be in keeping with the local vernacular was actually in keeping with the area and draw the developer's attention to the Melksham Neighbourhood Plan emerging Design Code.

- 8.3.1 To ensure properties are prioritised for local people, priority will be given to people with a local connection to the parish through family or work.

It was felt this statement needed clarifying as this implied Melksham Town residents would not qualify and queried whether this went against Wiltshire Council policy.

It was noted within one of the reports it mentions a hangar converted to a sports centre, however, Christie Miller was demolished some time ago and a new sports centre built i.e. Melksham Community Campus.

It was noted some of the investigation holes relating to archeology and water often referred to the adjacent field to the West which is subject to a different planning application.

Members request the inclusion of the following if this application is approved:

- The provision of bird, bat and bee bricks, reptile refugia and hibernacula within the development, in order to increase biodiversity.
- All private patio surfaces are permeable to allow for sufficient surface water run off.
- The installation of an impermeable fence to the rear of properties on the boundary with Townsend Farm.
- The installation of a gate at the access to the 'green lane' to the rear of Townsend Farm to stop residents of the development from accessing it but allow access for residents of Townsend Farm in order to maintain the rear of their properties as was offered at a pre-application meeting with the applicants.
- If the current layout is approved, Members request knee rails be installed on verges where refuse vehicles will be maneuvering, in order to protect them from being mounted. Members noted a similar request had been made at a nearby new

development (Bowood View) following refuse lorries repeatedly damaging verges.

4 residents left the meeting at this point.

**427/22 Revised Plans:** To comment on any revised plans received within the required timeframe (14 days)

The Clerk informed the meeting whilst this was not a revised plan, she had received an update on proposals to remove the hedgerow at Melksham Football and Rugby Club, Eastern Way [PL/2023/00734](#). At the Planning Committee meeting on 6 February, Members had objected to proposals and requested it be 'called in' for consideration at a planning committee of Wiltshire Council. However, Councillor Nick Holder had been in touch to say he had spoken to the tree officer who was minded to approve the application and stated:

- There was not an option to call in the application.
- There was not the option to impose conditions, but only recommendations/suggestions but would be recommending the planting of 6 native species to offset the removal of the hedge.

**Land East of Semington Road [PL/2022/02749](#):** To note comments of the Planning Officer regarding proposals for a gate to the Southern boundary.

The Clerk explained following revised plans for the development being considered at the Planning Committee meeting on 6 February, at which it was noted there were proposals for a field gate South of the site onto Shails Lane, she had contacted David Wilson Homes for clarification. They had explained the gate had been put in for services easement, to enable utility companies to gain access to the development but were happy to look at the design and height of the gate.

Therefore, the Clerk had contacted the Planning Officer seeking clarification on why a gate had suddenly been included in the plans and they had responded stating they had instructed the agent before submission of amended plans to continue the acoustic fencing across the bottom of the lane, which would have acted as a solid barrier and was unclear why they thought a field gate would be acceptable, however, they could condition gate details, such that it should be a minimum 2m high for example.

Members were unclear why access was required to the site from Shails Lane for service easement, as these could be accessed via the site itself.

The Clerk explained if residents of Shails Lane were to install a gate on the entrance to the lane as suggested at a previous meeting, they would have to make services easement arrangements as well, such as provide

signage on who to contact in order to gain access, which was a similar arrangement being made for the service gate to the development site.

**Recommendation:** To seek clarification from David Wilson Homes why service easement was required via Shails Lane.

**428/22 Planning Enforcement:** To note any new planning enforcement queries raised and updates on previous enforcement queries.

The Clerk explained after querying with Wiltshire Council's Planning department if planning permission was required in order for Whitley Reading Rooms to sell newspapers, following the closure of Whitley Hub on Top Lane, Planning had responded with an immediate enforcement notice to say permission was required.

The Clerk explained she had been surprised at the response, given only advice had been sought. Therefore, had spoken to the Enforcement Officer and as there was a proposal from Whitley Community Hub to install a portacabin replacement 'Whitley Stores' in the car park of the Pear Tree it had been agreed that the Clerk would speak to Whitley Community Hub and explain the situation and if they confirmed they would be applying for planning permission, the matter would be deferred for 6 months.

Members felt it was not in the public interest to pursue this further, particularly as the current arrangement to sell newspapers from Whitley Stores was only temporary.

Councillor Harris asked if a response had been received from Highways with regard to the fencing at 12 Tangmere Close, Bowerhill.

The Parish Officer explained this request had not been actioned as yet.

**429/22 Planning Policy**

**a) Neighbourhood Planning**

**i) To note Minutes of Steering Group meeting held on 25 January 2023 and 22 February (if available)**

Councillor Pafford provided an update on progress on the Neighbourhood Plan, explaining, the Neighbourhood Plan meeting held on 25 January had mainly been to make decisions on the consultation currently taking place.

The meeting on 22 February had been to move the Neighbourhood Plan to the next stage, to update on how the consultation was progressing and looking at the meeting schedule to be in line with the work programme. As the AECOM Site Assessment Report was not yet available, the next Steering

Group meeting had been scheduled for 5 April, in order to give time for the Housing Task Group to review the report.

Councillor Baines informed the meeting that the Housing Task Group were meeting on 22 March to undertake the work to draw up a list of potential sites for allocation.

At the meeting on 22 February, the Steering Group had also looked at the draft Green Gap/Wedges report from AECOM and various amendments had been suggested. With the Steering Group currently looking at the issue of gaps between different neighbourhood plan areas, such as Seend and Semington and using alternative designations in order to protect some of the green gaps.

It was noted that following the most recent Governance Review, if Seend Parish Council had agreed to Melksham Without Parish Council's boundary extending to the canal, as boundaries had to follow definitive boundaries, such as roads, rivers/canals etc it would have meant the gap between Bowerhill and Seend could have been better protected in the Melksham Neighbourhood Plan. However, as most of the gap between the canal and Bowerhill was in Seend and therefore in a different neighbourhood plan area, with Seend already having a made Neighbourhood Plan, this meant it could not be protected via a Melksham Green Gap policy.

**ii) Update on the Neighbourhood Plan Review and to consider any time critical requests before the next Steering Group meeting**

The Clerk explained at the Neighbourhood Plan meeting on 22 February it had been noted that the Local Plan Review was now delayed until Quarter 3 2023. However, given proposed changes to the National Planning Policy Framework (NPPF), which were understood to be coming into force in Spring 2023, this meant there was a possibility the 2-year Paragraph 14 protection of the current Neighbourhood Plan which was due to run out in July, would now go out to 5 years. Therefore, this could mean the review of the current Neighbourhood Plan could wait for Wiltshire Council's Local Plan Review to come out in the Summer, in order for the Neighbourhood Plan to conform to it.

The Clerk explained that it was currently proposed to go straight to Regulation 14 consultation and include consultation on housing site allocations at this stage. However, if the proposed changes to the National Planning Policy Framework (NPPF) were implemented in the Spring as suggested, the programme could be changed and a separate informal consultation take place on these before the Regulation 14 stage.

Members felt it important to continue on track with the Neighbourhood Plan Review, as it was unknown when the amendments to the National Planning Policy Framework would come into force.

The Clerk explained with regard to the 'Green Gap/Wedges' report from AECOM, several members had been asked to proof read for any inaccuracies, with Councillor Baines noting only part of Shurnhold Fields had been shown, therefore all of Shurnhold Fields had now been included and forwarded to the consultants.

Another gap highlighted in the 'Green Gap/Wedges' report was an area of land South of the 450 houses East of Melksham and North of properties on The Spa. However, it had been noted this did not include an existing paddock and therefore this had now been added and forwarded to the consultants as well.

The Clerk explained that there were several layers of protection that can be afforded to some of the green spaces if they met the relevant criteria i.e. green infrastructure, heritage setting, local green space for example. Therefore, a small working group had been arranged with the neighbourhood plan consultants, to ascertain if any areas could be designated under a different criterion. A meeting was also being arranged with Semington Parish Council on how to work collaboratively on protecting gaps between the two neighbourhood plan areas; as both areas had emerging Plans.

The Clerk explained the final version of 'Green Gap/Wedge' report would be published as soon as produced and could be used as evidence when responding to future planning applications.

The Local Plan would now go to 2038 and therefore the Neighbourhood Plan had also been extended to 2038.

The Clerk informed the meeting there would be an update on the Neighbourhood Plan at the Area Board meeting on 8 March, with workshops on the current consultation areas which would include information on protecting 'green gaps' with Members approving the proposed wording to be included.

**Resolved:** To arrange a meeting with Katie Lea from Place Studio, Neighbourhood Plan Consultants and Semington Parish Council on either Tuesday, 7 March in the afternoon or Friday, 10 March at 10.00am.

**b) National Planning Policy Framework (NPPF) Consultation. To consider a response to the consultation (deadline for comments 2 March).**

Members welcomed the proposed changes to the National Planning Policy Framework (NPPF), as it meant the building of houses people needed, rather than what developers wanted to build in order to make a profit.

Members reviewed and endorsed the responses to the consultation from Salisbury City Council, which had also been endorsed by the Wiltshire Area Local Planning Alliance (WALPA). Members provided several additional comments in response to the various questions posed in the consultation.

Bearing in mind one of the proposed changes in the National Planning Policy Framework (NPPF) was in making sure that the food production value of high value farm land is adequately weighted in the planning process, in addition to current references in the Framework to Best and Most Versatile agricultural land, the Clerk asked if Members wished to make additional comments regarding proposals for 53 dwellings on land to the West of Semington Road (PL/2022/08155), given it was understood the proposed site had been used for food production recently.

**Resolved 1:** To submit the comments endorsed and raised during the meeting in response to the National Planning Policy Framework (NPPF) consultation (appended to these minutes).

**Resolved 2:** To submit the additional comments regarding planning application (PL/2022/08155), bearing in mind proposed changes to the National Planning Policy Framework (NPPF) to reflect its use for food production.

**430/22 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

The Clerk explained there was no update on the footpath but expressed surprise at a previous meeting the extra costs associated with installing the footpath had been attributed to requests made by both Melksham Town Council and Melksham Without Parish Council.

**ii) Bowood View:**

- To receive update on village hall, play area.

Following the lease being signed the previous week, the hall was now open and accepting bookings.

With regard to the play area, the Clerk informed the meeting having spoken to the Council's solicitors it had been agreed they would liaise with Bellway on the lease for the play area on behalf of the parish council, given difficulties the Clerk was experiencing in communicating with the developer.

### **iii) Pathfinder Place:**

- To receive update from Taylor Wimpey on issues e.g. lights, play area etc

The Clerk explained she had undertaken a site visit with the Site Manager and confirmed the various outstanding actions had been implemented. Interestingly, the lost noticeboard for Pathfinder Place had now been found and as a replacement had already been installed, it was proposed this one be installed opposite Shaw School, given the condition of the current noticeboard there.

Road signage provided by Wiltshire Council, which had been discussed at a previous meeting had now been installed or replaced, including road markings. Signage to be provided by Taylor Wimpey had yet to be installed.

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

None.

### **c) Contact with developers.**

The Clerk explained she had been approached by Catesby requesting a meeting with the parish council regarding their proposals for a large site East of Melksham. The Clerk had sought clarification what stage they were at with the application and they had confirmed they were at pre application stage.

The Clerk provided an update on a meeting she had had earlier in the day with representatives of the Football Foundation and Wiltshire FA who had requested a meeting and were seeking a contribution of 30-40% towards the c£850,000 (more if constraints) costs of providing a 3G pitch in Melksham.

The Clerk explained she had informed them any Section 106 funding/Community Infrastructure Levy (CIL) the council had, had

already been allocated in the budget and therefore there was no funding available, however, there would be via future development in the parish. The Clerk had also sought assurances any facility would be for the community to use, bearing in mind the various community facilities available in the area where such a facility could be located.

Councillor Glover informed the meeting it was understood Wiltshire Council had included the provision of a 4G pitch in Melksham in their Local Plan and expressed a concern any 3G pitch provided would end up being for the exclusive use of the first team, at the exclusion of the community, unless the facility was built as a community area.

Members supported the responses the Clerk had provided during the meeting with football representatives.

**Resolved:** To arrange a pre application meeting with Catesby on Wednesday on 8 March at 10.00am and to invite the Wiltshire Councillor for the ward and a representative from the Town Council.

Meeting closed at 9.14pm

Signed: .....  
Chair, Full Council, 27 March 2023

## Response ID ANON-1R1Y-UKGT-8

Submitted to Levelling-up and Regeneration Bill: Reforms to National Planning Policy  
Submitted on 2023-03-02 15:28:54

## Introduction

A Personal dataThe following is to explain your rights and give you the information you are be entitled to under the Data Protection Act 2018.Note that this section only refers to your personal data (your name address and anything that could be used to identify you personally) not the content of your response to the consultation.1. The identity of the data controller and contact details of our Data Protection Officer The Department for Levelling Up, Housing and Communities (DLUHC) is the data controller. The Data Protection Officer can be contacted at [dataprotection@communities.gov.uk](mailto:dataprotection@communities.gov.uk) 2. Why we are collecting your personal data Your personal data is being collected as an essential part of the consultation process, so that we can contact you regarding your response and for statistical purposes. We may also use it to contact you about related matters.3. Our legal basis for processing your personal dataThe Data Protection Act 2018 states that, as a government department, DLUHC may process personal data as necessary for the effective performance of a task carried out in the public interest. i.e. a consultation.4. With whom we will be sharing your personal dataDLUHC may share your personal data with external organisations, for purposes relating to this consultation, including analysis of responses. Any data shared with organisations outside of DLUHC will be anonymised where possible.5. For how long we will keep your personal data, or criteria used to determine the retention period.Your personal data will be held for two years from the closure of the consultation.6. Your rights, e.g. access, rectification, erasure The data we are collecting is your personal data, and you have considerable say over what happens to it. You have the right:a. to see what data we have about youb. to ask us to stop using your data, but keep it on recordc. to ask to have all or some of your data deleted or correctedd. to lodge a complaint with the independent Information Commissioner (ICO) if you think we are not handling your data fairly or in accordance with the law. You can contact the ICO at <https://ico.org.uk/>, or telephone 0303 123 1113.7. Your personal data will not be sent overseas.8. Your personal data will not be used for any automated decision making. 9. We use a third-party system, Citizen Space, to collect consultation responses. In the first instance your personal data will be stored on their secure UK-based server. Your personal data will remain on the Citizen Space server and/or be transferred to our secure government IT system for two years of retention before it is deleted. Please confirm that you have read and agree to the privacy notice

Please tick to confirm:

Yes

B What is your name?

Name:

Teresa Strange & Linda Roberts

C What is your email address?

Email:

[clerk@melkshamwithout-pc.gov.uk](mailto:clerk@melkshamwithout-pc.gov.uk)

D What is your organisation?

Organisation:

Melksham Without Parish Council & Melksham Town Council and joint Melksham Neighbourhood Plan Steering Group

E What type of organisation are you representing?

Neighbourhood planning body, parish or town council

If you answered "other" please provide further details:

## Chapter 3

1 Do you agree that local planning authorities should not have to continually demonstrate a deliverable five year housing land supply (5YHLS) as long as the housing requirement set out in its strategic policies is less than five years old?

Yes

Please set out the reasons for your answer:

The ongoing requirement to demonstrate a 5YHLS has put unreasonable pressures on local authorities and parishes. The resulting speculative housing development, enabled by para 11d of the NPPF 2021, has led to poor quality housing schemes coming forward in Wiltshire because developers are certain of receiving planning permission, even for unimaginative and poorly designed schemes. The result has been a steady deterioration of the high quality built environment in Wiltshire, which has not been Plan led, and without the community infrastructure in the right location, if at all.

2 Do you agree that buffers should not be required as part of 5YHLS calculations (this includes the 20% buffer as applied by the Housing Delivery Test)?

Yes

Please set out the reasons for your answer:

The buffers add complexity to an already complex process and can lead to the need to demonstrate what is in effect a 6YHLS. This has perverse outcomes that can lead to further poor quality speculative housing development, often in areas where housing pressures already exist.

3 Should an oversupply of homes early in a plan period be taken into consideration when calculating a 5YHLS later on?

Yes

Please set out the reasons for your answer:

The provision should be considered over the term of the plan, not just in annual increments. The speed of build-out is not under the control of the LPA and the community should not be disadvantaged by developers' ability to prove that policies were not up to date because the private sector did not build out its permissions quickly enough.

Or is there an alternative approach that is preferable?:

Oversupply before the start or after the end of the plan period should also be taken into account, particularly in the case of appeals on the grounds of para 11d of the NPPF 2021.

4 What should any planning guidance dealing with oversupply and undersupply say?

Answer:

The housing requirement should be set out in local plans as a starting point to determine the overall quantity and geographical distribution of housing delivery through strategic allocations. Planning decisions for major housing schemes on land not allocated in this process should be considered in terms of the wider objectives of the development policies and the requirements for sustainable development and should be refused where they do not constitute sustainable development, even where there is no 5YHLS. The planning tilted balance should be more towards sustainable development and less towards housing delivery.

5 Do you have any views about the potential changes to paragraph 14 of the existing Framework and increasing the protection given to neighbourhood plans?

Answer:

The proposed changes are supported and welcomed.

However, Melksham Without Parish Council, Melksham Town Council and the Melksham NHP Steering Group request that the provisions are changed more fundamentally. Where a neighbourhood plan allocates land for housing, or can demonstrate that the need can be met through windfall development, thus meeting its identified housing requirement, and the requirement is met through permission (including outline) during the neighbourhood plan period, this should be considered to be up to date policy, where in the neighbourhood area, para 11d does not apply.

The current paragraph 14 protection only holds for NHPs that are up to 2 years old. It takes a year from when the plan is submitted to the Local Authority until it is made. That gives the community only 1 year to review their current plan, consult the community informally at different stages, conduct a SEA Strategic Environmental Assessment and undertake the formal Reg 14 consultation. We have found this impossible to achieve, and do not believe that the intention of the NPPF 2021 was to have the local community to be continually in review. This is cost prohibitive even with Locality technical support and grant funding and such a draw on resources and volunteers.

This has proven impossible for us to meet and we are now vulnerable to speculative development once the current protection expires later this year; despite working very hard for 8 years on the current adopted Plan and going into immediate review following the Plan being made in July 2021.

## Chapter 4

6 Do you agree that the opening chapters of the Framework should be revised to be clearer about the importance of planning for the homes and other development our communities need?

Yes

Please set out the reasons for your answer:

The current NPPF 2021 is a complex document that few non-planning professionals can fully comprehend. Even experienced parish/town councillors and NHP steering group volunteers struggle with the complexity of this policy document.

The main policy driver of the NPPF is para. 11d. However, this can only be comprehended by careful consideration of footnotes 7, 8 and paragraphs 14, 66, 68 74 and 75 (as a starting point). The message is therefore split across the NPPF and cannot be understood unless the entire document is read.

For non-professionals in planning, such as parish councillors, this is unrealistic.

In addition, the NPPF is full of planning jargon that many people simply cannot understand. The argument needs to be made clearer, at the front of the NPPF, and written in plain English so that the community can understand why certain planning policies are necessary.

7 What are your views on the implications these changes may have on plan making and housing supply?

Answer:

The changes will result in less speculative housing so it could be argued that the overall supply of housing will be negatively affected by the proposed changes. However, Melksham Without Parish Council considers that it is better to have fewer but better designed homes that will provide a comfortable and beautiful living environment for years to come, than to rush through poorly designed schemes that will quickly deteriorate into low quality neighbourhoods.

This speculative development, rather than plan led development, means that the community infrastructure is not put in place, or not in the right place. So housing is built not in the local vicinity of primary schools (or planned primary schools) leading to parents/carers driving their children to school rather than walking. Or driving because they do not feel that there is a safe walking route to school due to the crossing of major roads etc.

New schools and school extensions are being planned and built in the Melksham area as per the chronological order of the signing of s106 agreements, and not by holistically plan led development. Wiltshire Council are extending primary schools whilst not having enough money to build a new one, more closer to the new developments.

8 Do you agree that policy and guidance should be clearer on what may constitute an exceptional circumstance for the use of an alternative approach for assessing local housing needs?

Yes

Please set out the reasons for your answer:

Yes, but the exceptions should not be overly restrictive. The NPPF needs to acknowledge that every area has its own particular constraints to development and it should be up to local communities to decide how these constraints should be balanced against the need for more homes.

Are there other issues we should consider alongside those set out above?:

In Wiltshire there are often large movements of armed services personnel relocating to - or from - the county.

In Wiltshire there has been a large uptake of rooms offered to Ukrainian refugees who may under the current circumstances decide not to return to Ukraine and Wiltshire Council are now actively planning to build them new homes.

9 Do you agree that national policy should make clear that Green Belt does not need to be reviewed or altered when making plans, that building at densities significantly out-of-character with an existing area may be considered in assessing whether housing need can be met, and that past over-supply may be taken into account?

Yes

Please set out the reasons for your answer:

To keep the sense of community and to prevent urban spread.

The local distinctiveness of individual villages and communities is being eroded by speculative development, outside of the settlement boundary, being allowed in the period of 4.75YHLS.

10 Do you have views on what evidence local planning authorities should be expected to provide when making the case that need could only be met by building at densities significantly out-of-character with the existing area?

Please set out the reasons for your answer:

The Wiltshire local plan evidence base is silent on the matter of housing density. The NPPF should provide a standard methodology for identifying the "density baseline" so that this critical feature of local design and character can be understood. Density also varies according to character area. So, this NPPF tool should also give guidance on how to apply the "density baseline" according to character area for new development. When speculative development has been approved due to the lack of 5YHLS, and is outside of the settlement boundary for example, then the density should reflect the character of the area and not just that of the latest development.

11 Do you agree with removing the explicit requirement for plans to be 'justified', on the basis of delivering a more proportionate approach to examination?

No

Please set out the reasons for your answer:

Communities are passionately interested in the LPA's decisions on housing land allocations. Though the land allocation process takes years to complete, it is a thorough and transparent process. Making this process less rigorous would reduce this transparency and the ability for communities to understand why some proposals perform better than others.

There could be sound reasons for having less, or more housing than calculated by the standard method. For example, having less housing due to the closure of large scale employers in the community. Conversely where there are large brown field sites, in urban areas, these might be an opportunity for a more dense and larger housing number; or if the larger number contributed to required infrastructure such as a new secondary school. In Melksham there is only one secondary school and there perhaps is an argument that more housing would provide a second school rather than repeatedly extending only one school, that gives no choice to parents and leads to outcommuting.

12 Do you agree with our proposal to not apply revised tests of soundness to plans at more advanced stages of preparation?

No

Please set out the reasons for your answer:

No, we believe that Local Planning Authorities should still be required to provide evidence to show that the approach taken to meeting housing need is a reasonable one.

If no, which if any, plans should the revised tests apply to?:

Strategic Environmental Assessment, which is onerous and basically repeats what the local plan review processes already cover.

13 Do you agree that we should make a change to the Framework on the application of the urban uplift?

Indifferent

Please set out the reasons for your answer:

This does not apply to the Melksham area.

14 What, if any, additional policy or guidance could the department provide which could help support authorities plan for more homes in urban areas where the uplift applies?

Please set out the reasons for your answer:

Not applicable

15 How, if at all, should neighbouring authorities consider the urban uplift applying, where part of those neighbouring authorities also functions as part of the wider economic, transport or housing market for the core town/city?

Please set out the reasons for your answer:

Not applicable

16 Do you agree with the proposed four-year rolling land supply requirement for emerging plans, where work is needed to revise the plan to take account of revised national policy on addressing constraints and reflecting any past over-supply?

Yes

Please set out the reasons for your answer:

There should be effectively a 4YHLS rather than a 5YHLS during this transition stage, to avoid more speculative development in the interim period. Anecdotal evidence shows that there has been an upturn in speculative development pre applications in the Melksham Neighbourhood Plan Area since the launch of this consultation.

If no, what approach should be taken, if any?:

17 Do you consider that the additional guidance on constraints should apply to plans continuing to be prepared under the transitional arrangements set out in the existing Framework paragraph 220?

Not Answered

Please set out the reasons for your answer:

18 Do you support adding an additional permissions-based test that will 'switch off' the application of the presumption in favour of sustainable development where an authority can demonstrate sufficient permissions to meet its housing requirement?

Yes

Please set out the reasons for your answer:

Current example in neighbouring Trowbridge, Wiltshire which has been putting pressure and led to speculative development in the Melksham area due to the lack of 5YHLS; despite approval of 2,500 homes, 2 primary schools and one secondary school at Ashton Park, that was given approval in 2018 but Persimmon are yet to sign the s106 agreement.

<https://www.wiltshiretimes.co.uk/news/23245641.persimmon-held-wiltshire-council-barrel---planning-chairman/>

19 Do you consider that the 115% 'switch-off' figure (required to turn off the presumption in favour of sustainable development Housing Delivery Test consequence) is appropriate?

Not Answered

Please set out the reasons for your answer:

20 Do you have views on a robust method for counting deliverable homes permissioned for these purposes?

Please set out the reasons for your answer:

21 What are your views on the right approach to applying Housing Delivery Test consequences pending the 2022 results?

Please set out the reasons for your answer:

We support the change to rebase the HDT to the 2021 census.

## Chapter 5

22 Do you agree that the government should revise national planning policy to attach more weight to Social Rent in planning policies and decisions?

Yes

Please set out the reasons for your answer:

The recent Housing Needs Assessment for the Melksham Neighbourhood Plan demonstrates that residents are unable to afford the purchase of first homes. However, that was undertaken in Summer 2022 before the full effect of the current Cost of Living crisis hit, and anecdotal evidence shows more people are waiting to see if housing prices drop. More clarity on this policy is required, as this could lead to more 100% affordable housing development which is contrary to Wiltshire Council policy about integrated, mixed communities.

Though many people aspire to be home owners, even First Homes can be too expensive to be affordable.

For shared ownership there are no requirements for them to retain the local connection policy unless they are a Rural Exception Sites. Therefore 100% affordable housing that was only approved at Appeal due to Wiltshire Council not meeting the affordable housing target for the whole of Wiltshire; will become mainly market value housing in the next few years.

If yes, do you have any specific suggestions on the best mechanisms for doing this?:

23 Do you agree that we should amend existing paragraph 62 of the Framework to support the supply of specialist older people's housing?

Yes

Please set out the reasons for your answer:

Melksham Neighbourhood Plan, through its housing needs assessment, has identified a requirement for housing for older people. The town has seen the development of luxury older people's accommodation (eg McCarthy Stone) but not for people who lack the money to buy into these developments. This has the impact of skewing the population towards more older people with money making it a less comfortable place for younger people who have different priorities, and more importantly, not providing for the needs of local people who require specialist housing that they cannot afford.

24 Do you have views on the effectiveness of the existing small sites policy in the National Planning Policy Framework (set out in paragraph 69 of the existing Framework)?

Answer:

The approach to small and medium sites should be standardised across all plan levels (local and neighbourhood plans). Neighbourhood plans should be encouraged to allocate large sites if there is proportionate evidence to support this - eg. if a large brownfield site becomes available between Local Plan reviews at county level.

25 How, if at all, do you think the policy could be strengthened to encourage greater use of small sites, especially those that will deliver high levels of affordable housing?

Answer:

They should be more flexible, to be more adaptable to local needs but still viable for developers.

26 Should the definition of "affordable housing for rent" in the Framework glossary be amended to make it easier for organisations that are not Registered Providers – in particular, community-led developers and almshouses – to develop new affordable homes?

Yes

Please set out the reasons for your answer:

As long as it does not let market value developers through the back door.

27 Are there any changes that could be made to exception site policy that would make it easier for community groups to bring forward affordable housing?

Answer:

28 Is there anything else that you think would help community groups in delivering affordable housing on exception sites?

Answer:

29 Is there anything else national planning policy could do to support community-led developments?

Answer:

Locality funding and technical support to continue, to support Neighbourhood Development Orders.

30 Do you agree in principle that an applicant's past behaviour should be taken into account into decision making?

Yes

Please set out the reasons for your answer:

YES!!!!  
Endemic habitual continual non adherence to s106 agreements and Planning Conditions with the Local Planning Authority having no teeth to enforce.

Options range from declining an application, or making them build out within a year (if due to the lack of 5YHLS) or holding more proportion of the bond back or the bond be a higher value.

If yes, what past behaviour should be in scope?:

- rate of build outs of past permissions
- when a scheme design has not met key targets for design, energy efficiency, biodiversity net gain etc this should be taken into account in future planning applications with that developer
- failure or delay to deliver all planning conditions and s106 requirements such as provision of community facilities, play areas, playing fields, sustainable transport improvements etc
- blatant disregard for conditions such as protecting trees and hedgerows that are destroyed (eg school trees in memory of deceased students, hedges destroyed with badger sets that were actually protected)
- past behaviour that seeks through s73 applications for planning conditions and s106 requirements to be reduced in strength or overturned
- land transfer for a village hall without any utility services connections despite the agreement

31 Of the two options above, what would be the most effective mechanism?

Option 1

Please set out the reasons for your answer:

Option 1 allows each application to be determined on its own merits which is a fundamental principle in English town planning law. Option 2 would allow for subjective decisions to decline to consider proposals which is fundamentally unfair.

Are there any alternative mechanisms?:

32 Do you agree that the three build out policy measures that we propose to introduce through policy will help incentivise developers to build out more quickly?

Yes

Please set out the reasons for your answer:

- But the provisions should be extended to take account of:
- where a scheme design has not met key targets for design, energy efficiency
  - ate of build outs of past permissions
  - failure or delay to deliver all planning conditions and s106 requirements such as provision of community facilities, play areas, playing fields, sustainable transport improvements etc
  - past behaviour that seeks through s73 applications for planning conditions and s106 requirements to be reduced in strength or overturned

Do you have any comments on the design of these policy measures?:

## Chapter 6

33 Do you agree with making changes to emphasise the role of beauty and placemaking in strategic policies and to further encourage well-designed and beautiful development?

Yes

Please set out the reasons for your answer:

The National Design Code should be MERGED with the recently released National Green Infrastructure Standards (and supporting documents). It is unhelpful for plan makers and applicants to refer to these different documents which overlap in some places, but not in others. National policy should be

joined up and not always leave it to plan makers and applicants to pick and chose which aspects of the policy are attractive to deliver. The national design/GBI policy should be clear and unambiguous as required in NPPF 2021 para 31. Especially as there are emerging design codes at county and neighbourhood plan levels too.

34 Do you agree to the proposed changes to the title of Chapter 12, existing paragraphs 84a and 124c to include the word 'beautiful' when referring to 'well-designed places' to further encourage well-designed and beautiful development?

Indifferent

Please set out the reasons for your answer:

Beauty is subjective.

35 Do you agree greater visual clarity on design requirements set out in planning conditions should be encouraged to support effective enforcement action?

Yes

Please set out the reasons for your answer:

Yes, this would be more visual. But this will require planning authorities and NHPs to contain quite specific design advice and codes that can be tested in the discharge of conditions.

Sometimes details agreed in planning applications cannot be build for reasons of cost or engineering. Where this is the case, there should be a mechanism, such as an expert panel, which can agree appropriate modifications without a reduction in design quality.

36 Do you agree that a specific reference to mansard roofs in relation to upward extensions in Chapter 11, paragraph 122e of the existing Framework is helpful in encouraging LPAs to consider these as a means of increasing densification/creation of new homes?

Yes

Please set out the reasons for your answer:

Yes, as long as the design of the house allows for the addition of a staircase in the future.

If no, how else might we achieve this objective?:

## Chapter 7

37 How do you think national policy on small scale nature interventions could be strengthened? For example in relation to the use of artificial grass by developers in new development?

Answer:

Often, small scale and fine-grained proposals such as for hedgehog highways, bird, bat and bee bricks, reptile refugia and hibernacula, living walls, bus shelter living roofs and with reference to artificial grass cannot be included in planning policies because the policies must be applicable over a wide area and set of circumstances. Planning policies generally in this instance refer to design guides and codes. However, these guides and codes are also quite general and it would not be practicable to require applicants to deliver ALL aspects of a design code. This renders the design code "advisory" and it is easy to lose the small but important details such as those listed above.

We would support the preparation of detailed national guidance on specific design features that are required in most development.

We welcome the protection of ancient woods and trees.

We welcome more measures to ensure that PV, air and ground source heat pumps, batteries for PV and downloaded and storing from the grid at off peak times are used.

We welcome more research into old gas supply being converted to H2 use.

38 Do you agree that this is the right approach to making sure that the food production value of high value farm land is adequately weighted in the planning process, in addition to current references in the Framework on best and most versatile agricultural land?

Yes

Please set out the reasons for your answer:

We oppose the use of good quality agricultural land for housing schemes when there are brownfield and urban land alternatives; especially if used for arable, cattle, dairy purposes for food production.

The requirement for food security in the UK is currently highlighted by the current shortages and rationing of salad items and the more longer term issue of lack of sunflower oil for example due to the war in Ukraine.

39 What method and actions could provide a proportionate and effective means of undertaking a carbon impact assessment that would incorporate all measurable carbon demand created from plan-making and planning decisions?

Answer, including any supporting information:

We support this policy and consider that this change is necessary but are not able to provide comments.

40 Do you have any views on how planning policy could support climate change adaptation further, including through the use of nature-based solutions which provide multi-functional benefits?

Answer:

The Melksham Neighbourhood Plan has been unable to go as far as it would like with climate change solutions in its first plan and is hopeful that in its current review it can set wider reaching policies with more potential impact. This has been hampered in the past by the "low bar" set by Building Regulations and the onerous evidence requirements needed to exceed those regulations.

We strongly support any changes to national policy that would create more energy efficient and less polluting development.

## Chapter 8

41 Do you agree with the changes proposed to Paragraph 155 of the existing National Planning Policy Framework?

Not Answered

Please set out the reasons for your answer, including any views on specific wording changes to the existing paragraph:

42 Do you agree with the changes proposed to Paragraph 158 of the existing National Planning Policy Framework?

Not Answered

Please set out the reasons for your answer, including any views on specific wording changes to the existing paragraph:

43 Do you agree with the changes proposed to footnote 54 of the existing National Planning Policy Framework?

Yes

Please set out the reasons for your answer, including any views on specific wording changes to existing footnote 54:

Melksham Town Council are commenting in particular to the bullet point regarding 'and enable new methods for demonstrating local support for onshore wind development'.

Several neighbouring counties already have wind power installations, and that considering our very rural environment, Wiltshire Council should itself consider investment in this environmentally safe and cheapest form of energy manufacture.

In view of present circumstances – financial, environmental, world affairs – that Wiltshire Council should proceed with urgency to explore ways in which to assess and instigate where wind farms could be part of the landscape here in Wiltshire. We believe they would benefit local residents. Such an investment would provide sustainable employment for local people, and be a good source of income for the community around it, as well as providing affordable power.

As to assessing support, from the tone of the discussion around the table at our recent council meeting, and taking into consideration the public support at our recent Climatefest (October 2022), and the general increase in awareness of climate change, we would venture to suggest that there would be plenty of public support for onshore wind development. It remains only for Wiltshire council to ask its residents.

Do you have any views on specific wording for new footnote 62?:

We support the inclusion of Neighbourhood Plan Development orders.

44 Do you agree with our proposed new Paragraph 161 in the National Planning Policy Framework to give significant weight to proposals which allow the adaptation of existing buildings to improve their energy performance?

Yes

Please set out the reasons for your answer, including any views on specific wording changes to the proposed new paragraph:

We support this but have concerns that Historic England remains inflexible in how listed buildings can be modernised and made more energy efficient. It is considered that the existing advice from Historic England is now outdated and should be reviewed to all for owners of listed buildings to reduce their carbon impacts, as long as it is done sympathetically and sensitively.

## Chapter 9

45 Do you agree with the proposed timeline for finalising local plans, minerals and waste plans and spatial development strategies being prepared under the current system?

Yes

Please set out the reasons for your answer:

If no, what alternative timeline would you propose?:

46 Do you agree with the proposed transitional arrangements for plans under the future system?

Yes

Please set out the reasons for your answer:

If no, what alternative arrangements would you propose?:

47 Do you agree with the proposed timeline for preparing neighbourhood plans under the future system?

Yes

Please set out the reasons for your answer:

If no, what alternative timeline would you propose?:

48 Do you agree with the proposed transitional arrangements for supplementary planning documents?

Yes

Please set out the reasons for your answer:

If no, what alternative arrangements would you propose?:

## Chapter 10

49 Do you agree with the suggested scope and principles for guiding National Development Management Policies?

No

Please set out the reason for your answer:

We largely agree with the proposals but are concerned that the preparation of waste policies is overlooked by plan makers. The NPPF excludes waste policies and national waste policy is rarely modified. We wish to see greater consideration of waste planning in the new National Development Policies so that this important aspect of land use is no longer ignored in Wiltshire. There needs to be much more forward planning.

50 What other principles, if any, do you believe should inform the scope of National Development Management Policies?

Answer:

51 Do you agree that selective additions should be considered for proposals to complement existing national policies for guiding decisions?

Yes

Please set out the reason for your answer:

Particularly for allotments, housing in built up areas, quality of new housing.

52 Are there other issues which apply across all or most of England that you think should be considered as possible options for National Development Management Policies?

Answer:

- Waste policies - there should be a requirement that waste policies are updated every 5 years
- Zero Carbon Development (not just a reduction). This should address new-build and renovations, replacements and extensions.
- Making historic structures more climate-resilient
- Affordable sheltered housing for the elderly
- Off site biodiversity net gain (how to do it at Neighbourhood Plan level)
- Electric vehicle charging
- Standards for walking and cycling in urban areas
- Planning policy standard requirements for community infrastructure such as electric vehicle charging, standards for walking and cycling in urban areas, planning policy standard requirements for community infrastructure such as community halls, play grounds, playing fields etc expressed as a "per head" or "per hectare" requirement.

## Chapter 11

53 What, if any, planning policies do you think could be included in a new Framework to help achieve the twelve levelling up missions in the Levelling Up White Paper?

Answer:

Locally there is much public concern about transport congestion, this has been highlighted by our recent informal NHP consultation on among other things the Town Centre Master Plan; and the subject matter of letters in the local press and social media.

This is influenced by policies by the neighbouring authority in Bath & North East Somerset having an impact on us in West Wiltshire - such as their new Clean Air Zone and banning of HGV vehicles on the Churchill bridge which leads to a heavier load of HGV and diesel vehicles travelling through the Melksham area. As well as the proposals for an eastern Bypass for Melksham and real concerns about the safe walking routes to schools as they cross busy main roads.

As transport matters are not material to planning they cannot be addressed, this has created a missed opportunity to address the real concerns of the community.

54 How do you think the Framework could better support development that will drive economic growth and productivity in every part of the country, in support of the Levelling Up agenda?

Answer:

Permitted Class MA development allows change of use of shops to housing and these provisions should be reconsidered to understand how they affect the future of high streets and neighbourhood shopping precincts. Once these conversions it is unlikely that the previous Class E uses will return; and it could be that the businesses closed during/following the covid lockdown periods.

We would like to see a more balanced approach that allows uses that compliment the town centre businesses to remain.

First floor and above can be converted to housing but the ground floor should remain as some public access opportunity for retail, leisure, finance, services, workspace etc

55 Do you think that the government could go further in national policy, to increase development on brownfield land within city and town centres, with a view to facilitating gentle densification of our urban cores?

Yes

Please set out the reason for your answer:

We support the reuse of urban land instead of greenfield development.

There should be presumption against greenfield development unless it can be proven that sufficient brownfield land does not exist to meet locally identified need. This could be in the form of a sequential test similar to that for flooding and for out of town retail.

Consideration could be given to greenfield development being refused if there is adequate brownfield available in the vicinity.

56 Do you think that the government should bring forward proposals to update the Framework as part of next year's wider review to place more emphasis on making sure that women, girls and other vulnerable groups feel safe in our public spaces, including for example policies on lighting/street lighting?

Yes

Please set out the reason for your answer:

Anecdotal evidence confirms that lighting in particular plays an important factor in whether residents feel safe or not.

## Chapter 13

57 Are there any specific approaches or examples of best practice which you think we should consider to improve the way that national planning policy is presented and accessed?

Answer:

It should be presented in a common sense, less jargon manner to allow residents to engage with the planning process on an easier level. For a resident to respond to a planning application in their local area can be quite daunting, let alone in planning policy changes, there must be a way to not "blind them with science" and for it to be easier for the layman to understand.

The presumption of favour must be made much clearer, we read time and time again on social media that the local planning authority must have received "brown envelopes" to have approved an application for new development.

58 We continue to keep the impacts of these proposals under review and would be grateful for your comments on any potential impacts that might arise under the Public Sector Equality Duty as a result of the proposals in this document.

Answer:

## Response ID ANON-1R1Y-UKGT-8

Submitted to Levelling-up and Regeneration Bill: Reforms to National Planning Policy  
Submitted on 2023-03-02 15:28:54

### Introduction

A Personal dataThe following is to explain your rights and give you the information you are be entitled to under the Data Protection Act 2018.Note that this section only refers to your personal data (your name address and anything that could be used to identify you personally) not the content of your response to the consultation.1. The identity of the data controller and contact details of our Data Protection Officer The Department for Levelling Up, Housing and Communities (DLUHC) is the data controller. The Data Protection Officer can be contacted at [dataprotection@communities.gov.uk](mailto:dataprotection@communities.gov.uk) 2. Why we are collecting your personal data Your personal data is being collected as an essential part of the consultation process, so that we can contact you regarding your response and for statistical purposes. We may also use it to contact you about related matters.3. Our legal basis for processing your personal dataThe Data Protection Act 2018 states that, as a government department, DLUHC may process personal data as necessary for the effective performance of a task carried out in the public interest. i.e. a consultation.4. With whom we will be sharing your personal dataDLUHC may share your personal data with external organisations, for purposes relating to this consultation, including analysis of responses. Any data shared with organisations outside of DLUHC will be anonymised where possible.5. For how long we will keep your personal data, or criteria used to determine the retention period.Your personal data will be held for two years from the closure of the consultation.6. Your rights, e.g. access, rectification, erasure The data we are collecting is your personal data, and you have considerable say over what happens to it. You have the right:a. to see what data we have about youb. to ask us to stop using your data, but keep it on recordc. to ask to have all or some of your data deleted or correctedd. to lodge a complaint with the independent Information Commissioner (ICO) if you think we are not handling your data fairly or in accordance with the law. You can contact the ICO at <https://ico.org.uk/>, or telephone 0303 123 1113.7. Your personal data will not be sent overseas.8. Your personal data will not be used for any automated decision making. 9. We use a third-party system, Citizen Space, to collect consultation responses. In the first instance your personal data will be stored on their secure UK-based server. Your personal data will remain on the Citizen Space server and/or be transferred to our secure government IT system for two years of retention before it is deleted. Please confirm that you have read and agree to the privacy notice

Please tick to confirm:

Yes

B What is your name?

Name:

Teresa Strange & Linda Roberts

C What is your email address?

Email:

[clerk@melkshamwithout-pc.gov.uk](mailto:clerk@melkshamwithout-pc.gov.uk)

D What is your organisation?

Organisation:

Melksham Without Parish Council & Melksham Town Council and joint Melksham Neighbourhood Plan Steering Group

E What type of organisation are you representing?

Neighbourhood planning body, parish or town council

If you answered "other" please provide further details:

### Chapter 3

1 Do you agree that local planning authorities should not have to continually demonstrate a deliverable five year housing land supply (5YHLS) as long as the housing requirement set out in its strategic policies is less than five years old?

Yes

Please set out the reasons for your answer:

The ongoing requirement to demonstrate a 5YHLS has put unreasonable pressures on local authorities and parishes. The resulting speculative housing development, enabled by para 11d of the NPPF 2021, has led to poor quality housing schemes coming forward in Wiltshire because developers are certain of receiving planning permission, even for unimaginative and poorly designed schemes. The result has been a steady deterioration of the high quality built environment in Wiltshire, which has not been Plan led, and without the community infrastructure in the right location, if at all.

2 Do you agree that buffers should not be required as part of 5YHLS calculations (this includes the 20% buffer as applied by the Housing Delivery Test)?

Yes

Please set out the reasons for your answer:

The buffers add complexity to an already complex process and can lead to the need to demonstrate what is in effect a 6YHLS. This has perverse outcomes that can lead to further poor quality speculative housing development, often in areas where housing pressures already exist.

3 Should an oversupply of homes early in a plan period be taken into consideration when calculating a 5YHLS later on?

Yes

Please set out the reasons for your answer:

The provision should be considered over the term of the plan, not just in annual increments. The speed of build-out is not under the control of the LPA and the community should not be disadvantaged by developers' ability to prove that policies were not up to date because the private sector did not build out its permissions quickly enough.

Or is there an alternative approach that is preferable?:

Oversupply before the start or after the end of the plan period should also be taken into account, particularly in the case of appeals on the grounds of para 11d of the NPPF 2021.

4 What should any planning guidance dealing with oversupply and undersupply say?

Answer:

The housing requirement should be set out in local plans as a starting point to determine the overall quantity and geographical distribution of housing delivery through strategic allocations. Planning decisions for major housing schemes on land not allocated in this process should be considered in terms of the wider objectives of the development policies and the requirements for sustainable development and should be refused where they do not constitute sustainable development, even where there is no 5YHLS. The planning tilted balance should be more towards sustainable development and less towards housing delivery.

5 Do you have any views about the potential changes to paragraph 14 of the existing Framework and increasing the protection given to neighbourhood plans?

Answer:

The proposed changes are supported and welcomed.

However, Melksham Without Parish Council, Melksham Town Council and the Melksham NHP Steering Group request that the provisions are changed more fundamentally. Where a neighbourhood plan allocates land for housing, or can demonstrate that the need can be met through windfall development, thus meeting its identified housing requirement, and the requirement is met through permission (including outline) during the neighbourhood plan period, this should be considered to be up to date policy, where in the neighbourhood area, para 11d does not apply.

The current paragraph 14 protection only holds for NHPs that are up to 2 years old. It takes a year from when the plan is submitted to the Local Authority until it is made. That gives the community only 1 year to review their current plan, consult the community informally at different stages, conduct a SEA Strategic Environmental Assessment and undertake the formal Reg 14 consultation. We have found this impossible to achieve, and do not believe that the intention of the NPPF 2021 was to have the local community to be continually in review. This is cost prohibitive even with Locality technical support and grant funding and such a draw on resources and volunteers.

This has proven impossible for us to meet and we are now vulnerable to speculative development once the current protection expires later this year; despite working very hard for 8 years on the current adopted Plan and going into immediate review following the Plan being made in July 2021.

## Chapter 4

6 Do you agree that the opening chapters of the Framework should be revised to be clearer about the importance of planning for the homes and other development our communities need?

Yes

Please set out the reasons for your answer:

The current NPPF 2021 is a complex document that few non-planning professionals can fully comprehend. Even experienced parish/town councillors and NHP steering group volunteers struggle with the complexity of this policy document.

The main policy driver of the NPPF is para. 11d. However, this can only be comprehended by careful consideration of footnotes 7, 8 and paragraphs 14, 66, 68 74 and 75 (as a starting point). The message is therefore split across the NPPF and cannot be understood unless the entire document is read.

For non-professionals in planning, such as parish councillors, this is unrealistic.

In addition, the NPPF is full of planning jargon that many people simply cannot understand. The argument needs to be made clearer, at the front of the NPPF, and written in plain English so that the community can understand why certain planning policies are necessary.

7 What are your views on the implications these changes may have on plan making and housing supply?

Answer:

The changes will result in less speculative housing so it could be argued that the overall supply of housing will be negatively affected by the proposed changes. However, Melksham Without Parish Council considers that it is better to have fewer but better designed homes that will provide a comfortable and beautiful living environment for years to come, than to rush through poorly designed schemes that will quickly deteriorate into low quality neighbourhoods.

This speculative development, rather than plan led development, means that the community infrastructure is not put in place, or not in the right place. So housing is built not in the local vicinity of primary schools (or planned primary schools) leading to parents/carers driving their children to school rather than walking. Or driving because they do not feel that there is a safe walking route to school due to the crossing of major roads etc.

New schools and school extensions are being planned and built in the Melksham area as per the chronological order of the signing of s106 agreements, and not by holistically plan led development. Wiltshire Council are extending primary schools whilst not having enough money to build a new one, more closer to the new developments.

8 Do you agree that policy and guidance should be clearer on what may constitute an exceptional circumstance for the use of an alternative approach for assessing local housing needs?

Yes

Please set out the reasons for your answer:

Yes, but the exceptions should not be overly restrictive. The NPPF needs to acknowledge that every area has its own particular constraints to development and it should be up to local communities to decide how these constraints should be balanced against the need for more homes.

Are there other issues we should consider alongside those set out above?:

In Wiltshire there are often large movements of armed services personnel relocating to - or from - the county.

In Wiltshire there has been a large uptake of rooms offered to Ukrainian refugees who may under the current circumstances decide not to return to Ukraine and Wiltshire Council are now actively planning to build them new homes.

9 Do you agree that national policy should make clear that Green Belt does not need to be reviewed or altered when making plans, that building at densities significantly out-of-character with an existing area may be considered in assessing whether housing need can be met, and that past over-supply may be taken into account?

Yes

Please set out the reasons for your answer:

To keep the sense of community and to prevent urban spread.

The local distinctiveness of individual villages and communities is being eroded by speculative development, outside of the settlement boundary, being allowed in the period of 4.75YHLS.

10 Do you have views on what evidence local planning authorities should be expected to provide when making the case that need could only be met by building at densities significantly out-of-character with the existing area?

Please set out the reasons for your answer:

The Wiltshire local plan evidence base is silent on the matter of housing density. The NPPF should provide a standard methodology for identifying the "density baseline" so that this critical feature of local design and character can be understood. Density also varies according to character area. So, this NPPF tool should also give guidance on how to apply the "density baseline" according to character area for new development. When speculative development has been approved due to the lack of 5YHLS, and is outside of the settlement boundary for example, then the density should reflect the character of the area and not just that of the latest development.

11 Do you agree with removing the explicit requirement for plans to be 'justified', on the basis of delivering a more proportionate approach to examination?

No

Please set out the reasons for your answer:

Communities are passionately interested in the LPA's decisions on housing land allocations. Though the land allocation process takes years to complete, it is a thorough and transparent process. Making this process less rigorous would reduce this transparency and the ability for communities to understand why some proposals perform better than others.

There could be sound reasons for having less, or more housing than calculated by the standard method. For example, having less housing due to the closure of large scale employers in the community. Conversely where there are large brown field sites, in urban areas, these might be an opportunity for a more dense and larger housing number; or if the larger number contributed to required infrastructure such as a new secondary school. In Melksham there is only one secondary school and there perhaps is an argument that more housing would provide a second school rather than repeatedly extending only one school, that gives no choice to parents and leads to outcommuting.

12 Do you agree with our proposal to not apply revised tests of soundness to plans at more advanced stages of preparation?

No

Please set out the reasons for your answer:

No, we believe that Local Planning Authorities should still be required to provide evidence to show that the approach taken to meeting housing need is a reasonable one.

If no, which if any, plans should the revised tests apply to?:

Strategic Environmental Assessment, which is onerous and basically repeats what the local plan review processes already cover.

13 Do you agree that we should make a change to the Framework on the application of the urban uplift?

Indifferent

Please set out the reasons for your answer:

This does not apply to the Melksham area.

14 What, if any, additional policy or guidance could the department provide which could help support authorities plan for more homes in urban areas where the uplift applies?

Please set out the reasons for your answer:

Not applicable

15 How, if at all, should neighbouring authorities consider the urban uplift applying, where part of those neighbouring authorities also functions as part of the wider economic, transport or housing market for the core town/city?

Please set out the reasons for your answer:

Not applicable

16 Do you agree with the proposed four-year rolling land supply requirement for emerging plans, where work is needed to revise the plan to take account of revised national policy on addressing constraints and reflecting any past over-supply?

Yes

Please set out the reasons for your answer:

There should be effectively a 4YHLS rather than a 5YHLS during this transition stage, to avoid more speculative development in the interim period. Anecdotal evidence shows that there has been an upturn in speculative development pre applications in the Melksham Neighbourhood Plan Area since the launch of this consultation.

If no, what approach should be taken, if any?:

17 Do you consider that the additional guidance on constraints should apply to plans continuing to be prepared under the transitional arrangements set out in the existing Framework paragraph 220?

Not Answered

Please set out the reasons for your answer:

18 Do you support adding an additional permissions-based test that will 'switch off' the application of the presumption in favour of sustainable development where an authority can demonstrate sufficient permissions to meet its housing requirement?

Yes

Please set out the reasons for your answer:

Current example in neighbouring Trowbridge, Wiltshire which has been putting pressure and led to speculative development in the Melksham area due to the lack of 5YHLS; despite approval of 2,500 homes, 2 primary schools and one secondary school at Ashton Park, that was given approval in 2018 but Persimmon are yet to sign the s106 agreement.

<https://www.wiltshiretimes.co.uk/news/23245641.persimmon-held-wiltshire-council-barrel---planning-chairman/>

19 Do you consider that the 115% 'switch-off' figure (required to turn off the presumption in favour of sustainable development Housing Delivery Test consequence) is appropriate?

Not Answered

Please set out the reasons for your answer:

20 Do you have views on a robust method for counting deliverable homes permissioned for these purposes?

Please set out the reasons for your answer:

21 What are your views on the right approach to applying Housing Delivery Test consequences pending the 2022 results?

Please set out the reasons for your answer:

We support the change to rebase the HDT to the 2021 census.

## Chapter 5

22 Do you agree that the government should revise national planning policy to attach more weight to Social Rent in planning policies and decisions?

Yes

Please set out the reasons for your answer:

The recent Housing Needs Assessment for the Melksham Neighbourhood Plan demonstrates that residents are unable to afford the purchase of first homes. However, that was undertaken in Summer 2022 before the full effect of the current Cost of Living crisis hit, and anecdotal evidence shows more people are waiting to see if housing prices drop. More clarity on this policy is required, as this could lead to more 100% affordable housing development which is contrary to Wiltshire Council policy about integrated, mixed communities.

Though many people aspire to be home owners, even First Homes can be too expensive to be affordable.

For shared ownership there are no requirements for them to retain the local connection policy unless they are a Rural Exception Sites. Therefore 100% affordable housing that was only approved at Appeal due to Wiltshire Council not meeting the affordable housing target for the whole of Wiltshire; will become mainly market value housing in the next few years.

If yes, do you have any specific suggestions on the best mechanisms for doing this?:

23 Do you agree that we should amend existing paragraph 62 of the Framework to support the supply of specialist older people's housing?

Yes

Please set out the reasons for your answer:

Melksham Neighbourhood Plan, through its housing needs assessment, has identified a requirement for housing for older people. The town has seen the development of luxury older people's accommodation (eg McCarthy Stone) but not for people who lack the money to buy into these developments. This has the impact of skewing the population towards more older people with money making it a less comfortable place for younger people who have different priorities, and more importantly, not providing for the needs of local people who require specialist housing that they cannot afford.

24 Do you have views on the effectiveness of the existing small sites policy in the National Planning Policy Framework (set out in paragraph 69 of the existing Framework)?

Answer:

The approach to small and medium sites should be standardised across all plan levels (local and neighbourhood plans). Neighbourhood plans should be encouraged to allocate large sites if there is proportionate evidence to support this - eg. if a large brownfield site becomes available between Local Plan reviews at county level.

25 How, if at all, do you think the policy could be strengthened to encourage greater use of small sites, especially those that will deliver high levels of affordable housing?

Answer:

They should be more flexible, to be more adaptable to local needs but still viable for developers.

26 Should the definition of "affordable housing for rent" in the Framework glossary be amended to make it easier for organisations that are not Registered Providers – in particular, community-led developers and almshouses – to develop new affordable homes?

Yes

Please set out the reasons for your answer:

As long as it does not let market value developers through the back door.

27 Are there any changes that could be made to exception site policy that would make it easier for community groups to bring forward affordable housing?

Answer:

28 Is there anything else that you think would help community groups in delivering affordable housing on exception sites?

Answer:

29 Is there anything else national planning policy could do to support community-led developments?

Answer:

Locality funding and technical support to continue, to support Neighbourhood Development Orders.

30 Do you agree in principle that an applicant's past behaviour should be taken into account into decision making?

Yes

Please set out the reasons for your answer:

YES!!!!

Endemic habitual continual non adherence to s106 agreements and Planning Conditions with the Local Planning Authority having no teeth to enforce.

Options range from declining an application, or making them build out within a year (if due to the lack of 5YHLS) or holding more proportion of the bond back or the bond be a higher value.

If yes, what past behaviour should be in scope?:

- rate of build outs of past permissions
- when a scheme design has not met key targets for design, energy efficiency, biodiversity net gain etc this should be taken into account in future planning applications with that developer
- failure or delay to deliver all planning conditions and s106 requirements such as provision of community facilities, play areas, playing fields, sustainable transport improvements etc
- blatant disregard for conditions such as protecting trees and hedgerows that are destroyed (eg school trees in memory of deceased students, hedges destroyed with badger sets that were actually protected)
- past behaviour that seeks through s73 applications for planning conditions and s106 requirements to be reduced in strength or overturned
- land transfer for a village hall without any utility services connections despite the agreement

31 Of the two options above, what would be the most effective mechanism?

Option 1

Please set out the reasons for your answer:

Option 1 allows each application to be determined on its own merits which is a fundamental principle in English town planning law. Option 2 would allow for subjective decisions to decline to consider proposals which is fundamentally unfair.

Are there any alternative mechanisms?:

32 Do you agree that the three build out policy measures that we propose to introduce through policy will help incentivise developers to build out more quickly?

Yes

Please set out the reasons for your answer:

But the provisions should be extended to take account of:

- where a scheme design has not met key targets for design, energy efficiency
- ate of build outs of past permissions
- failure or delay to deliver all planning conditions and s106 requirements such as provision of community facilities, play areas, playing fields, sustainable transport improvements etc
- past behaviour that seeks through s73 applications for planning conditions and s106 requirements to be reduced in strength or overturned

Do you have any comments on the design of these policy measures?:

## Chapter 6

33 Do you agree with making changes to emphasise the role of beauty and placemaking in strategic policies and to further encourage well-designed and beautiful development?

Yes

Please set out the reasons for your answer:

The National Design Code should be MERGED with the recently released National Green Infrastructure Standards (and supporting documents). It is unhelpful for plan makers and applicants to refer to these different documents which overlap in some places, but not in others. National policy should be

joined up and not always leave it to plan makers and applicants to pick and chose which aspects of the policy are attractive to deliver. The national design/GBI policy should be clear and unambiguous as required in NPPF 2021 para 31. Especially as there are emerging design codes at county and neighbourhood plan levels too.

34 Do you agree to the proposed changes to the title of Chapter 12, existing paragraphs 84a and 124c to include the word 'beautiful' when referring to 'well-designed places' to further encourage well-designed and beautiful development?

Indifferent

Please set out the reasons for your answer:

Beauty is subjective.

35 Do you agree greater visual clarity on design requirements set out in planning conditions should be encouraged to support effective enforcement action?

Yes

Please set out the reasons for your answer:

Yes, this would be more visual. But this will require planning authorities and NHPs to contain quite specific design advice and codes that can be tested in the discharge of conditions.

Sometimes details agreed in planning applications cannot be build for reasons of cost or engineering. Where this is the case, there should be a mechanism, such as an expert panel, which can agree appropriate modifications without a reduction in design quality.

36 Do you agree that a specific reference to mansard roofs in relation to upward extensions in Chapter 11, paragraph 122e of the existing Framework is helpful in encouraging LPAs to consider these as a means of increasing densification/creation of new homes?

Yes

Please set out the reasons for your answer:

Yes, as long as the design of the house allows for the addition of a staircase in the future.

If no, how else might we achieve this objective?:

## Chapter 7

37 How do you think national policy on small scale nature interventions could be strengthened? For example in relation to the use of artificial grass by developers in new development?

Answer:

Often, small scale and fine-grained proposals such as for hedgehog highways, bird, bat and bee bricks, reptile refugia and hibernacula, living walls, bus shelter living roofs and with reference to artificial grass cannot be included in planning policies because the policies must be applicable over a wide area and set of circumstances. Planning policies generally in this instance refer to design guides and codes. However, these guides and codes are also quite general and it would not be practicable to require applicants to deliver ALL aspects of a design code. This renders the design code "advisory" and it is easy to lose the small but important details such as those listed above.

We would support the preparation of detailed national guidance on specific design features that are required in most development.

We welcome the protection of ancient woods and trees.

We welcome more measures to ensure that PV, air and ground source heat pumps, batteries for PV and downloaded and storing from the grid at off peak times are used.

We welcome more research into old gas supply being converted to H2 use.

38 Do you agree that this is the right approach to making sure that the food production value of high value farm land is adequately weighted in the planning process, in addition to current references in the Framework on best and most versatile agricultural land?

Yes

Please set out the reasons for your answer:

We oppose the use of good quality agricultural land for housing schemes when there are brownfield and urban land alternatives; especially if used for arable, cattle, dairy purposes for food production.

The requirement for food security in the UK is currently highlighted by the current shortages and rationing of salad items and the more longer term issue of lack of sunflower oil for example due to the war in Ukraine.

39 What method and actions could provide a proportionate and effective means of undertaking a carbon impact assessment that would incorporate all measurable carbon demand created from plan-making and planning decisions?

Answer, including any supporting information:

We support this policy and consider that this change is necessary but are not able to provide comments.

40 Do you have any views on how planning policy could support climate change adaptation further, including through the use of nature-based solutions which provide multi-functional benefits?

Answer:

The Melksham Neighbourhood Plan has been unable to go as far as it would like with climate change solutions in its first plan and is hopeful that in its current review it can set wider reaching policies with more potential impact. This has been hampered in the past by the "low bar" set by Building Regulations and the onerous evidence requirements needed to exceed those regulations.

We strongly support any changes to national policy that would create more energy efficient and less polluting development.

## Chapter 8

41 Do you agree with the changes proposed to Paragraph 155 of the existing National Planning Policy Framework?

Not Answered

Please set out the reasons for your answer, including any views on specific wording changes to the existing paragraph:

42 Do you agree with the changes proposed to Paragraph 158 of the existing National Planning Policy Framework?

Not Answered

Please set out the reasons for your answer, including any views on specific wording changes to the existing paragraph:

43 Do you agree with the changes proposed to footnote 54 of the existing National Planning Policy Framework?

Yes

Please set out the reasons for your answer, including any views on specific wording changes to existing footnote 54:

Melksham Town Council are commenting in particular to the bullet point regarding 'and enable new methods for demonstrating local support for onshore wind development'.

Several neighbouring counties already have wind power installations, and that considering our very rural environment, Wiltshire Council should itself consider investment in this environmentally safe and cheapest form of energy manufacture.

In view of present circumstances – financial, environmental, world affairs – that Wiltshire Council should proceed with urgency to explore ways in which to assess and instigate where wind farms could be part of the landscape here in Wiltshire. We believe they would benefit local residents. Such an investment would provide sustainable employment for local people, and be a good source of income for the community around it, as well as providing affordable power.

As to assessing support, from the tone of the discussion around the table at our recent council meeting, and taking into consideration the public support at our recent Climatefest (October 2022), and the general increase in awareness of climate change, we would venture to suggest that there would be plenty of public support for onshore wind development. It remains only for Wiltshire council to ask its residents.

Do you have any views on specific wording for new footnote 62?:

We support the inclusion of Neighbourhood Plan Development orders.

44 Do you agree with our proposed new Paragraph 161 in the National Planning Policy Framework to give significant weight to proposals which allow the adaptation of existing buildings to improve their energy performance?

Yes

Please set out the reasons for your answer, including any views on specific wording changes to the proposed new paragraph:

We support this but have concerns that Historic England remains inflexible in how listed buildings can be modernised and made more energy efficient. It is considered that the existing advice from Historic England is now outdated and should be reviewed to all for owners of listed buildings to reduce their carbon impacts, as long as it is done sympathetically and sensitively.

## Chapter 9

45 Do you agree with the proposed timeline for finalising local plans, minerals and waste plans and spatial development strategies being prepared under the current system?

Yes

Please set out the reasons for your answer:

If no, what alternative timeline would you propose?:

46 Do you agree with the proposed transitional arrangements for plans under the future system?

Yes

Please set out the reasons for your answer:

If no, what alternative arrangements would you propose?:

47 Do you agree with the proposed timeline for preparing neighbourhood plans under the future system?

Yes

Please set out the reasons for your answer:

If no, what alternative timeline would you propose?:

48 Do you agree with the proposed transitional arrangements for supplementary planning documents?

Yes

Please set out the reasons for your answer:

If no, what alternative arrangements would you propose?:

## Chapter 10

49 Do you agree with the suggested scope and principles for guiding National Development Management Policies?

No

Please set out the reason for your answer:

We largely agree with the proposals but are concerned that the preparation of waste policies is overlooked by plan makers. The NPPF excludes waste policies and national waste policy is rarely modified. We wish to see greater consideration of waste planning in the new National Development Policies so that this important aspect of land use is no longer ignored in Wiltshire. There needs to be much more forward planning.

50 What other principles, if any, do you believe should inform the scope of National Development Management Policies?

Answer:

51 Do you agree that selective additions should be considered for proposals to complement existing national policies for guiding decisions?

Yes

Please set out the reason for your answer:

Particularly for allotments, housing in built up areas, quality of new housing.

52 Are there other issues which apply across all or most of England that you think should be considered as possible options for National Development Management Policies?

Answer:

- Waste policies - there should be a requirement that waste policies are updated every 5 years
- Zero Carbon Development (not just a reduction). This should address new-build and renovations, replacements and extensions.
- Making historic structures more climate-resilient
- Affordable sheltered housing for the elderly
- Off site biodiversity net gain (how to do it at Neighbourhood Plan level)
- Electric vehicle charging
- Standards for walking and cycling in urban areas
- Planning policy standard requirements for community infrastructure such as electric vehicle charging, standards for walking and cycling in urban areas, planning policy standard requirements for community infrastructure such as community halls, play grounds, playing fields etc expressed as a "per head" or "per hectare" requirement.

## Chapter 11

53 What, if any, planning policies do you think could be included in a new Framework to help achieve the twelve levelling up missions in the Levelling Up White Paper?

Answer:

Locally there is much public concern about transport congestion, this has been highlighted by our recent informal NHP consultation on among other things the Town Centre Master Plan; and the subject matter of letters in the local press and social media.

This is influenced by policies by the neighbouring authority in Bath & North East Somerset having an impact on us in West Wiltshire - such as their new Clean Air Zone and banning of HGV vehicles on the Churchill bridge which leads to a heavier load of HGV and diesel vehicles travelling through the Melksham area. As well as the proposals for an eastern Bypass for Melksham and real concerns about the safe walking routes to schools as they cross busy main roads.

As transport matters are not material to planning they cannot be addressed, this has created a missed opportunity to address the real concerns of the community.

54 How do you think the Framework could better support development that will drive economic growth and productivity in every part of the country, in support of the Levelling Up agenda?

Answer:

Permitted Class MA development allows change of use of shops to housing and these provisions should be reconsidered to understand how they affect the future of high streets and neighbourhood shopping precincts. Once these conversions it is unlikely that the previous Class E uses will return; and it could be that the businesses closed during/following the covid lockdown periods.

We would like to see a more balanced approach that allows uses that compliment the town centre businesses to remain.

First floor and above can be converted to housing but the ground floor should remain as some public access opportunity for retail, leisure, finance, services, workspace etc

55 Do you think that the government could go further in national policy, to increase development on brownfield land within city and town centres, with a view to facilitating gentle densification of our urban cores?

Yes

Please set out the reason for your answer:

We support the reuse of urban land instead of greenfield development.

There should be presumption against greenfield development unless it can be proven that sufficient brownfield land does not exist to meet locally identified need. This could be in the form of a sequential test similar to that for flooding and for out of town retail.

Consideration could be given to greenfield development being refused if there is adequate brownfield available in the vicinity.

56 Do you think that the government should bring forward proposals to update the Framework as part of next year's wider review to place more emphasis on making sure that women, girls and other vulnerable groups feel safe in our public spaces, including for example policies on lighting/street lighting?

Yes

Please set out the reason for your answer:

Anecdotal evidence confirms that lighting in particular plays an important factor in whether residents feel safe or not.

## Chapter 13

57 Are there any specific approaches or examples of best practice which you think we should consider to improve the way that national planning policy is presented and accessed?

Answer:

It should be presented in a common sense, less jargon manner to allow residents to engage with the planning process on an easier level. For a resident to respond to a planning application in their local area can be quite daunting, let alone in planning policy changes, there must be a way to not "blind them with science" and for it to be easier for the layman to understand.

The presumption of favour must be made much clearer, we read time and time again on social media that the local planning authority must have received "brown envelopes" to have approved an application for new development.

58 We continue to keep the impacts of these proposals under review and would be grateful for your comments on any potential impacts that might arise under the Public Sector Equality Duty as a result of the proposals in this document.

Answer: