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MELKSHAM WITHOUT PARISH COUNCIL

Clerk: Mrs Teresa Strange

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Tuesday 27 August 2024

To all members of the Council Planning Committee: 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

You are summoned to attend the Planning Committee Meeting which will be held on **Monday 2 September at 7.00pm at Melksham Without Parish Council Offices (First Floor), Melksham Community Campus, Market Place, SN12 6ES** to consider the agenda below:

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

Click link here:

<https://us02web.zoom.us/j/2791815985?pwd=Y2x5T25DRIVWVU54UW1YWWE4NkNrZz09&omn=89726626048>

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

YOU CAN ACCESS THE AGENDA PACK HERE

Yours sincerely,

Teresa Strange, Clerk



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AGENDA

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

Under the Public Bodies (Admission to Meetings) Act 1960, the public and representatives of the press and broadcast media be excluded from the meeting during consideration of agenda items where publicity would be prejudicial to the public interest because of the confidential nature of the business to be transacted.
5. **Public Participation**
6. **To consider the following new Planning Applications:**
 - [PL/2024/07097](#): Land South of Snarlton Farm, Snarlton Lane.** Erection of up to 300 dwellings (Class C3); land for local community use of building (incorporating Classes E(b), E(g) and F2(b) and (c)); open space and dedicated play space and service infrastructure and associated works on land South of Snarlton Farm (Outline planning application with all matters reserved except for two pedestrian and vehicle accesses (excluding internal estates roads) from Eastern Way) – Resubmission of PL/2023/07107). Applicant Catesby Estates Promotions Limited **(Comments by 23 September)**
 - To note correspondence regarding education and community centre**
 - [PL/2024/07506](#): Roundponds Farm, Melksham.** Variation of condition 2 of 13/06707/FUL (Construction of a Solar Park including the installation of solar panels, security fencing and cameras, landscaping and other associated works and cable route/trenching) to bring about the cessation of use on site and deliver land restoration to its former condition on 8 June 2055 (rather than on the 25th year anniversary of the date following the first electricity generation). Applicant Centrica PLC **(Comments by 20 September)**
 - [PL/2024/07545](#): 486a Semington Road, Melksham.** Variation of condition 2 of PL/2021/07622 - To add a new front boundary wall to the landscaping of the site. Applicant Mr Evans **(Comments by 18 September)**

PL/2024/05016: **35 Westlands Lane, Beanacre.** To build 3 bedroom detached house. Applicant Mr F Dolman (**Comments by 18 September**)

7. **Revised/Amended Plans/Additional Information:** To comment on any revised/amended plans/additional information on planning applications received within the required **timeframe (14 days)**.
8. **Lime Down Solar Farm:** To note latest correspondence
9. **Planning Appeals**
 - a) **Land West of Semington Road.** Outline permission for up to 53 dwellings including formation of access and associated works, with all other matters reserved (PL/2022/08155). **To note the appeal will be held on 10 September at 10.00am at White Horse Enterprise Centre.** To note submission and consider bullet points to raise at Appeal.
10. **Tree Preservation Order: Land off Littleworth Lane, Whitley.** To note Confirmation a Tree Preservation Order (TPO/2024/00011) has been made.
11. **Current planning applications:** Standing item for issues/queries arising during period of applications awaiting decision.
 - a) **Blackmore Farm (Planning Application PL/2023/11188):** Outline permission for demolition of agricultural outbuildings and development of up to 500 dwellings; up to 5,000m² of employment (class E(g)(i) & class E(g)(ii)); land for primary school (class F1); land for mixed use hub (class E/class F); open space; provision of access infrastructure from Sandridge Common; and provision of all associated infrastructure necessary to facilitate the development of the site.
 - b) **Proposed Primary School, Land at Pathfinder Way, Bowerhill. Reserved Matters application (PL/2023/08046)** pursuant to outline permission 16/01123/OUT relating to the appearance, landscaping, layout and scale of the proposed primary school (including Nursery and SEN provision).
 - c) **52e Chapel Lane, Beanacre (Planning Application PL/2023/05883)** Erection of three dwellings, with access, parking and associated works including landscaping. **To note replies from consultees contacted by the parish council.**
12. **Planning Enforcement:** To note any new planning enforcement queries raised and updates on previous enforcement queries.
 - a) **Pathfinder Way Development (16/01123/OUT), Pathfinder Way, Bowerhill.** To receive update on public open space and play area further to site visit 23rd August
 - b) **489a Semington Road.** To receive update on enforcement action concerning breaches of planning conditions relating to recently built garage (PL/2021/06824) being used as a dwelling.
 - c) **Land West of Semington Road (Townsend Farm).** To receive update regarding access via Western Way.

13. Planning Policy

a) **Melksham Neighbourhood Plan:** To receive an update.

b) **Proposed changes to the National Planning Policy Framework (deadline 24 September).**

i) To note correspondence from Planning consultants and Town Council (if received) and consider a response to the consultation if draft received in time:

<https://www.gov.uk/government/consultations/proposed-reforms-to-the-national-planning-policy-framework-and-other-changes-to-the-planning-system/proposed-reforms-to-the-national-planning-policy-framework-and-other-changes-to-the-planning-system>

ii) To note response from Councillor Nick Botterill, Cabinet Member for Finance, Development Management & Strategic Planning & Nic Thomas, Director, Planning, Wiltshire Council on how Wiltshire Council intend to respond to the consultation.

c) **Consultation on the pre-submission draft Gypsies and Travellers Development Plan Document.** To consider a response to the consultation (deadline for comments Friday, 4 October):

<https://cms.wiltshire.gov.uk/documents/s228694/Gypsies%20and%20Travellers%20Development%20Plan%20Document.pdf>

d) **Semington Neighbourhood Plan.** To note Regulation 16 consultation is taking place between 7 August-24 September and to consider a response.

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

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

i) **Pathfinder Place:**

- To note correspondence re footpath between Western Way and Burnet Close.
- To note any update on outstanding issues and consider way forward.

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

- To note any updates and consider a way forward.

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

- To note any updates and consider a way forward.

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

- To note any updates and consider a way forward.

v) **Bowood View, Semington Road (16/00497(OUT))**

- To note outstanding public art maintenance s106 funds now paid to the parish council £3,800

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

c) **Contact with developers**

i) **New Road Farm.** To note date of pre app meeting arranged with Bloor Homes.

ii) **Land at Upside, Bath Road, Melksham.** To receive update following presentation at Melksham Town Council's Planning meeting on 27 August.

Copy to all Councillors

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EXTRACT FROM MELKSHAM WITHOUT PARISH COUNCIL PLANNING COMMITTEE MEETING MINUTES, 2 OCTOBER 2023

210/23 To consider the following new Planning Applications:

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

Comments: The Parish Council **OBJECT** to this application on the following grounds:

- Loss of Greenfield site.
- The development is in the open countryside, outside the Settlement Boundary of Melksham & Bowerhill, isolated and therefore unsustainable.
- This site equates to piecemeal development and is not plan led. Wiltshire Council's Local Plan is currently out for Regulation 19 consultation and does not include this site as a strategic allocation. Melksham also has a made Neighbourhood Plan which has been reviewed, with NHP#2 going out to Regulation 14 consultation later this month which also does not include this site as a housing allocation.
- Within their Planning Statement, the applicant refers to the Core Strategy and argues there is a lack of 5 year land supply and a deficit of housing for the Melksham area. However, they do not reference the draft Local Plan, which highlights Melksham has exceeded its housing allocation during the Core Strategy period 2006-2026 and therefore Melksham would benefit from a period of consolidation. (Planning for Melksham page 5 which has a graph showing the additional actual house building vs the Planned rate in the Wiltshire Core Strategy.)

In addition, the Wiltshire Housing Site Allocations Plan (adopted 25th February 2020) states that the Indicative Requirement for the Melksham

Community Area for 2020-2026 is 2,370 with 2,240 for Melksham & Bowerhill and 130 for the remainder community area. The Melksham & Bowerhill area has 14% deliverable commitments above the indicative requirement, and 22% above for the remaining Community area and therefore there was no requirement for allocating land in the Melksham Community Area in this Plan.

- Members expressed disappointment that concerns raised at pre app stage regarding the need for strategic thinking with regard to housing and infrastructure requirements, such as a community centre, highway improvements, local centre, medical facilities etc for Melksham had not been adhered to, particularly as the applicant had not waited for the draft Local Plan to be issued, noting if they had waited, they could have argued that this site could have been included as part of a larger strategic site, given land at Blackmore Farm, north of this site has been allocated in the draft Local Plan, with a housing allocation of 425 dwellings, primary school and other community facilities, and therefore, brought additional infrastructure requirements that Melksham requires.
- Concern was raised at the lack of connectivity with the adjacent site at Blackmore Farm (PL2023/01949 and Local Plan Site Allocation Policy 18) and how people from this development would access the proposed primary school and local centre etc.
- There is the possibility of an Eastern Bypass and if the bigger highway scheme could not be afforded, Eastern Way could potentially be the Eastern route for the A350 bypass, therefore, isolating the site even further.
- Proposals do not include 40% affordable housing as per the draft Local Plan requirement.
- Highway Safety Concerns:

The impact this development will have on New Road, which is a single-track road and used as a 'rat run' to access Chippenham and the M4 via the National Trust village of Lacock including its medieval bridge which again is single track.

Consideration needs to be given to how this site could impact the new roundabout under construction in Spa Road as part of the East of Melksham extension. This route may potentially be the preferred route by drivers to access road infrastructures North and South.

Consideration needs to be given to the provision of a roundabout on the Southern entrance to the proposed site, as opposed to traffic lights, particularly as this entrance serves the larger part of the site.

It was noted the Travel plan refers to bus stops along Eastern Way. However, Eastern Way is not well served by bus routes. It also refers to footways on both sides of Eastern Way, however, there is only one footway running along Eastern Way on its Western side and not adjacent to this development. Therefore, children wishing to access the proposed primary school North of this site at Blackmore Farm, will have to cross Eastern Way and cross back again.

As part of the review of the Neighbourhood Plan, AECOM undertook an independent Site Assessment and assessed SHELAA¹ site 3525, which includes this site, with the following comments:

- Impact on non-statutory environmental designations: The site is adjacent to public open space (playing field), Primrose Drive Nature Area and located along indicative green infrastructure corridor.
- The central part of the site along Clackers Brook is in Flood Zone 2 and 3. The site is proposed for more vulnerable uses (residential). The sequential test and a site level exception test would need to be applied before these parts of the site could be developed.

¹ Strategic Housing & Employment Land Availability Assessment
<https://www.wiltshire.gov.uk/planning-policy-monitoring-evidence>

- Over 15% of the wider SHELAA site is affected by high risk of surface water flooding.
- The site is Grade 3 Good to Moderate Quality Agricultural Land. More detailed site surveys would be required to assess whether the site is Grade 3a Good Quality Agricultural Land. (The Parish Council note in terms of potential changes to the National Planning Policy Framework (NPPF), the land has been used for food production until recently, which is planned to carry more weight in the new NPPF amendments).
- The site includes Public Rights of Way MELW23 and MELW22.
- The site has several mature and semi mature trees within its boundary. Further arboricultural assessment would be required to understand their significance.
- Accessibility of the site in relation to facilities being within a 5-minute walk (400m). The following areas are over a 5-minute walk away:

Town/Local Centre/Shop:	>1200m
Train Station:	>1200m
Secondary School:	>1600-3900m
Cycle Route:	>800m
- The site falls within the Open Clay Vale Landscape Character Area of the Melksham Neighbourhood Plan Local Landscape Character Report 2020 and the West Wiltshire Landscape Character Area Report 2006. This area has a strong sense of openness with occasional deciduous copses and ancient woods to the east. The management objectives of this Landscape Character Area are to conserve and enhance the landscape setting of Melksham, screen visually intrusive urban edge of Melksham, conserve open views across the clay vale to distant down land ridges and conserve and enhance the existing hedgerow network.

The site contains some valued features including the Clackers Brook, continuous tree line along the Brook which provides an intimate setting and

boundary vegetation. The site makes a significant contribution to the rural and tranquil landscape character of the area. Development on the site would represent a significant advancement into open countryside, beyond the current defined settlement edge formed by the Eastern Way.

- The site is visually open and has high intervisibility with the surrounding landscape. Development may adversely impact views of the surrounding open clay vale landscape, as well as from the Public Rights of Way crossing the site.
- The site strongly relates to the rural character and sense of openness of the area. Development of the site would contribute to a substantial urban expansion into open countryside.

Whilst objecting to the planning application, if the development were to go ahead, the Parish Council welcome the opportunity to discuss aspects of the application and be party to the S106 agreement. In addition, they would like to see:

- Adherence to Melksham's Neighbourhood Plan policies and emerging Neighbourhood Plan (NHP#2) and evidence documents.
- Circular pedestrian routes around the site.
- The Parish Council seek the provision of play equipment above that required by the West Wiltshire District Council saved Policy in the Core Strategy and wish to enter into discussions being the nominated party for any proposed LEAPs (Local Equipped Area of Play)/Play area and seek the following:
 - A maintenance sum in the s106 agreement
 - Safety Surfacing extended beyond the play area fence line (by at least 30 cm) and for the whole area to be surfaced as such, with no joins to prevent future expansion gaps, and no grass that will require maintenance
 - Tarmac paths provided not hoggin.
 - No wooden equipment provided.

- Dark Green Metal bow top fencing provided.
 - Clean margins around the edges, no planting.
 - Bins provided outside the play area.
 - Easy access provided for maintenance vehicles.
 - Public access gates painted red.
 - No inset symbols provided in the safety surfacing, which should be one solid surface.
- Equipment installed for teenagers, such as a teen shelter/MUGA and somewhere to kick a ball around.
 - A Contribution towards playing fields.
 - The provision of benches and bins where there are circular pedestrian routes and public open space and the regular emptying of bins to be reflected in any future maintenance contribution.
 - Connectivity with existing housing development so not isolated.
 - There are practical art contributions and the Parish Council are involved in public art discussions.
 - Contribution towards improved bus services, which serve the area.
 - Any bus shelters provided include side panels and benches (rather than perched seating) and are suitable in providing Real Time Information (RTI) i.e., access to an electricity supply, WiFi connectivity and are an appropriate height or provided with RTI already included.
 - Speed limit within the site is 20mph and self-enforcing.
 - Proposed trees are not planted on boundaries of new/existing housing, but further into public open spaces.
 - The development is tenant blind.
 - If adjacent to existing dwellings the design is such that the layout is garden to existing garden.
 - The road layout is such that there are no dead ends in order that residents and refuse lorries do not need to reverse out of roads.
 - Contribution to educational and medical facilities within the Melksham area.
 - There is visible delineation between pavement and roads so they are easily identifiable.
 - The provision of bird (swift boxes), bat and bee bricks, reptile refugia and hibernacula within the development, in order to increase biodiversity.
 - There are various Rights of Way in the vicinity, which could be improved/upgraded, including the

provision of lighting via Section 106 contributions from this application if approved. It was noted the footpath to the rear of Melksham Oak School, which was to be upgraded to a pedestrian/cycleway, as part of the Section 106 Agreement associated with the extension to East of Melksham (450 houses) has yet to be upgraded and was also nearby and will provide a safe, direct pedestrian/cycle route from the east of Melksham to the only secondary school in Melksham.

The provision of a footpath to access Prater's Lane from Sandridge Common (MELW40); MELW30 becoming a bridleway to connect up bridleways at MELW40 & 41. Provision of kissing gates on the various bridleways between East of Melksham and Redstocks.

- Provision of allotments with access to parking and water supply.
- Ground source heat pumps to be included in proposals.
- To include capacity for hydrogen heating in the future within proposals.
- Provision of solar panels and storage batteries for every house or group of houses/block of flats.
- Provision of convenience store with free access cash point.
- Inclusion of lifebuoys, noticeboards, and defibrillators. The maintenance of these items to be undertaken by the management company, unless the council decides that they would like to take on the asset.

As part of any community facilities for the development, the Parish Council ask for a community centre large enough to include additional health facilities (with room for GP clinics as well as complimentary services like physio, chiroprapist, osteopath etc), as well as associated facilities to service and provide a 3G pitch be provided.

Due to the piecemeal nature of development currently proposed East of Melksham, the Parish Council have also requested the same for proposals for 650 dwellings (PL/2023/01949) on land at Blackmore Farm north of this site.

Lorraine McRandle

From: Teresa Strange
Sent: 12 July 2024 12:06
To: Katie Yates; ianh@catesbyestates.co.uk; info@catesbyestates.co.uk
Cc: Lorraine McRandle; nick.holder@wiltshire.gov.uk; mike.sankey@wiltshire.gov.uk; locum@melksham-tc.gov.uk; Committee Clerk
Subject: RE: Land South Of Snarlton Farm, Melksham - Public Consultation

Dear Katie and Ian

Thank you for making Melksham Without Parish Council aware of your plans to resubmit your planning application for 300 dwellings at land at Snarlton Farm.

The parish council discussed their response when they met on Monday evening, and raise the following concerns:

- Loss of Greenfield site.
- The development is in the open countryside, outside the Settlement Boundary of Melksham & Bowerhill, isolated and therefore unsustainable.
- This site equates to piecemeal development and is not plan led. Wiltshire Council's current Core Strategy, and its draft Local Plan does not include this site as a strategic allocation. There is no allocation for Melksham in the adopted Wiltshire Housing Site Allocations Plan (adopted February 2020) either. Melksham's made Neighbourhood Plan (adopted July 2021), does not include this site as a housing allocation; nor does it include it in its reviewed Plan currently out for its second Regulation 14 consultation (Version B: June 2024). This version of the Neighbourhood Plan has housing allocations for at least 483 dwellings across 5 sites. The emerging Local Plan has allocations for 845 dwellings across 3 sites. This gives a total allocation of 1,328 set against a residual figure in the Melksham area of 1,120 and 68 for Shaw and Whitley (as at 31 May 2023) as set out in the draft Local Plan.

Following changes to the National Planning Policy Framework (NPPF) announced at the end of 2023, new guidance means such development can be refused, as Wiltshire Council can prove they have a 4.2-year land supply (as confirmed in a Briefing Note dated 12 June 2024) and have met the condition to have undertaken a Regulation 19 Local Plan consultation within 2 years. In addition, the Melksham Neighbourhood Plan (adopted in July 2021) now has full paragraph 14 protection until July 2026 and is currently being reviewed and is out for its second Regulation 14 consultation. In your letter to the parish council about your plans to resubmit your planning application, you explain that this change in policy context is why you withdrew the application, there has been no further change in planning policy since then.

- This site has not been allocated in the draft Local Plan and therefore this site does not form part of the strategic thinking with regard to housing and infrastructure requirements in Melksham. The site is not part of a wider strategic site bringing with it infrastructure, such as schools, medical facilities, community centre, highway improvements and a local centre etc.

- As an example of the lack of master planning across the wider area, the neighbouring site at Blackmore Farm has a current planning application for 500 houses (PL/2023/11188), with a primary school and Local Centre land with no accessibility from this proposed development. In addition, there is only one footway running along Eastern Way on its Western side and not adjacent to this development. Therefore, children wishing to access the proposed primary school at Blackmore farm will have to cross Eastern Way and cross back again.
- Proposals do not include 40% affordable housing as per the draft Local Plan requirement.
- Highway Safety Concerns:

There is the possibility of an Eastern Bypass and if the bigger highway scheme could not be afforded, Eastern Way could potentially be the Eastern route for the A350 bypass, therefore, isolating the site even further.

The impact this development will have on New Road, which is a single-track road and used as a 'rat run' to access Chippenham and the M4 via the National Trust village of Lacock including its medieval bridge which again is single track.

Consideration needs to be given to how this site could impact the new roundabout under construction in Spa Road as part of the East of Melksham extension. This route may potentially be the preferred route by drivers to access road infrastructures North and South.

Consideration needs to be given to the provision of a roundabout on the Southern entrance to the site, as opposed to traffic lights as previously proposed in planning application PL/2023/07107, particularly as this entrance serves the larger part of the site.

Eastern Way is not well served by bus routes and would result in the reliance upon the need for travel by car, which is contrary to Core Strategy Policies 60 and 61.

As part of the current review of the Neighbourhood Plan, AECOM has undertaken an independent Site Assessment and assessed SHELAA^[1] site 3525, which includes this site, with the following comments:

- Impact on non-statutory environmental designations: The site is adjacent to public open space (playing field), Primrose Drive Nature Area and located along indicative green infrastructure corridor.
- The central part of the site along Clackers Brook is in Flood Zone 2 and 3. The site is proposed for more vulnerable uses (residential). The sequential test and a site level exception test would need to be applied before these parts of the site could be developed.
- Over 15% of the wider SHELAA site is affected by high risk of surface water flooding.
- The site is Grade 3 Good to Moderate Quality Agricultural Land. More detailed site surveys would be required to assess whether the site is Grade 3a Good Quality Agricultural Land. (The Parish Council note in terms of potential changes to the National Planning Policy Framework (NPPF), the land has been used for food

production until recently, which is planned to carry more weight in the new NPPF amendments)

- The site includes Public Rights of Way MELW23 and MELW22.
- The site has several mature and semi mature trees within its boundary. Further arboricultural assessment would be required to understand their significance.
- Accessibility of the site in relation to facilities being within a 5-minute walk (400m). The following areas are over a 5-minute walk away:

Town/Local Centre/Shop:	>1200m
Train Station:	>1200m
Secondary School:	>1600-3900m
Cycle Route:	>800m

- The site falls within the Open Clay Vale Landscape Character Area of the Melksham Neighbourhood Plan Local Landscape Character Report 2020 and the West Wiltshire Landscape Character Area Report 2006. This area has a strong sense of openness with occasional deciduous copses and ancient woods to the east. The management objectives of this Landscape Character Area are to conserve and enhance the landscape setting of Melksham, screen visually intrusive urban edge of Melksham, conserve open views across the clay vale to distant down land ridges and conserve and enhance the existing hedgerow network.

The site contains some valued features including the Clackers Brook, continuous tree line along the Brook which provides an intimate setting and boundary vegetation. The site makes a significant contribution to the rural and tranquil landscape character of the area. Development on the site would represent a significant advancement into open countryside, beyond the current defined settlement edge formed by the Eastern Way.

- The site is visually open and has high intervisibility with the surrounding landscape. Development may adversely impact views of the surrounding open clay vale landscape, as well as from the Public Rights of Way crossing the site.
- The site strongly relates to the rural character and sense of openness of the area. Development of the site would contribute to a substantial urban expansion into open countryside.

The Parish Council also wish to submit the following comments in relation to your information published on your website www.catesby-snarltonfarm.co.uk :

- Concern is raised at proposals to release surface water into the public sewer, which is understood is not permitted.
- Object to proposals for Community Infrastructure Levy (CIL) funds to be used for transport infrastructure, education, health, community facilities such as indoor and outdoor sports /leisure facilities, outdoor play areas etc and green infrastructure, as these are usually included within Section 106 Agreements. It is understood developers cannot dictate what local authorities or parish/town councils can spend their CIL funding on.
- Concern is raised if this development comes forward prior to the housing allocation within the draft Local Plan at Blackmore Farm (adjacent to the site) which includes a primary school, there will be insufficient primary school facilities for any future primary aged children. Wiltshire Council have already stated their objection to the planning application

for 650 houses at neighbouring Blackmore Farm as there are insufficient secondary school places until the Local Plan allocation south of Melksham Oak school (Policy 19) is progressed.

If the development were to go ahead, the Parish Council welcome the opportunity to discuss aspects of the application and be party to the s106 agreement. In addition, they would like to see:

- Adherence to Melksham Neighbourhood Plan policies and emerging Neighbourhood Plan policies and evidence documents including the Melksham Design Guide and Housing Needs Assessment.
- Circular pedestrian routes around the site.
- The Parish Council seek the provision of play equipment above that required by the West Wiltshire District Council saved Policy in the Core Strategy and wish to enter into discussions being the nominated party for any proposed LEAPs (Local Equipped Area of Play)/Play area and seek the following:
 - A maintenance sum in the s106 agreement
 - Safety Surfacing extended beyond the play area fence line (by at least 30 cm) and for the whole area to be surfaced as such, with no joins to prevent future expansion gaps, and no grass that will require maintenance
 - Tarmac paths provided not hoggin.
 - No wooden equipment provided.
 - Dark Green Metal bow top fencing provided.
 - Clean margins around the edges, no planting.
 - Bins provided outside the play area.
 - Easy access provided for maintenance vehicles.
 - Public access gates painted red.
 - No inset symbols provided in the safety surfacing, which should be one solid surface.
- Equipment installed for teenagers such as a teen shelter/MUGA and somewhere to kick a ball around.
- Contribution towards playing fields.
- The provision of benches and bins where there are circular pedestrian routes and public open space and the regular emptying of bins to be reflected in any future maintenance contribution.
- Connectivity with existing housing development so not isolated.
- There are practical art contributions and the Parish Council are involved in public art discussions.
- Contribution towards improved bus services, which serve the area.
- Any bus shelters provided are suitable in providing Real Time Information (RTI) ie, access to an electricity supply, WiFi connectivity and are an appropriate height or provided with RTI already included.
- Speed limit within the site is 20mph and self-enforcing.
- Proposed trees are not planted on boundaries of new/existing housing, but further into public open spaces.
- The development is tenant blind.
- If adjacent to existing dwellings the design is such that the layout is garden to existing garden.
- The road layout is such that there are no dead ends in order that residents and refuse lorries do not need to reverse out of roads.

- Contribution to educational and medical facilities within the Melksham area.
- There is visible delineation between pavement and roads so they are easily identifiable.
- The provision of bird (swift boxes), bat and bee bricks, reptile refugia and hibernacula within the development, in order to increase biodiversity.
- There are various Rights of Way in the vicinity, which could be improved/ upgraded, including the provision of lighting via Section 106 contributions from this application if approved. The provision of a footpath to access Prater's Lane from Sandridge Common (MELW40); MELW30 becoming a bridleway to connect up bridleways at MELW40 & 41. Provision of kissing gates on the various bridleways between East of Melksham and Redstocks.
- Provision of allotments with access to parking and water supply.
- Provision of convenience store with free access cash point.
- Ground source heat pumps to be included in proposals.
- To include capacity for hydrogen heating in the future within proposals.
- Provision of solar panels and storage batteries for every house or group of houses/block of flats.
- Inclusion of lifebuoys, noticeboards and defibrillators. The maintenance of these items to be undertaken by the management company, unless the council decides that they would like to take on the asset.

As part of any community facilities the parish council would like to see, the Parish Council request a community centre large enough to include additional health facilities (with room for GP clinics as well as complimentary services like physio, chiropodist, osteopath etc.) as well as associated facilities to service and provide a 3G pitch.

Due to the piecemeal nature of development currently proposed East of Melksham, the Parish Council have also requested the same for proposals for 500 dwellings (PL/2023/11188) on land adjacent to your site at Blackmore Farm.

With kind regards, Teresa

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

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Want to keep in touch?

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

On twitter: [@melkshamwithout](#)

On Instagram: [melkshamwithoutpc](#)

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

14 09 2023

PLANNING REF: PL/2023/07107(OL)

SITE NAME/ADDRESS: Snarlton Farm, Snarlton Lane, Melksham

ASSESSMENT OF: 300 units – standard 30% affordable housing (AH) is assumed to apply = 90 units. No size mix is supplied. (Our assessment of impact on local education infrastructure of this development will need to be reviewed and if necessary revised, when details of the housing mix are finalised.)

EXCLUSIONS/DISCOUNTS APPLIED: standard 30% AH housing discount applied to 90 AH units = a reduction in qualifying properties of 27 units.

NUMBER OF PROPERTIES QUALIFYING FOR ASSESSMENT: 273

SCHOOL PLACES NEEDED BY DVLPT: PRIMARY = 85 SECONDARY = 60

DESIGNATED AREA PRIMARY/IES:

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

DESIGNATED AREA SECONDARY/IES:

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

EARLY YEARS PLACES - ASSESSMENT DETAILS:

- There are currently 6 preschools nurseries and 3 childminders within a two-mile safe walking route of this proposed development.
- This provision is operating at full capacity.
- The Local Authority has a duty to provide sufficient childcare for working parents under Section 6 of the Childcare Act 2006.
- Therefore, any increase in population as a result of this development will require additional childcare provision.
- Based on the 273 qualifying properties:

Number of units	2 year olds and below 4 places per 100 dwellings	3 & 4 year olds 9 places per 100 dwellings	Total of places	Total required:
273	11	25	36	£17,522 x 36 = £630,792

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

- Total required as per calculations above = £630,792 (subject to indexation), towards the development of early years provision in this area.
- This will be secured by an S106 agreement to which the Council's standard terms will apply.

PRIMARY SCHOOL PLACES - ASSESSMENT DETAILS:

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

- capacity = 1858 places. (This includes new places already secured by S106 agreement.)
- May 23 census NOR = 1609 pupils.
- Recently updated forecasts (including in area housing already completed/underway) = 1589 pupils in September 2023.
- In addition, places required by in area housing registered/approved but not yet completed or in our forecasts = 462.
- So, there are no places currently available across the in area primary schools.

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

- **There is no spare capacity across the designated schools for this development.**
- **As a result, we require a full developer S106 contribution towards the cost of the 85 new places that this development generates a need for.**
- Using the current cost multiplier (but see note *above), of £18,758 per place: 85 x £18,758 = £1,594,430 (subject to indexation).

SECONDARY SCHOOL PLACES - ASSESSMENT DETAILS:

- PAN Year's 7 – 11 capacity: 1500 places.
- May 23 Years 7 -11 number on roll: 1151 pupils.
- Recently updated forecasts (including in area housing already completed/underway), indicate that the school's numbers will peak at 1172 by September 2025.
- In addition, places required by in area housing applications registered/approved, but not yet included in our forecasts = 356.
- So, a deficit of places already exists at Melksham Oak.

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

- **Melksham Oak cannot accommodate the pupils that will be generated by the proposed development, without further expansion.**
- **The Council intends to expand Melksham Oak School in phases.**
- As a result, we require a developer S106 contribution towards the cost of the 60 places that this development will need, and that do not currently exist.
- Using the current (but please see note *above), cost multiplier of £22,940 per place: 60 x £22,940 = £1,376,400.
- This contribution will be subject to indexation and secured by an S106 agreement to which the Council's standard terms will apply.
- However, this expansion would need to be built on existing playing field. As school playing field is protected by statute; the lost playing field would need to be replaced. Land adjacent to the school may be secured through the Local Plan process, however at this time the additional land required is not secured and therefore this planning application is premature in coming forward.

CAVEATS :(see attachment)

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

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

16 02 2024

PLANNING REF: PL/2023/11188 (OL)

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

ASSESSMENT OF: 500 units – 350 open market & 150 affordable housing (AH). No size mix supplied.

EXCLUSIONS/DISCOUNTS APPLIED: standard 30% AH housing discount applied to 150 AH units = a reduction in qualifying properties of 45 units.

NUMBER OF PROPERTIES QUALIFYING FOR ASSESSMENT: 455

SCHOOL PLACES NEEDED BY DVLPT: **PRIMARY = 141** **SECONDARY = 100**

DESIGNATED AREA PRIMARY/IES:

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

DESIGNATED AREA SECONDARY/IES:

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

EARLY YEARS PLACES - ASSESSMENT DETAILS:

- There are currently 6 preschools/nurseries and 4 childminders within a two-mile safe walking route of this proposed development.
- This provision is operating at full capacity.
- The Local Authority has a duty to provide sufficient childcare for working parents under Section 6 of the Childcare Act 2006.
- Therefore, any increase in population as a result of this development will require additional childcare provision.
- Based on the 592 qualifying properties:

Number of units	2 year olds and below 4 places per 100 dwellings	3 & 4 year olds 9 places per 100 dwellings	Total of places	Total required:
455	18	41	59	£17,522 x 59 = £1,033,798

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

- Total required as per calculations above = **£1,033,798** towards the development of Early Years provision in this area.
- We note that the application includes a 2ha site for the provision of a new 2FE primary school with nursery. This is welcomed by the Council and will enable us to create the places required for this development.
- Both the financial contribution and the school/nursery site will be secured by a S106 agreement to which the Council's standard terms will apply.

PRIMARY SCHOOL PLACES - ASSESSMENT DETAILS:

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

- capacity = 1438 places. (This includes new places already secured by S106 agreement.)
- Oct 23 census NOR = 1187 pupils.
- Current peak forecast (including in area housing already completed/underway) = 1177
- In addition, places required by in area housing registered/approved but not yet completed or in our forecasts = 277.
- So, there are no places currently available across the in area primary schools.

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

- **There is no spare capacity across the designated schools for this development.**
- **As a result, we require a full developer S106 contribution towards the cost of the 141 new places that this development generates a need for.**
- Using the current cost multiplier (but see note *above), of £18,758 per place: 141 x £18,758 = £2,644,878 (subject to indexation).
- We note that the applicant is offering a 2ha primary school site with nursery, which we confirm we would require. The site offered on the illustrative masterplan appears acceptable, but should this application proceed, further evidence from the developer will be required by the Council regarding the suitability of the site for education use.
- Both the financial contribution and the school/nursery site will be secured by a S106 agreement to which the Council's standard terms will apply.

SECONDARY SCHOOL PLACES - ASSESSMENT DETAILS:

- PAN Year's 7 – 11 capacity: 1500 places.
- Oct 23 Years 7 -11 number on roll: 1161 pupils.

- Current forecasts (including in area housing already completed/underway), indicate that the school's numbers will peak at 1172.
- In addition, places required by in area housing applications registered/approved, but not yet included in our forecasts = 220.
- So, there are sufficient places available at the school for this development.

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

- **Melksham Oak can fully accommodate the pupils that will be generated by the proposed development, without further expansion.**
- **Therefore, we have no requirement for a S106 contribution towards providing new secondary places from this application.**

CAVEATS :(see attachment)

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

Lorraine McRandle

From: Teresa Strange
Sent: 28 August 2024 10:13
To: Lorraine McRandle
Subject: FW: East of Melksham Community Centre

From: Committee Clerk <committee.clerk@melksham-tc.gov.uk>
Sent: 27 August 2024 15:10
To: Teresa Strange <clerk@melkshamwithout-pc.gov.uk>
Cc: Locum <locum@melksham-tc.gov.uk>
Subject: RE: East of Melksham Community Centre

Hi Teresa.

The only certainties I have are as follows.

Linda instructed architect to put in planning application.

Architect needed clarification on some things before planning could go in. By that time Linda was not available. Hugh did what he could but that was not enough for planning application to be made. Matter was then lost until the meeting last week. I have no idea whether Linda had sight of a legal transfer or not, which is why, at the request of Tracy, I have been trying to find out what happened.

The only certainty is that the resolution of full council indicates they wish to go ahead with the proposed site.

Since the new proposal is mostly in MWPC I assume the proposed site of the community hall would be as well. Would it therefore be available to the residents of the existing developments which are now on the town?

Andrew

Andrew Meacham
Committee Clerk



T: (01225) 704187
E: committee.clerk@melksham-tc.gov.uk
I: www.melksham-tc.gov.uk

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From: Teresa Strange <clerk@melkshamwithout-pc.gov.uk>
Sent: Tuesday, August 27, 2024 2:42 PM
To: Committee Clerk <committee.clerk@melksham-tc.gov.uk>
Subject: RE: East of Melksham Community Centre

The town council would have signed a legal agreement for the land transferred to them – has that been done?

From: Committee Clerk <committee.clerk@melksham-tc.gov.uk>
Sent: 27 August 2024 13:24
To: Teresa Strange <clerk@melkshamwithout-pc.gov.uk>
Subject: RE: East of Melksham Community Centre

Ah! I was talking about the planning application!

From minutes of 19/8:-

It was proposed by Councillor S Crundell, seconded by Councillor Hubbard and UNANIMOUSLY RESOLVED that

- The Clerk will move the matter on by responding to questions from the architect, with reference to Full Council if required
- Authority is delegated to the Clerk to employ professional support as she sees fit.
- East Melksham Community Centre will be a standing item on Full Council agenda.

I have been trying to find out if the land has been transferred to us yet but without a postcode, Land Registry is not that helpful. Mike Sankey has suggested a contact and I have emailed them today.

Andrew Meacham
Committee Clerk



T: (01225) 704187
E: committee.clerk@melksham-tc.gov.uk
I: www.melksham-tc.gov.uk

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From: Teresa Strange <clerk@melkshamwithout-pc.gov.uk>
Sent: Tuesday, August 27, 2024 1:11 PM
To: Committee Clerk <committee.clerk@melksham-tc.gov.uk>
Subject: RE: East of Melksham Community Centre

Yes, it's the information on the community centre I am after.....

From: Committee Clerk <committee.clerk@melksham-tc.gov.uk>
Sent: 27 August 2024 12:27
To: Teresa Strange <clerk@melkshamwithout-pc.gov.uk>
Subject: RE: East of Melksham Community Centre

East Melksham Community Centre was but not the planning application.

Andrew Meacham
Committee Clerk



T: (01225) 704187
E: committee.clerk@melksham-tc.gov.uk
I: www.melksham-tc.gov.uk

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From: Teresa Strange <clerk@melkshamwithout-pc.gov.uk>
Sent: Tuesday, August 27, 2024 11:59 AM
To: Committee Clerk <committee.clerk@melksham-tc.gov.uk>
Subject: RE: East of Melksham Community Centre

It was on the agenda at your recent Full Council meeting

From: Committee Clerk <committee.clerk@melksham-tc.gov.uk>
Sent: 27 August 2024 11:23
To: Teresa Strange <clerk@melkshamwithout-pc.gov.uk>
Subject: RE: East of Melksham Community Centre

Hi.

Not that I remember but I can't search as the link is down.

Andrew

Andrew Meacham
Committee Clerk



Melksham
Town Council

T: (01225) 704187
E: committee.clerk@melksham-tc.gov.uk
I: www.melksham-tc.gov.uk

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From: Teresa Strange <clerk@melkshamwithout-pc.gov.uk>
Sent: Tuesday, August 27, 2024 11:20 AM
To: Committee Clerk <committee.clerk@melksham-tc.gov.uk>; Locum <locum@melksham-tc.gov.uk>
Cc: Lorraine McRandle <office@melkshamwithout-pc.gov.uk>
Subject: RE: East of Melksham Community Centre

Thanks Andrew, was unaware and Lorraine on leave today.
Was it not on an agenda recently?
T

From: Committee Clerk <committee.clerk@melksham-tc.gov.uk>
Sent: 27 August 2024 11:08
To: Teresa Strange <clerk@melkshamwithout-pc.gov.uk>; Locum <locum@melksham-tc.gov.uk>
Subject: RE: East of Melksham Community Centre

Good morning.

I have previously confirmed with Lorraine that I was putting it on the agenda for tonight.

The agenda/minutes page on our website is currently unavailable. Civica are working on it.

Andrew

Andrew Meacham
Committee Clerk



Melksham
Town Council

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From: Teresa Strange <clerk@melkshamwithout-pc.gov.uk>
Sent: Tuesday, August 27, 2024 10:52 AM
To: Locum <locum@melksham-tc.gov.uk>; Committee Clerk <committee.clerk@melksham-tc.gov.uk>
Subject: FW: East of Melksham Community Centre

Hi Tracy/Andrew

Melksham Without Parish Council will be considering the application for 300 houses at Snarlton Farm on Monday 2nd September, have you had chance to consider this request please.

Many thanks, Teresa

From: Teresa Strange
Sent: 01 August 2024 12:10
To: Locum <locum@melksham-tc.gov.uk>
Subject: FW: East of Melksham Community Centre

As discussed earlier....

From: Teresa Strange
Sent: 12 July 2024 15:07
To: locum@melksham-tc.gov.uk
Subject: FW: East of Melksham Community Centre

Hi Tracy

Are you able to update Melksham Without Parish Council on where the town council are with the project to build a new East of Melksham Community Centre please.

The parish council gave some £315k funding for the project. There was a time stipulation under the terms of the legal agreement for the transfer of funds and so we wanted to review it in December as part of our annual processes.

There is a planning application about to be submitted for 300 dwellings east of Melksham (in the parish) and they are showing land for a community centre (as requested by the parish council some time ago).

I understand from Andrew that the town council are not submitting any comments to the public consultation on it (deadline this Sunday). <https://www.catesbyestates.co.uk/land/land-south-of-snarlton-farm-melksham>
The parameter plan shows a site for a community centre, and a size of 400sqm with parking, landscape and display. Does that fit the design that the town council have? we have never been able to get an answer, or glean from town council minutes as to whether the town council submitted a planning application off Angelica Avenue or not? <https://www.catesbyestates.co.uk/uploads/files/Snarlton%20Farm%20Development%20Parameter%20Plan%202024.pdf>

There has never been an intention to have lots of community centres to the east, just the one, so the parish council just want to know what progress there is with the one you have funding for. There was £500k index linked to be drawn down too from Wiltshire Council by the town council under the s106 agreement. Has that been done?

A general update of where you are with the project would be very useful, as the parish council will need to consider how they address the offer of community facilities in this planning application coming very soon, and the current one for 500 dwellings, just to the north at Blackmore Farm.

Town & Country Planning Act 1990

Notification of Full Planning

Application Reference Number: 13/06707/FUL

<p>Agent Pegasus Group Pegasus House Querns Bussiness Centre Whitworth Road Cirencester GL7 1RT</p>	<p>Applicant Hive Energy Ltd FAO Hugh Brennan Woodington House East Wellow Hants SO51 6DQ</p>
<p>Parish: BROUGHTON GIFFORD</p>	
<p>Particulars of Development: Construction of a Solar Park including the installation of solar panels, security fencing and cameras, landscaping and other associated works and cable route/trenching.</p>	
<p>At: Land South East Of Leechpool Farm, Norrington Lane, Broughton Gifford, Wiltshire</p>	

In pursuance of its powers under the above Act, the Council hereby grant **PLANNING PERMISSION** for the above development to be carried out in accordance with the application and plans submitted (listed below).

In accordance with paragraph 187 of the National Planning Policy Framework, Wiltshire Council has worked proactively to secure this development to improve the economic, social and environmental conditions of the area.

Subject to the following conditions:

- 1 The development hereby permitted shall be begun before the expiration of three years from the date of this permission.

REASON:

To comply with the provisions of Section 91 of the Town and Country Planning Act 1990 as amended by the Planning and Compulsory Purchase Act 2004.

- 2 The development hereby approved shall be discontinued and the land restored to its former condition on the 25th anniversary of the date of the first electricity generation, in accordance with a Decommissioning Plan to be submitted to and approved in writing by the Local Planning Authority prior to the commencement of decommissioning; unless before that 25th anniversary date planning permission has been sought and granted for the retention of these structures for an extended period of time. The date of the first electricity generation shall be sent in writing to the Local

Planning Authority within 1 week of the first electricity generation

REASON:

In the interests of amenity and the circumstances of the use.

- 3 In the event that the development ceases to be operational for the generation of energy before the end of the period defined in condition 2 then all associated development on, under or above the application site shall be removed from the site and the land returned to its former condition in accordance a Decommissioning Plan to be submitted to and approved in writing by the Local Planning Authority prior to the commencement of decommissioning, and within six months of the cessation of the generation of energy from the site.

REASON:

In the interests of amenity and the circumstances of the use.

- 4 No development shall commence on site (including any works of demolition), until a Construction Method Statement, which shall include the following:
- a) the parking of vehicles of site operatives and visitors;
 - b) loading and unloading of plant and materials;
 - c) storage of plant and materials used in constructing the development;
 - d) the erection and maintenance of security hoarding including decorative displays and facilities for public viewing, where appropriate;
 - e) wheel washing facilities;
 - f) measures to control the emission of dust and dirt during construction;
 - g) a scheme for recycling/disposing of waste resulting from any demolition and construction works;
 - h) measures for the protection of the natural environment; and
 - i) hours of construction, including deliveries
- has been submitted to, and approved in writing by, the Local Planning Authority. The approved Statement shall be adhered to throughout the construction period. The development shall not be carried out otherwise than in accordance with the approved construction method statement without the prior written permission of the Local Planning Authority.

REASON:

In the interests of highway safety and amenity.

- 5 No ground raising shall take place within areas defined as flood zones 2 and 3 on the Environment Agency's flood map.

REASON

To maintain the integrity and proper functioning of the flood plain, in order to prevent an increase in flood risk.

- 6 The boundary fences shall be erected in accordance with the approved plan H.0635-05-E and in advance of any other construction works commencing, and no construction or operational works shall extend into the wildlife buffer strips/ areas either directly or indirectly.

REASON:

In the interests of the protection of wildlife.

- 7 Prior to the commencement of works a Supplementary Ecological Mitigation, Enhancement and Management Plan shall be submitted for planning authority approval. The Plan shall provide detailed drawings and proposals for the following:
- Restoration of "Pond 1" and enhancement of "Pond 2";

The Town and Country Planning Act 1990
Notice of Approval of Reserved Matters
Application Reference Number: PL/2021/07622
Decision Date: 16 November 2021

Applicant: Mr Tom Evans
Land North of, 486A, Semington Road, Melksham, SN12 6DR

Particulars of Development: Proposed New Dwelling (Reserved Matters Application pursuant of 19/02238/OUT relating to appearance, landscaping, layout and scale)

At: 486A, Semington Road, Melksham, SN12 6DR

In pursuance of its powers under the above Act, the Council hereby **GRANT PLANNING PERMISSION** for the above development to be carried out in accordance with the application and plans submitted (listed below).

In accordance with paragraph 38 of the National Planning Policy Framework, Wiltshire Council has worked proactively to secure this development to improve the economic, social and environmental conditions of the area.

Subject to the following conditions:

Conditions: (7)

- 1 The development hereby permitted shall be begun before the expiration of three years from the date of this permission.

REASON: To comply with the provisions of Section 91 of the Town and Country Planning Act 1990 as amended by the Planning and Compulsory Purchase Act 2004.

- 2 The development hereby permitted shall be carried out in accordance with the following approved plans:

Drg no. AH2021/100 Sheet 1 of 1 dated 27 July 2021

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



13 August 2024

Dear Sir/Madam,

TOWN AND COUNTRY PLANNING ACT 1990

APPELLANTS NAME:	Mrs Tamsin Almeida
APPEAL SITE:	Land to the West of Semington Road, Melksham, Wilts
PLANNING APPLICATION REF:	PL/2022/08155
PROPOSED DEVELOPMENT:	Outline planning permission for up to 53 dwellings including formation of access and associated works, with all other matters reserved
INSPECTORATE REFERENCE:	APP/Y3940/W/24/3343787

Further to my previous letter regarding the Inquiry to be held on the above, I am now writing to inform you of the date and venue.

The appeal will be attended by the local planning authority, the appellant and a presiding inspector.

You may attend the Inquiry, which will open on 10 September 2024 at 10am at White Horse Enterprise Centre for 4 days.

An Inspector appointed by the Secretary of State will hold an Inquiry opening on the date shown above to decide the appeal. The Inspector appointed to decide the appeal is **D Hendley MA**, BA(Hons), MRTPI.

Members of the public may attend the Inquiry and, at the Inspector's discretion, express their views. If you, or anyone you know, has a disability and is concerned about facilities at the inquiry venue, you should contact the council to confirm that suitable provisions are in place.

If you wish to participate in the Inquiry virtually please contact the Local Planning Authority (email: planningappeals@wiltshire.gov.uk or telephone: 0300 456 0114) for details of how to do so.

Documents relating to the appeal(s) can be viewed on the Council website:

<https://www.wiltshire.gov.uk/planning-appeals>.

The decision will be published on <https://acp.planninginspectorate.gov.uk/>.

Contact point at the Planning Inspectorate: Robert Wordsworth, Tel 0303 444 5608, Email robert.wordsworth@planninginspectorate.gov.uk

Planning Inspectorate Reference: APP/Y3940/W/24/3343787

Yours faithfully

Head of Development Management

EXTRACT OF PLANNING COMMITTEE MINUTES, 2 OCTOBER 2023.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

- The site is outside the settlement boundary and is in the village of Berryfield, which is classed as a “Small Village” in the Core Strategy. Please also refer to Policy 6: Housing in Defined Settlements of the made Melksham Neighbourhood Plan regarding development in the small villages of Beanacre and Berryfield.
- This site was previously turned down in May 2017 for 160 dwellings, and the reasons for that refusal still stand. Precedent is also set within the assessment of the principle of development for 16/11901/OUT on applications in the Semington Road area that do not fall under the existing built area of Berryfield or within the settlement boundary of Melksham Town. The site therefore conflicts with Core Policy 2 of the Wiltshire Council Core Strategy as it is outside the defined limits of development and has not been brought forward through the Site Allocations DPD or the Melksham Neighbourhood Plan.
- Whilst there currently is a lack of 5-year land supply, the Melksham area has exceeded the number of dwellings required by the Core Strategy by 2026 and the protection of paragraph 14 in the NPPF is valid with a current adopted Melksham Neighbourhood Plan less than 2 years old. This was confirmed by the Planning Inspector for the appeal at the adjacent site 20/07334/OUT; AP-36412.
- The development proposed is for 100% affordable housing, which conflicts with Wiltshire Council’s Core Strategy Policy 43 ie ‘the need for developing mixed, balanced and inclusive communities, affordable housing units to be dispersed throughout a development and designed to be high quality, so as to

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

- If Wiltshire Council are minded to approve this application, please refer to the published Housing Needs Assessment undertaken for the review of the Melksham Neighbourhood Plan to give a steer on the mix of type and tenure that are needed in the Neighbourhood Plan area, and in fact broken down into smaller settlement areas within the NHP area
https://www.melkshamneighbourhoodplan.org/files/ugd/c4c117_4c8411b64439472fbfcf8e856799e2c9.pdf
- The loss of Grade 2 agricultural land (Best Most Versatile land). It is noted that it suggested within one of the developer’s submission documents that this particular parcel of land was unsuitable for agricultural use and was fallow. The parish council do not want to see the loss of good quality land from agricultural use. Residents from the neighbouring Townsend Farm development confirm that this year rapeseed had been grown and cultivated in the field and for the last 15+ years there had always been either crops or animals on the land.
- Highway safety concerns with regard to access to the site as Semington Road is quite narrow where the access is proposed. In addition, the highway safety for residents in terms of accessing facilities in the town with them having to cross the busy A350. Whilst the light controlled crossing to the east had recently been upgraded as part of the Active Travel project by Wiltshire Council, there was still an informal, desire line across the east of the A350 roundabout to access the town centre and Aloeric school. The proposed site entrance is very close to the entrance to the Mobile Home Park and in addition to the road calming measures already in place this could lead to congestion and traffic issues, especially on the Semington Road roundabout at the A350. The A350 is a primary route, with some 20,000 vehicles using it per day.
- Access to schools and lack of school places. Whilst Aloeric School may be the nearest, this requires people having to cross the busy A350. The proposed primary school at Pathfinder Place, Bowerhill is not yet built and there is no footpath proposed from Berryfield to Pathfinder Place for those wishing to access the school on foot. St George’s Primary School in Semington is some distance away and for access by vehicle would require a circuitous route via the A350 due to the Bus Gate at the entrance to Semington Village from the Semington Road. It was noted that there is no pre-school provision at Aloeric school and this needed to be borne in mind for any potential walking route being assessed for early years children. The parish council raised concerns about the recent Road Safety Report for 20/01938 of which children would be using the same route to school. This contradicted itself by saying that the route was safe as children would be accompanied by an adult, and elsewhere reported that the assessor

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

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

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

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

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

**ADDITIONAL COMMENTS RELATING TO PLANNING APPLICATION PL/2022/08155:
DEVELOPMENT WEST OF SEMINGTON ROAD FOR 53 DWELLINGS
SUBMITTED TO WILTSHIRE COUNCIL ON 23 DECEMBER 2022**

Having met with the developers, Terra Strategic on 13 December 2022, the Parish Council wished to submit additional comments since submitting comments following a Planning meeting on 28 November 2022:

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

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

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

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

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

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

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

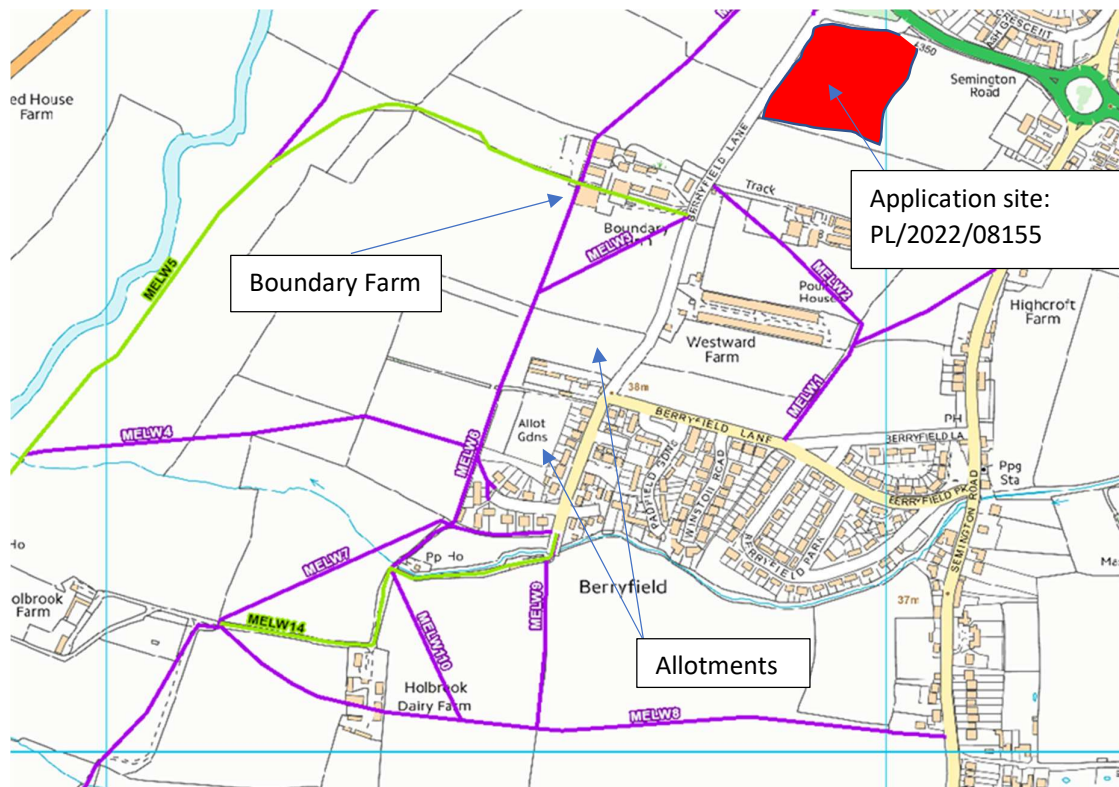
Informal discussions have since taken place with the Rights of Way Officer and potential improvements to the rights of way network as a result of this proposed development. As there will be a direct access from the development to Berryfield Lane, which leads to Rights of Way to the river and the Kennet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

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

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

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

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



Melksham Without Parish Council
Clerk to Melksham Without Parish Council
1st Floor Melksham Community Campus
Market Place
Melksham
SN12 6ES

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

15 August 2024

IMPORTANT - THIS COMMUNICATION MAY AFFECT YOUR PROPERTY

Dear Sir/Madam

Wiltshire Council – Land off LITTLEWORTH LANE, WHITLEY SN12 8RE Tree Preservation Order –TPO/2024/00011

We refer to our previous correspondence concerning the above. It was decided to confirm the Tree Preservation Order on **16 August 2024**.

We therefore enclose a copy of the confirmed Order for your attention and retention.

The validity of a Tree Preservation Order cannot be challenged in any legal proceedings except by way of application to the High Court. An application to the High Court may be made by any person who is 'aggrieved' by a Tree Preservation Order on the grounds:

that the Tree Preservation Order is not within the powers of the Act; or

that the requirements of the Act or the 2012 Regulations have not been complied with in relation to the Tree Preservation Order.

To be 'aggrieved', the applicant should be able to show that he has a sufficiently direct interest in the matter.

An application must be made within 6 weeks of the date of the Authority's confirmation of the Tree Preservation Order. The High Court may quash the Tree Preservation Order, or suspend its operation wholly or in part. Failure by the Authority to comply with the requirements of the Act or Regulations is not in itself sufficient for the Court to quash a Tree Preservation Order; the Court must also be satisfied that the interests of the applicant have been 'substantially prejudiced' as a result. Before making an application under this ground, therefore, any would-be applicant may first wish to consider whether the Authority's decision would have been more favourable to him if made in accordance with the statutory requirements.

Anyone thinking about making an application to the High Court is advised to take legal advice about the correct procedure to be followed (which is set out in Rules of Court) and the likely costs that would be incurred if the application failed.

Yours faithfully

Kate Tate

Arboricultural Officer
Email: kate.tate@wiltshire.gov.uk
Telephone: 01249 706670

TOWN AND COUNTRY PLANNING ACT 1990

Wiltshire Council – Land off LITTLEWORTH LANE, WHITLEY SN12 8RE

Confirmed Tree Preservation Order TPO/2024/00011

Wiltshire Council, in exercise of the powers conferred on them by section 198 of the Town and Country Planning Act 1990, as amended in the Town and Country Planning (Tree Preservation)(England) Regulations 2012, make the following Order:

Citation

This Order may be cited as Land off LITTLEWORTH LANE, WHITLEY SN12 8RE

13 x Individual Oak trees and Woodland to include all mixed species

Tree Preservation Order: TPO/2024/00011

Interpretation

- (1) In this Order “the authority” means the Wiltshire Council.
- (2) In this Order any reference to a numbered section is a reference to the section so numbered in the Town and County Planning Act 1990 and any reference to a numbered regulation is a reference to the regulation so numbered in the Town and Country Planning (Tree Preservation)(England) Regulations 2012.

Effect

- (1) Subject to article 4, this Order takes effect provision on the date on which it is made.
- (2) Without prejudice to subsection (7) of section 198 (power to make tree preservation orders) or subsection (1) of section 200 (tree preservation orders: Forestry Commissioners) and, subject to the exceptions in regulation 14, no person shall:
 - (a) cut down, top, lop, uproot, wilfully damage, or wilfully destroy; or
 - (b) cause or permit the cutting down, topping, lopping, uprooting, wilful damage or wilful destruction of, any tree specified in the Schedule of this Order except with the written consent of the authority in accordance with regulations 16 and 17, or of the Secretary of State in accordance with regulation 23, and, where such consent is given subject to conditions, in accordance with those conditions.

Application to trees to be planted pursuant to a condition

In relation to any tree identified in the first column of the Schedule by the letter ‘C’ being a tree to be planted pursuant to a condition imposed under paragraph (a) of section 197 (planning permission to include appropriate provision for preservation and planting of trees), this Order takes effect as from the time when the tree is planted.

Dated this 26 day of April 2024

Kate Tate

Signed on behalf of the Wiltshire Council
Authorised by the Council to sign in that behalf

CONFIRMATION OF ORDER (without modifications)

This Order was confirmed by the Wiltshire Council without modifications on the 16 day of August 2024.

Kate Tate

Authorised by the Council to sign in that behalf.

CONFIRMATION OF ORDER (with modifications)

This Order was confirmed by the Wiltshire Council subject to the modifications indicated by (*state how indicated*),

on the day of

Authorised by the Council to sign in that behalf.

DECISION NOT TO CONFIRM ORDER

A decision not to confirm this Order was taken by the Wiltshire Council on the

..... day of

Authorised by the Council to sign in that behalf.

VARIATION OF ORDER

This Order was varied by the Wiltshire Council on the

..... day of

by a variation order under reference number (*insert reference number to the variation order*) a copy of which is attached.

Authorised by the Council to sign in that behalf.

REVOCAION OF ORDER

This Order was revoked by the Wiltshire Council on the

..... day of

Authorised by the Council to sign in that behalf.

SCHEDULE

SPECIFICATION OF TREES

**Wiltshire Council – Land off LITTLEWORTH LANE, WHITLEY SN12 8RE
Tree Preservation Order TPO/2024/00011**

TREES SPECIFIED INDIVIDUALLY

(encircled in green on the map)

<i>Reference on map</i>	<i>Description</i>	<i>Situation*</i>
T1- T13	Oak	Land off Littleworth Lane , Whitley, SN12 8RE

TREES SPECIFIED BY REFERENCE TO AN AREA

(within a dotted black line on the map)

<i>Reference on map</i>	<i>Description</i>	<i>Situation*</i>
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GROUP OF TREES

(within a broken black line on the map)

<i>Reference on map</i>	<i>Description</i>	<i>Situation*</i>
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WOODLANDS

(within a continuous black line on the map)

<i>Reference on map</i>	<i>Description</i>	<i>Situation*</i>
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*complete if necessary to specify more precisely the position of the trees.



28/04/2024

TPO 2024/00011 Land off Littleworth Lane SN12 8RE

388412E 166873N m
1:3,000



Wiltshire Council

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REPORT FOR WESTERN AREA PLANNING COMMITTEE

Date of Meeting	4 September 2024
Application Number	PL/2023/08046
Site Address	Land at Pathfinder Way, Bowerhill, Melksham,
Proposal	Reserved matters application pursuant to Outline Planning Permission 16/01123/OUT relating to the appearance, landscaping, layout and scale of the Proposed Primary School (including Nursery and SEN provision)
Applicant	Wiltshire Council
Town/Parish Council	MELKSHAM WITHOUT PARISH COUNCIL
Electoral Division	Bowerhill – Cllr Nick Holder
Grid Ref	391159 162662
Type of application	Reserved Matters
Case Officer	Gen Collins

Reason for the application being considered by Committee

The Councils adopted Scheme of Delegation requires this application to be reported to the elected members of the area planning committee because the applicant is Wiltshire Council and two third party objections have been raised about parking issues and the loss of privacy/overlooking of a private garden.

1. Purpose of Report

The purpose of the report is to assess the merits of the proposal against the policies of the development plan and other material considerations and to consider the recommendation that the application be approved.

2. Report Summary

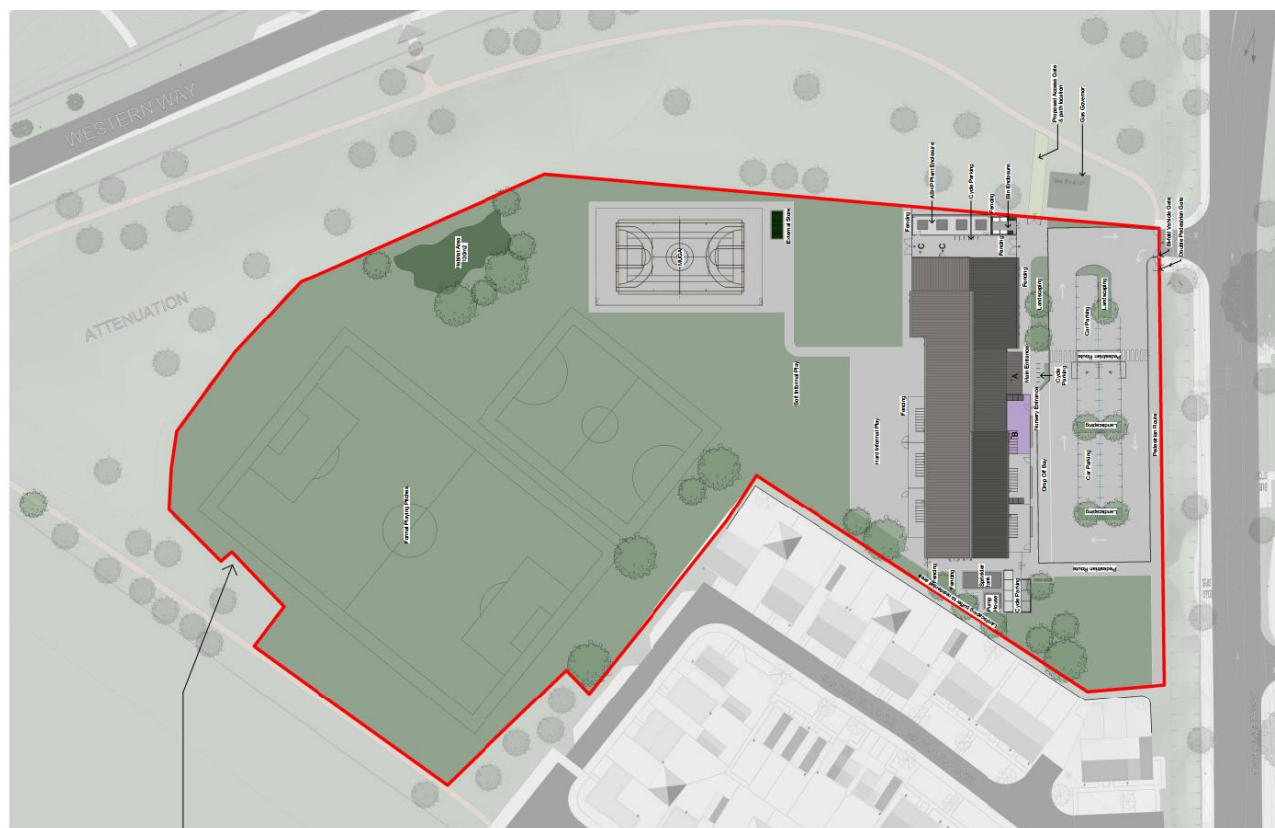
The key issues for consideration are:

- The principle of development
- Design/Visual Appearance
- Heritage Impact
- Impact on the residential amenity
- Highways/parking issues
- Ecology
- Drainage
- S106/CIL
- Other Matters

Melksham Without Parish Council initially raised objection to the application (as did the local ward member Cllr Holder) on highway safety and requested a second pedestrian access be provided.

Following a detailed and lengthy engagement with the Councils Highway officers, the application was amended to include a second pedestrian access. This revision was subject to a re-consultation which resulted in the parish council and Cllr Holder confirming they no longer wished to object, although the parish council did request that the pedestrian route would be supervised at the start and end of the school day. Two local residents have raised an objection.

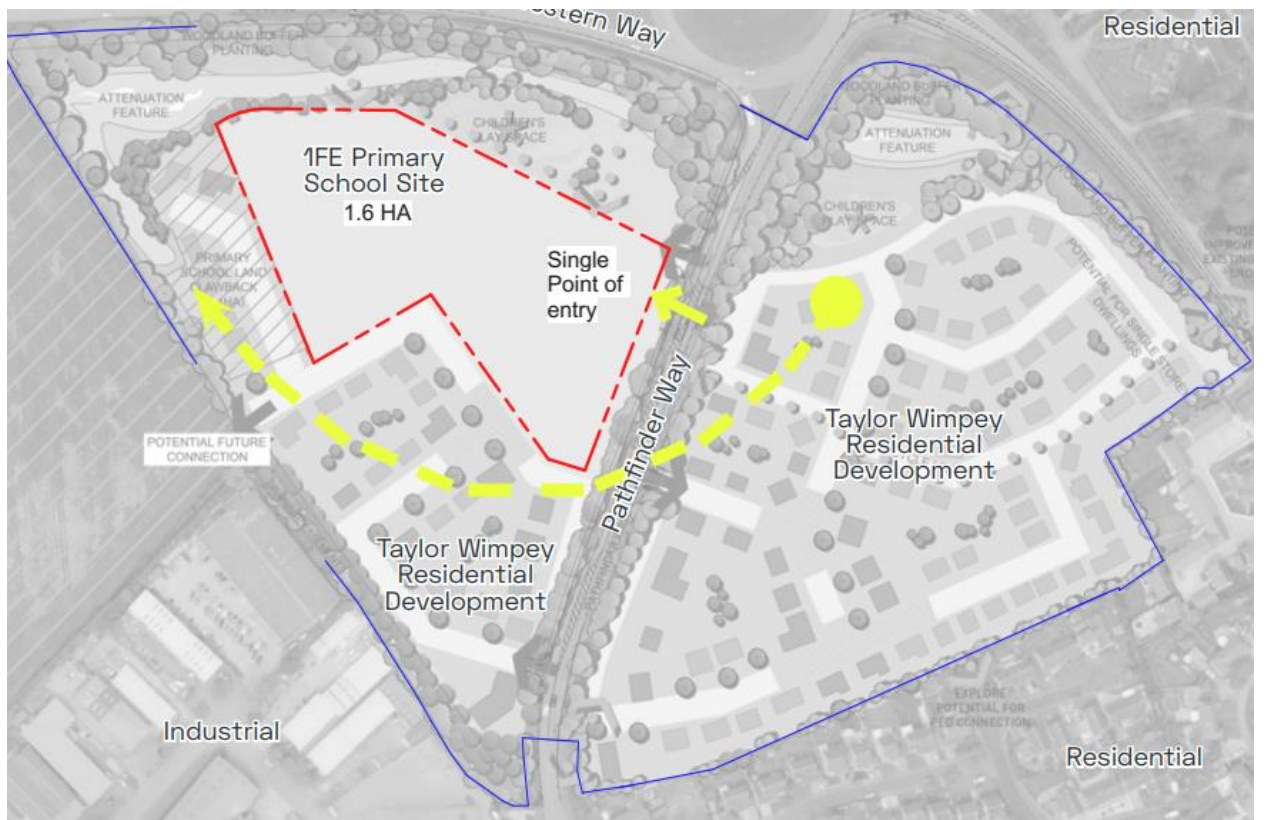
3. Site Description & Planning Context



The application site, illustrated above, extends to about 1.6ha and forms part of an approved outline application for residential development (comprising up to 235 dwellings) which included the provision of a new primary school that was identified as a s106 safeguarding and land transfer developer obligation to support the future delivery of a new primary school to be forward by the Council.

The site is located outside the limits of development of Melksham on a corner plot south of Western Way (the A365) at the roundabout where it meets Pathfinder Way. There are no heritage assets on site and there are no specific ecological or landscape designations.

The site is located in flood zone 1 with no risk of ground water flooding although there is slight risk of surface water flooding to the northwest of the site – by an existing attenuation basin where the playing pitches are proposed.



Planning Background

Application 16/01123/OUT (to which the above insert plan refers) was reported to the strategic planning committee in September 2016 at a time when the Council was unable to demonstrate a 5-year housing land supply (when tested against the NPPF iteration that applied in 2016).

The officer recommendation to approve was endorsed by the elected members and a copy of the Sept 2016 agenda item is appended to this report.

The application was not formally approved until the s106 legal agreement was completed on 23 March 2017. Subsequent to this, two reserved matters application submissions have been made in respect of the aforesaid development, and they are:

- 17/06285/REM for detailed site access – which was approved in October 2017; and
- 18/04477/REM for the erection of 213 Dwellings and Associated Works – which was approved in October 2018.

As part of the outline permission, there was an identified need for a 1 form entry (FE) Primary School and Early Years provision. As a result, an area of land totaling 1.6ha was set aside for this – which is illustrated within the reproduced inserts included on the previous page and below.



Fig. 1: Illustrative masterplan associated with the outline consent

The approved illustrative masterplan associated with the outline consent (plan drawing M.0347_08 Rev K as shown above) identified a hatched area with a light green base colour, for the future provision of a 1FE school, and in addition, a red hatched 0.4ha area of land was also identified for future safeguarding purposes should the school site need to expand.

By comparing the red lined site parameters of this REM application, it is clear that the Council seeks to make use of all the 1.6ha safeguarded site for the new primary and some of the 0.4ha additional land in the upper northwest corner of the overall site – as illustrated below.



The 2017 Reserved Matters application relating to vehicular access, established the access for the entire outline application site including the school site from the main road within the development – Pathfinder Way. A standard bell mouth access on the northeastern boundary of the school site was approved – with the insert below illustrating what already benefits from detailed consent and has been constructed.

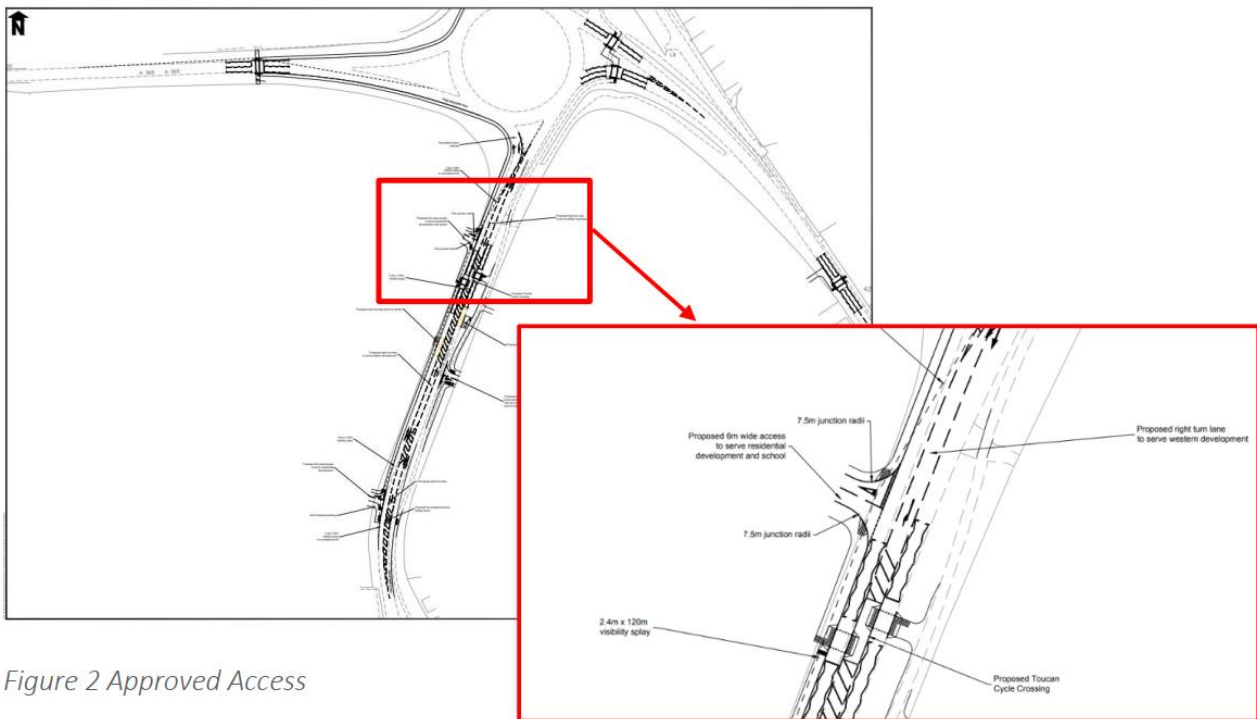


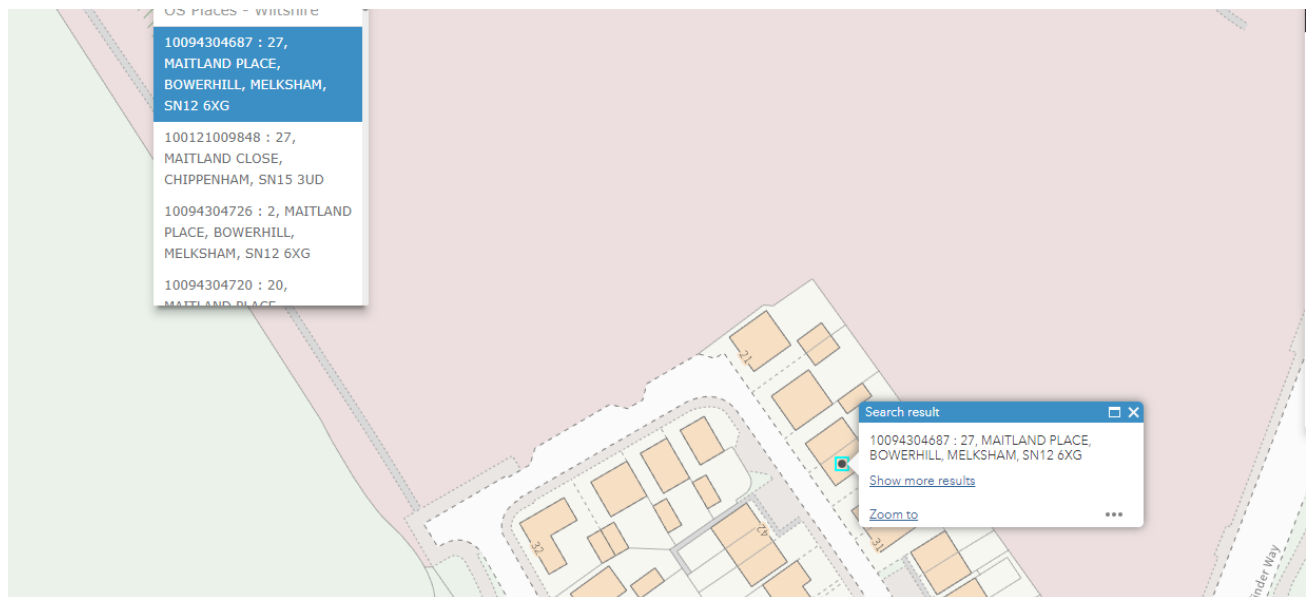
Figure 2 Approved Access

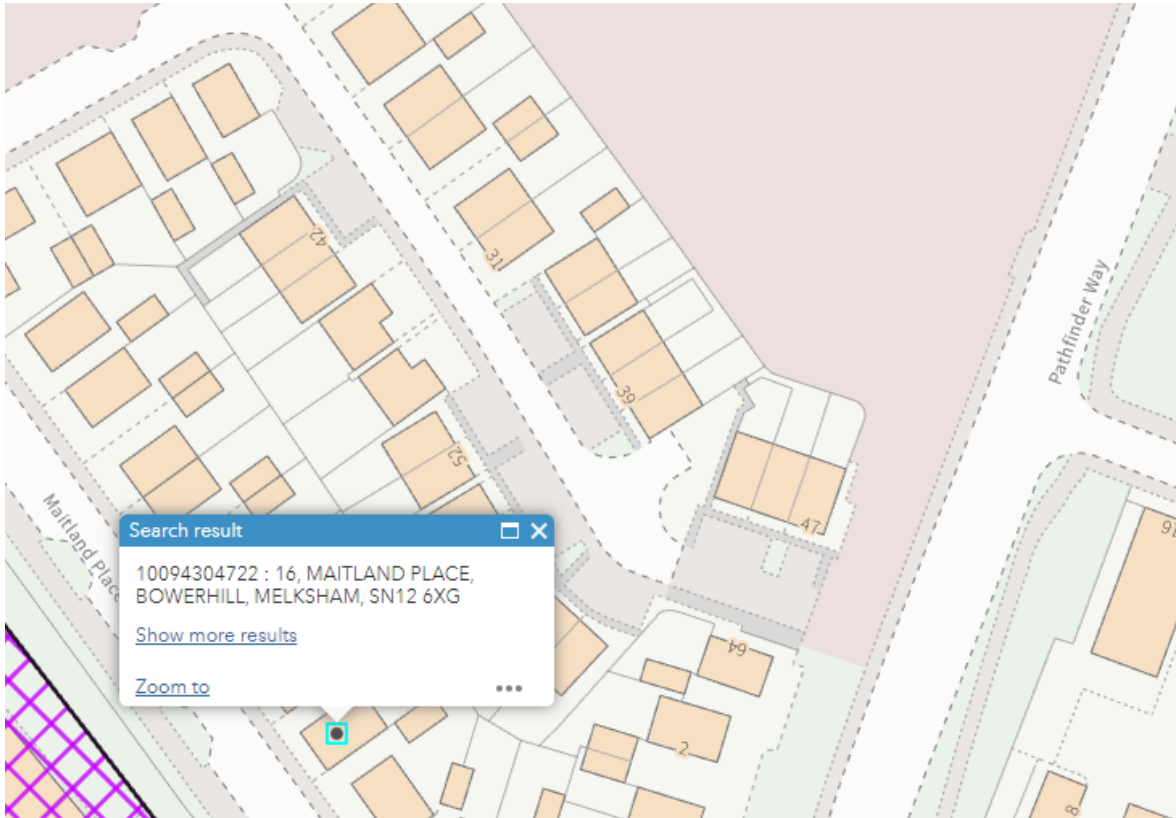
Fig. 2: Approved (and now implemented) access arrangements

The 2018 Reserved Matters application relating to the housing phase, established the layout of the housing on the site including the land to the immediate south of the designated school site (extracted below). This shows residential dwellings backing onto the school site along its southern boundary. The dwellings have been constructed, and it is from two of these dwellings (No.16 and 27 Maitland Place), whereby local residents have raised concerns relating to parking issues at drop off/pick up times and through loss of privacy and overlooking...



Fig. 3: Approved (and now built out and occupied) residential development permitted under 2018 REM application





4. Planning History

16/01123/OUT - Residential development of up to 235 dwellings, primary school with early years nursery and open space provision. Endorsed by SPC in Sept 2016 and approved March 2017

17/06285/REM - Reserved Matters Application Pursuant of Planning Permission 16/01123/OUT in relation to Access. Approved October 2017

18/04477/REM - Reserved Matters Application Pursuant to 16/01123/OUT and 17/06285/REM (Access). Erection of 213 Dwellings and Associated Works. Approved October 2018.

5. The Proposal

This application seeks approval of reserved matters pursuant to Outline Planning Permission 16/01123/OUT relating to the appearance, landscaping, layout and scale of the Proposed Primary School (including a Nursery and SEN provision).

The Proposed Development is for a 1FE (210 places) primary school to include 20 SEN places and a 20-place nursery facility, along with associated car parking, drop-off areas, cycle parking, playing fields and associated works including:

- 1931m² gross internal area (2,329m² GEA)
- Multi use sports hall
- Kitchen & Servery
- Plant Room and incoming services and infrastructure (suitable for a 2FE school)
- Multi Use Games Area
- Soft and Hard Play areas (suitable for a 2FE school)
- 34 Car Parking space (including disabled and EV charging spaces)

- 58 Cycle parking spaces
- 36 Scooter spaces

The main vehicular access is provided by the existing implemented access approved under the 2017 REM application with an additional secondary pedestrian access proposed from the main access to the school to meet the hoggin path leading northwards through public open space which has had to be accommodated and secured through a separate legal agreement with Taylor Wimpey Homes.

6. Planning Policy

National Context:

National Planning Policy Framework (NPPF) and Planning Practice Guidance (PPG)

Local Context:

Wiltshire Core Strategy (WCS) adopted 2015

Core Policy 1 - Settlement Strategy;

Core Policy 2 - Delivery Strategy;

Core Policy 3 - Infrastructure Requirements;

Core Policy 15 - Spatial Strategy - Melksham Community Area;

Core Policy 50 - Biodiversity and Geodiversity;

Core Policy 51 - Landscape;

Core Policy 52 - Green Infrastructure;

Core Policy 57 - Ensuring High Quality Design and Place Shaping;

Core Policy 58 - Historic Environment

Core Policy 60 - Sustainable transport;

Core Policy 61 - Transport and Development;

Core Policy 62 - Development Impacts on the Transport Network;

Core Policy 64 - Demand Management;

Core Policy 67 - Flood Risk

The 'made' Joint Melksham Neighbourhood Plan 2020 – 2026

Wiltshire's adopted Design Guide

West Wiltshire District Plan 1st Alteration 2004 'saved policies', with particular regard to: U1a Foul Water Disposal; I2 Arts; and I3 Access for Everyone

Wiltshire Local Transport Plan 2011-2026, adopted 2015 - including the Car Parking Strategy and Cycling Strategy, adopted 2015

Wiltshire Council's Waste Core Strategy, adopted July 2009

Wiltshire Council's Waste Storage and Collection: Guidance for Developers Supplementary Planning Document, January 2017

West Wiltshire Landscape Character Assessment, March 2007

7. Summary of consultation responses

Melksham Town Council: No objection but agreed with Melksham Without Parish Council comments

Melksham Without Parish Council: Originally raised concerns with the application in terms of highway safety and requested a left turn only junction, a secondary pedestrian access and a safe walking route to school from Semington Road (noting that MWPC have applied for traffic waiting restrictions on Pathfinder Way). The PC have also requested cladding to be graduated to blend in with adjacent green buffer and a condition requiring anti seagull / bird measures. The PC were disappointed at the lack of solar storage batteries and raised a concern about how to accommodate any extension in the plans.

Both concerns about future extension and cladding were fully resolved in the revised plans with redesigned layout and new materials and a different colour palette proposed.

Following amendments to the scheme and detailed officer discussions with highways and Cllr Nick Holder, a revised scheme was submitted showing a secondary pedestrian access. This was supported by MWPC with the only remaining request relating to securing suitable child supervision at the access at the start and end of the school day.

WC Assistant County Archaeologist: No objection subject to condition

WC Ecology: No objection subject to conditions.

WC Education: Supportive

WC Urban Design: No objection subject to conditions of appropriate materials

Wiltshire Council Highways Officer: No objection subject to conditions requiring parking spaces, cycle and scooter spaces to be provided, TRO's to be provided and pedestrian access with signage to be secured prior to occupation.

WC Drainage: No objection subject to conditions.

WC Public Protection: No objection

WC Landscape: No comment

Wessex Water: No objection

Salisbury and Wilton Swift: No objection subject to an appropriate number of swift boxes being installed.

Dorset & Wiltshire Fire Services: No objection

Climate Team: Supportive. The climate team support this proposal which takes an ambitious approach in the journey to net zero and addressing the causes of climate change. The proposal has been submitted with a BREEAM Pre-Assessment. This indicates that the outline planning requirement to meet BREEAM "Very Good" standard will most likely be met and is clearly in scope as the project moves forward to more detailed design work. Whilst this is below the "Excellent" expectations now applicable, the scheme will still take a positive approach to environmental quality generally and comply with the expectations set out when the outline planning approval was granted. Given that this is a reserved matters application, it is important to be recognisant of the site history....The scheme's reserved matters details appear to be on track for compliance with the outline planning stage conditions (which were based on CP41 requirements).

Where this scheme shows ambition is in the operational carbon impacts. The project is applying LETI standards to the design work, which is arguably the most universally accepted standard at the time of writing. This is well summarised in the application submission including the Part L compliance report (that on balance satisfies the CP41 need for a Sustainable Energy Strategy).

The scheme has been designed to meet operational net zero during the course of a year. The approach is correct seeking to have a fabric first approach and then meeting the resultant minimised energy demand through low carbon and renewable energy technologies. In this case this includes high levels of insulation, energy efficient products, mechanical ventilation heat recovery, air source heat pumps and solar PV. This is an electrified building not utilising the gas grid (the burning of gas results in greenhouse gas emissions). The scheme also includes an allowance/estimate for unregulated energy use which is good.

A consequence of this operational net zero is that the building will have a significant roof mounted solar PV array. The scheme shows full roof coverage on the elevational plans, although it is understood from discussions that it is likely only 75% of this will be required/realised. In any event, such a large array sends a positive visual message about addressing climate change and energy security.

In terms of climate change adaptation, the scheme includes nature-based solutions to help address issues such as drainage and overheating. The scheme will connect to the previously planned drainage ponds to the north and trees are proposed within the site to provide cooling to the large area of hard standing for parking/access and the building itself.

The operational net zero credentials of this scheme are positive and principally on this basis the climate team support the proposals. The wider sustainability positives are secured by the BREAM "Very Good" requirements established at outline and that must be enforced as a minimum to comply with policy.

8. Publicity

The application was publicised by the display of a site notice and individually posted out notification letters sent to neighbouring/properties within close proximity of the site.

Following the public notification, two representations have been received raising concerns about highway safety/ parking issues and loss of privacy/overlooking of garden.

In full the two representations said the following:

"I was lied to when I was sold this house. I was told when I came to view (as were other neighbours too) that the school would be in the left corner, NOT overlooking our 'private' gardens. We were also told it would be 1 story. Myself and other neighbours have made preparations for hot tubs in our garden. Preparations that have already cost money. Having children overlook our garden whilst we are swanning round in the 'privacy' of our own land is far from wrong and a 2 [storey] building obstruct the nice view completely goes against what I agreed to when buying this property. I moved to the countryside with the view of a better quality of life and having the school placed right next to the houses completely goes against that. The trees could interfere with the pipes that have been lay down for drainage as roots spread quickly. I could consider the school if it were in the original location which was the terms that I agreed to when purchasing this house. I hope you take my notes serious as there are many factors that would overturn my life in a negative way. Attached is a document that shows where I was told the school would be and it would only be the playing field by the houses".

And

"The only issue I foresee is the obvious parking issues during drop off and pick up times. What assurances can the residents have that this matter has or will be addressed. There [have] been many recent incidents of serious issues surrounding streets getting overrun by parents dropping off and picking up children".

9. Planning Considerations

The principle of development

Section 38(6) of the Planning and Compulsory Purchase Act 2004 require that the determination of planning applications must be made in accordance with the Development Plan, unless material considerations indicate otherwise. In this case, the Wiltshire Core Strategy, including those policies of the West Wiltshire District Plan that continue to be saved in the WCS form the relevant development plan for the area.

Outline consent ref: 16/01123/OUT establishes the principle of developing a 1FE school on the Site and the means of access to the school site have already been submitted and approved under RM ref. 17/06286/REM.

The main considerations in this application relate to scale, layout, external appearance and Landscaping as required under Condition 2 of the Outline Application ref. 16/01123/OUT.

Layout, scale and design/visual impact on the character of the area

Core Policy 57 requires *'a high standard of design in all new developments. of particular relevance is paragraph (iii) which requires development to respond positively to the existing townscape and landscape features in terms of building layouts, built form, height, mass, scale, building line, plot size, elevational design, materials, streetscape and rooflines to effectively integrate the building into its setting'*.

The NPPF states that the creation of high quality, beautiful and sustainable buildings and places is fundamental to what the planning and development process should achieve. Good design is a key aspect of sustainable development, creates better places in which to live and work and helps make development acceptable to communities.

Paragraph 135 states Planning ... decisions should ensure that developments:

- a) will function well and add to the overall quality of the area, not just for the short term but over the lifetime of the development;*
- b) are visually attractive as a result of good architecture, layout and appropriate and effective landscaping;*
- c) are sympathetic to local character and history, including the surrounding built environment and landscape setting, while not preventing or discouraging appropriate innovation or change (such as increased densities);*
- d) establish or maintain a strong sense of place, using the arrangement of streets, spaces, building types and materials to create attractive, welcoming and distinctive places to live, work and visit;*
- e) optimise the potential of the site to accommodate and sustain an appropriate amount and mix of development (including green and other public space) and support local facilities and transport networks; and*
- f) create places that are safe, inclusive and accessible and which promote health and well-being, with a high standard of amenity for existing and future users; and where crime and disorder, and the fear of crime, do not undermine the quality of life or community cohesion and resilience.*

Core Policy 51 of the adopted Wiltshire Core Strategy states *"great weight will be afforded to conserving and enhancing landscapes and scenic beauty"*.

Layout

The site fronts Pathfinder Way and will be accessed via the bell mouth that was installed as part of the wider outline consent. The school building will be set back from the road frontage, separated from Pathfinder Way by the parking and drop off area. The main school entrance is located in line with the pedestrian route that runs through the car park to allow those arriving on foot to take the most direct route to the entrance through the Site. A pedestrian route is also proposed to run around the outer edge of the car park to join up with the hogging path.

The ground floor of the school provides nursery and reception facilities on the principal elevation with external play space provided to the front of the building. The external play space to the front of the building will be screened by landscaping to allow privacy for pupils. In the northeastern corner of the building the hall sits adjacent to the kitchen and servery, space is also provided for the storage of chairs and tables as well as sports equipment within the hall area.

To the west of the school building external play space is provided. Immediately west of the school building a hard informal play space is located which opens out onto the soft informal play area. A MUGA and associated external store is provided adjacent to the northern boundary with two formal playing pitches provided in the western corner of the site.

Design/Scale/Appearance

The proposed building reflects the established scale of existing development in the immediate locality whilst incorporating a more civic nature to the building. It is two storeys, with lower 1.5 and single storey elements. The external appearance of the school incorporates a mix of materials and colour palette.



As there is no school or trust assigned to operate the school there is more flexibility with the chosen colours. At the lower floor brick is proposed with timber or a timber-style cladding is proposed to the upper floors. The roof cladding will be a grey metal profiled sheet. The hall is proposed to be clad in a mixed colour palette comprising 5 colours including greens, blues and yellow. These colours are to be re-used across the site above windows to tie the colours in across the site. All window, door and rainwater goods are proposed to be a dark grey RAL colour 7011.

The overall design, scale and layout of the building are considered appropriate in principle for the use and locality and some additional elevational detail has improved the aesthetic quality of the building and it integrates well into the streetscene. The application has the support of the Urban Design officer.

The pedestrian route has been aligned with the main entrance doors and the approach to landscaping is considered acceptable and supported by the landscape officer.

The proposal includes an air source heat pump and low carbon technologies. The Building Regulations officer is content that the proposed design broadly meets all building regulations requirements. A condition of the outline consent requires BREEAM Very Good to be met on site. The BREEAM Pre-Assessment Report indicates a score of 63.35% which demonstrates Very Good Compliance. Accordingly, the proposed development meets requirements in CP41 and CP57 of the WCS as well as provisions of the NPPF.

Landscape

The detailed landscaping scheme will be agreed through the discharge of condition 11 on the outline, however, the D&AS and proposed site layout includes an indication of the key areas for landscaping and some detail on proposed planting on the site.

The current proposals identify trees to be provided within the car park area with additional planting to the front of the principal elevation of the school. These areas are designed to break up the large area of parking in front of the building. Landscaped areas are provided along the eastern elevation of the school which will act as screening for the external play spaces for the nursery and reception pupils.

Along the southern boundary where the site abuts the existing residential properties a landscaping buffer is proposed to assist in softening the relationship between the school building and these dwellings.

The landscape officer has raised no objection to the scheme and the proposed development is considered acceptable in this regard. Whilst condition 11 on the outline requires a landscape plan to be submitted as part of the outline the applicant has submitted a Landscape strategy plan in order to ensure that an appropriate landscaping scheme is secured for the proposed school and a condition requiring this landscape strategy plan to be complied with is recommended.

Heritage Impacts

The NPPF outlines government policy for planning. It sets out three overarching objectives for the planning system in the interests of achieving sustainable development – an economic objective of building a strong economy; a social objective of fostering well-designed, beautiful and safe places and an environmental objective of protecting and enhancing our natural, built and historic environment.

Chapter 16 of the NPPF 'Conserving and enhancing the historic environment' sets out policies concerning heritage and sustainable development and requires a balanced approach to decision making with harm weighed against the public benefits resulting from proposals.

National Planning Practice Guidance provides guidance on interpreting the NPPF.

The Council's Core Strategy Policy CP58 'Ensuring the conservation of the historic environment' requires that "designated heritage assets and their settings will be conserved, and where appropriate enhanced, in a manner appropriate to their significance."

Archaeology

This site was included in an archaeological evaluation 2014 and then later targeted excavations of later prehistoric, Roman and medieval activity in 2018. This work has been completed and reported on to the satisfaction of Wiltshire Council Archaeology Service (WCAS). The LPA are satisfied that no further works are required in this regard and raise no objection.

Built Form

There are no built or designated heritage assets on site or in proximity to this proposal. Accordingly, the proposed development meets requirements of CP58 of the WCS and the provisions of the NPPF.

Impact on Neighbour Amenity

Core Policy 57 of The WCS states that applications for new development must be accompanied by appropriate information to demonstrate how the proposal will make a positive contribution to the character of Wiltshire through having regard to the compatibility of adjoining buildings and uses, the impact on the amenities of existing occupants, and ensuring that appropriate levels of amenity are achievable within the development itself, including the consideration of privacy, overshadowing, vibration, and pollution (e.g. light intrusion, noise, smoke, fumes, effluent, waste or litter).

The proposal is located closer to the front of the site and adjacent amenities than originally indicated on the original masterplan accompanying the outline application. This is to ensure that sufficient outdoor play space can be incorporated with outdoor play space meeting the required play standards guidance. This has necessarily meant that the school is closer to the residential development than originally envisaged.

Notwithstanding this it is considered that the school is located a sufficient distance away from the majority of neighbouring occupiers so as not to be overbearing and fenestration has been designed in such a way that will remove overlooking and any loss of privacy arising. The closest occupiers are located on Maitland Place to the southwest of the site. The elevation plans indicate that one large floor to ceiling window would be installed on the southwest facing elevation and that this will be obscurely glazed to prevent any overlooking. A condition is recommended to secure this.

It is noted that a concern has been raised by a local resident stating that their rear garden on Maitland Place would be overlooked by the school, compromising their privacy and resulting in harm to their residential amenity and that the school should be set further away.

Whilst there are no obscurely glazed windows proposed on the rear elevation of the school, the majority of the windows on this elevation are narrow and the line of sight would prevent overlooking. There is a floor to ceiling window on the end of the rear facing elevation which is not indicated as being obscurely glazed on the plans and it is recommended that a condition is secured requiring this end window on the rear facing elevation at first floor level to be obscurely glazed to ensure that no loss of privacy occurs and no perception of overlooking is felt to neighbouring occupiers using their gardens during school hours.

Following discussions with officers, the plant building, bin store and ASHP has been relocated away from neighbouring properties and public protection raise no issue in relation to noise, disturbance or odour.

Given the proximity of the site to residential properties it is considered prudent to require a Construction Management Plan to be submitted prior to development in the event of the grant permission to ensure residential amenity and highway safety is sufficiently protected during the construction period.

Accordingly, the proposed development subject to conditions requiring the obscure glazing to be installed prior to occupation, is considered not to result in a significant detrimental impact on the existing levels of amenity currently afforded to neighbouring occupiers and meets requirements of CP57 of the WCS and the NPPF in this regard.

Highways including road safety/Parking

Paragraph 114 (b) of the NPPF requires that in assessing... specific applications for development, it should be ensured that...safe and suitable access to the site can be achieved for all users.

Paragraph 115 of the NPPF states that '***development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe***'.

Paragraph 116 (c) of the NPPF also states that ...applications for development should create places that are safe, secure and attractive - which minimise the scope for conflicts between pedestrians, cyclists and vehicles.... and respond to local character and design standards.

CP57 (ix) of the WCS requires new development to ensure "that the public realm including new roads and other rights of way are designed to create places of character which are legible, safe and accessible..." and CP57 (xiv) requires development to meet "the requirements of CP61 (Transport and New Development)".

CP61(ii) of the Wiltshire Core Strategy requires new development to be "capable of being served by safe access to the highway network" and within the supporting text for CP61, the Council recognises that it is critically important for good planning and safe highway interests for new development to benefit from a suitable connection to the highway "that is safe for all road users".

CP64 requires sufficient parking to be provided in new development in line with residential

parking standards and requires a reduction in reliance on the use of the private car where possible.

The 2017 Reserved Matter application relating to Access established the access for the school site from the main road within the development – Pathfinder Way. This was a standard bell-mouth access on the northeastern corner of the school site. The access arrangements have now been constructed.

A Transport Statement has been submitted with the Reserved Matters application.

The current presented scheme is for a one form entry (1FE) and an application for a 2FE expansion may come forward in the future but this application is solely to assess a 1FE not a future 2FE expansion.

The site is located on land which has already been identified for the purpose of providing an educational facility and has outline planning consent (ref: 16/01123/OUT). The outline consent for the school forms part of the wider development served from Pathfinder Way including a residential development of 235 dwellings, the residential development is largely complete and fully occupied. The scheme approved at outline included a number of infrastructure improvements, as detailed below, which are covered by a S278 legal agreement and have mostly been completed.

These highway improvements were identified to support both the residential and school uses, to encourage sustainable travel choices, improve accessibility and provide safer routes particularly for vulnerable users of the highway.

The walking and cycling connectivity of the proposed 1FE school has already been addressed and the mitigation measures are already in place. No additional physical measures will be required on the surrounding highway network, at this stage.

Detailed discussions were undertaken regarding no waiting restrictions to be applied, a secondary pedestrian access was required and a left turn only junction should be included. It was concluded that the no wait restrictions are already planned and paid for and these will be going into effect shortly although a condition requiring no occupation of the school until these are completed on Pathfinder Way by the school is recommended. The left turn only junction was discussed however it was considered that this could create more problems and undermine road safety of traffic coming the other way and it was agreed that this would not be required or supported in this location. There is a light-controlled crossing just south of the school entrance which will be adequate to achieve crossing of Pathfinder Way.

Revised plans showing a new secondary access for pedestrians joining the main entrance and the hogging path to the north in the public open space adjacent to the site has been submitted. This has a section of footpath going behind the existing gas governor which joins the pedestrian circulation space leading to the school entrance away from the car park, to ensure pedestrian safety at this entrance and main access could be achieved.

A lot of time was taken liaising with Council officers, highway officers and local community members to ensure that this was the best possible solution to ensure a safety and accessibility for pedestrians accessing the school. A condition is recommended to ensure that this pedestrian

access and clear signage associated with its use are installed prior to first occupation of the school and maintained as such throughout the lifetime of the development.

It has also been confirmed that a staff member would supervise this access at the start and end of each day, although this cannot be secured directly through planning conditions, it would form part of the schools adopted safeguarding protocols.

Condition 26 on 16/01123/OUT requires the submission of a School Travel Plan, so no further Travel Plan condition is required on this REM application.

Car Parking

The car parking has been calculated in line with the Car Parking Strategy for Education Centres as contained within the Wiltshire Local Transport Plan 2011-2026. The parking allocation has been calculated based on 230 pupils plus a 30 place early years nursery and approximately 24 of staff. An assessment has been provided based on other similar schools to obtain an average pupil to staff ratio, which is then used to calculate car parking, this methodology is accepted.

Cycle Parking

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

The proposed cycle parking provision, and car parking provision of 34 spaces is adequate and in line with standards. A drop off point for parents is shown on the Proposed Site Plan and is considered essential and should be secured through condition and should remain as such.

Conditions are recommended to secure these parking spaces prior to use and to ensure their retention throughout the lifetime of the development.

Accordingly subject to the conditions set out above being secured, the highways officers are content that there would be no unacceptable impact on highway or pedestrian safety and the development as proposed is acceptable and meets the requirements of policies CP60, CP61 and CP64 and CP57 of the WCS and paragraphs 114 and 116 of the NPPF.

Drainage Matters

Policy CP67 of the WCS requires that all new development will include measures to reduce the rate of rainwater runoff and improve rainwater infiltration to soil and ground (sustainable urban drainage). Paragraph 159 of the NPPF states that Inappropriate development in areas at risk of flooding should be avoided by directing development away from areas at highest risk (whether existing or future).

The Wiltshire Council Strategic Flood Risk Assessment, SFRA Data Explorer, has indicated that the site is located within Flood Zone1. No historic flooding incidents related to the site have been identified. Some parts of the site (to the north) is at slight risk of surface water flooding (1 in 30 and 1 in 100). The site is in an area at low risk of groundwater flooding.

A site-specific Flood Risk Assessment (FRA) has been submitted with this application demonstrates that the site is not adversely affected by flood risk from different sources. Access and egress to the school site will be provided by Pathfinder Way, located along the eastern boundary of the site. The road is predominantly at low risk of flooding from surface water flooding, with a small area of medium risk, based on the EA's Flood Risk from Surface Water Mapping. The potential surface water overland flow along the access and egress road is generally <0.15m, with some isolated areas at <0.3m during low-risk events.

The site has been demonstrated to be at low risk of flooding from all sources, and therefore outside of a functioning floodplain. As such, the proposed development is not considered to increase flooding within the catchment through a loss of floodplain storage, and accordingly no further mitigation measures are required in this respect. A drainage strategy has been submitted with the application and is considered acceptable.

A condition requiring the drainage strategy to be implemented in accordance with the approved details is recommended. Subject to this condition the proposed development would meet requirements of policy CP67 of the WCS.

Ecology

The application site is a reserved matters application related to an outline planning permission for a much larger area (east, south and north of this application area). Habitats within the site have been cleared in recent months/years and during the habitat survey (2023) comprised mainly ruderal vegetation. Prior to clearance, habitats (as described in the Ecological Assessment for the outline) within this application site area comprised mainly arable. Attenuation basins are present in adjacent habitats (north and east) originally forming part of the masterplan in 2017 and created as part of the Reserved Matters app 18/04477/REM.

The nearest known great crested newt pond is just over 250m west of the application site. The Ecological Assessment submitted for this REM application, states that habitats including the attenuation basins are not suitable for great crested newts; the attenuation basin to the east of the application site was dry at the time of the survey (August 2023) and the smaller area to the west of the application site was holding some water at the time of the survey. There appears to be an attenuation basin to the north, and this has also been considered.

Notwithstanding this, officers agree that due to a lot of disturbance in the area, it is unlikely that great crested newts would be using the habitats. The revised Ecological Report provides sufficient detail to clarify that great crested newts are unlikely to be present. It is therefore recommended that, a watching brief can be present to oversee any further habitat clearance.

While this is a school site and not residential there are opportunities to incorporate integrated bird and bat features, and the Ecological Report submitted states that this will be undertaken. This is recommended to be secured via condition in the event of a grant of permission.

During the preapp it was stated that as the outline application was approved in 2017, subsequent reserved matters applications would not be required to fulfil mandatory Biodiversity Net Gain (BNG) if submitted after November 2023 and a Biodiversity Metric calculation would therefore not be required to for an application with regards to this site. This REM application was registered in September and mandatory BNG was not in place.

However, in accordance with WCS CP50, the applicant has demonstrated no net loss of biodiversity through the use of Natural England's Biodiversity Metric. Officers therefore raise no objection subject to conditions requiring a precautionary methodology and safeguarding operations pursuant to GCN as part of any Construction Management Plan and a condition requiring details of integral bat and bird boxes to be installed prior to the school being brought into use.

10. Conclusion

The principle of development for a primary school on the site is well-established and the layout, appearance, scale design and landscaping are considered acceptable. The proposed development would also include SEN and nursery spaces which add weight in favour of the scheme given the local need for these services.

The proposed development would also provide an improvement to the location visually in terms of improved landscaping and demonstrates an efficient and effective use of land.

It would provide construction jobs and be an asset to the local community. No harm has been identified in terms of amenity, highway safety, drainage or biodiversity, indeed if anything the drainage and biodiversity of the site will result in a betterment of the current situation. Accordingly, it is recommended that planning permission be granted subject to conditions.

11. RECOMMENDATION:

That the Committee delegates authority to the Head of Development Management to grant planning permission subject to the conditions and informatives listed below -

Conditions: (16)

- 1 The development hereby permitted shall begin no later than two years from the date of the last suspensive planning condition being discharged pursuant to this reserved matters approval or three years from the date of this permission.

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

- 2 The development hereby permitted shall be carried out in accordance with following plans and documents:

Location Plan – drawing ref. MKS-AWW-XX-XX-D-A-0010-P03

Existing Site Plan - drawing ref. MKS-AWW-XX-XX-D-A-0011-P05

Proposed Site Plan - drawing ref. MKS-AWW-XX-XX-D-A-0100-P03

Proposed Elevations - drawing ref. MKS-AWW-XX-XX-D-A-0300-P03

Proposed Site Elevations - drawing ref. MKS-AWW-XX-XX-D-A-0305-P02

Proposed Ground Floor Plan – drawing ref. MKS-AWW-XX-00-D-A-0200-P03

Proposed Ground Floor Context Plan – drawing ref. MKS-AWW-XX-XX-D-A-0101-P05

Proposed First Floor Plan – drawing ref. MKS-AWW-XX-01-D-A-0201-P03

Proposed Roof Plan – drawing ref. MKS-AWW-XX-XX-D-A-0202-P02

Proposed Lighting Plan – drawing ref. MKS-HYD-XX-XX-D-E-0851 Rev: P01

Landscape Plan and Schedule (Sheet 1 of 2) ref: MKS-AWW-XX-XX-D-A-0380-P0

Landscape Plan and Schedule (Sheet 2 of 2) ref: MKS-AWW-XX-XX-D-A-0381-P03

Enclosure Details - Bin Store ref: MKS-AWW-XX-XX-D-A-0388-P02
External Canopy Details ref: MKS-AWW-XX-XX-D-A-0385-P02
Cycle Parking Details ref: KS-AWW-XX-XX-D-A-0386-P03
Enclosure Details - Air Source Heat Pump ref: MKS-AWW-XX-XX-D-A-0387-P03
Drainage Report ref: MKS-HYD-XX-XX-T-C-9000
Transport Statement ref: FS0614-HYD-XX-XX-DR-D-5001-P01-S4
Travel Plan ref: FS0614-HYD-XX-XX-DR-D-6001-P01-S4
Desk Study and Ground Investigation Report prepared by Hydrock;
Ecological Report prepared by Wessex Ecological Consultancy;
Flood Risk Assessment ref: 27203-HYD-XX-XX-WET-RP-0001 P02 prepared by Hydrock;
Drainage Strategy MKS-HYD-XX-XX-D-C-9000 P01 & MKS-HYD-XX-XX-D-C-9001 P01
prepared by Hydrock;
Noise Impact Assessment prepared by Hydrock
Energy Statement prepared by Hydrock
BREEAM Pre-Assessment prepared by Hydrock

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

- 3 No development shall commence until a Construction Method Statement has been submitted to and approved in writing by the LPA. The CMS shall include the following:

The plan shall include details of the measures that will be taken to reduce and manage the emission of noise, vibration and dust during the demolition and/or construction phase of the development. It shall include details of the following:

- The movement of construction vehicles;
- The parking of vehicles and storage of materials
- The cutting or other processing of building materials on site;
- Wheel washing and vehicle wash down facilities;
- The transportation and storage of waste and building materials;
- The recycling of waste materials (if any);
- The loading and unloading of equipment and materials;
- The location and use of generators and temporary site accommodation;
- There shall be no burning undertaken on site at any time.
- No construction work shall take place on Sundays or Public Holidays or outside the hours of 0800 to 18:00 Monday to Friday and 08:00 to 13:00 on Saturday

The development shall be undertaken in accordance with the details set out in the approved Construction Management Statement.

REASON: To ensure the amenities and safety of future occupants and highway safety of the development

- 4 No development shall commence, including demolition, ground works/excavation, site clearance, vegetation clearance and boundary treatment works, a Precautionary Methodology of Working for Great Crested Newts shall be submitted to the local planning authority for approval in writing and shall provide details of the avoidance, mitigation and protective measures to be implemented before and during the construction phase.

Development shall be carried out in strict accordance with the approved Precautionary Methodology of Working for Great Crested Newts.

REASON: To ensure adequate protection and mitigation for Great Crested Newts prior to and during construction, and that works are undertaken in line with current best practice and industry standards and are supervised by a suitably licensed and competent professional ecological consultant where applicable.

- 5 No development shall commence above ground slab level until a plan showing the details for siting, positioning and installation of integral nesting features for bats and birds has been submitted to, and approved in writing by, the local planning authority.

The integral nesting features should identify:

- a) the bird/bat species likely to benefit from the proposed integral nest feature;
- b) the type of integral nest feature to be installed;
- c) the specific buildings on the development into which features are to be installed, shown on appropriate scale drawings;
- d) the location on each building where features are to be installed.

The integral nest box plan should be implemented in accordance with the approved details and all boxes shall be retained (or replaced as necessary) for the lifetime of the development.

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

- 6 No development shall commence on site above slab level until details of the materials to be used for the external walls, cladding and roofs, windows and doors have been submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details

REASON: In the interests of visual amenity and the character and appearance of the area.

- 7 No part of the development hereby permitted shall be first brought into use until the 'No Waiting At Any Time' road markings (double yellow lines) have been installed along the entire length and on both sides of Pathfinder Way.

REASON: To discourage on-street parking in the vicinity of the school access in the interests of pedestrian and highway safety

- 8 No part of the development hereby permitted shall be first brought into use until the car parking spaces shown on the approved drawing ref: Proposed Site Plan 0100 Rev P05, have been consolidated, surfaced and laid out in accordance with the approved details. This area shall be maintained and remain available for this use at all times thereafter.

REASON: To ensure that adequate provision is made for parking within the site and in the interests of highway safety.

- 9 No part of the development hereby permitted shall be first brought into use until the cycle and scooter parking as shown on the approved drawing ref: Cycle Parking Details 0386 Rev P03, has been provided in the locations shown and in accordance with the approved details. This provision shall be maintained and remain available for this use at all times thereafter.

REASON: To ensure that adequate provision is made within the site for the parking of cycles and scooters in the interests of sustainable travel.

- 10 No part of the development hereby permitted shall be first brought into use until the pedestrian access gate and path have been provided on the northern site boundary (to the west of the Gas Governor) to connect with the path on the site perimeter and as shown on the approved drawing ref: Proposed Site Plan 0100 Rev P05. The access and gate shall be retained and maintained for the lifetime of the development and made available for use at school drop off and pick up times.

REASON: To encourage sustainable travel choices and in the interests of highways safety

- 11 No part of the development hereby permitted shall be first brought into use until, a small sign shall be provided near to the school main entrance gate, to direct pedestrians arriving along the footway adjacent Pathfinder Way from the north to the pedestrian access gate (located to the west of the Gas Governor). The sign shall be retained for the lifetime of the access use.

REASON: In the interests of pedestrian safety

- 12 No part of the development hereby permitted shall be first brought into use until the window in the southwest facing elevation at first floor level and the last window on the western side of the rear facing elevation at first floor level have been glazed with obscure glass to an obscurity level of no less than level 3 and thereafter, the windows shall be permanently maintained with obscure glazing in perpetuity

REASON: In the interests of residential amenity and privacy.

- 13 No external light fixture or fitting will be installed within the application site unless details of existing and proposed new lighting have been submitted to and approved by the Local Planning Authority in writing. The submitted details will demonstrate how the proposed lighting will impact on bat habitat compared to the existing situation.

REASON: To avoid illumination of habitat used by bats.

- 14 The development shall be undertaken in accordance with the details set out in the approved submitted drainage strategy ref: MKS-HYD-XX-XX-D-C-9000 P01 & MKS-HYD-XX-XX-D-C-9001 P01 prepared by Hydrock.

REASON: To ensure the approved development is adequately drained and to avoid flood risk.

- 15 The development hereby approved shall be undertaken in accordance with the approved landscape strategy.

REASON: To ensure a satisfactory landscaped setting for the development and the protection of existing important landscape features.

- 16 All soft landscaping comprised in the approved details of landscaping shall be carried out in the first planting and seeding season following the first occupation of the building(s) or the completion of the development whichever is the sooner. All shrubs, trees and hedge planting shall be maintained free from weeds and shall be protected from damage by vermin and stock. Any trees or plants which, within a period of five years, die, are removed, or become seriously damaged or diseased shall be replaced in the next planting season with others of a similar size and species, unless otherwise agreed in writing by the local planning authority.

All hard landscaping shall also be carried out in accordance with the approved details prior to the occupation of any part of the development or in accordance with a programme to be agreed in writing with the Local Planning Authority.

REASON: To ensure a satisfactory landscaped setting for the development and the protection of existing important landscape features.

Informatives

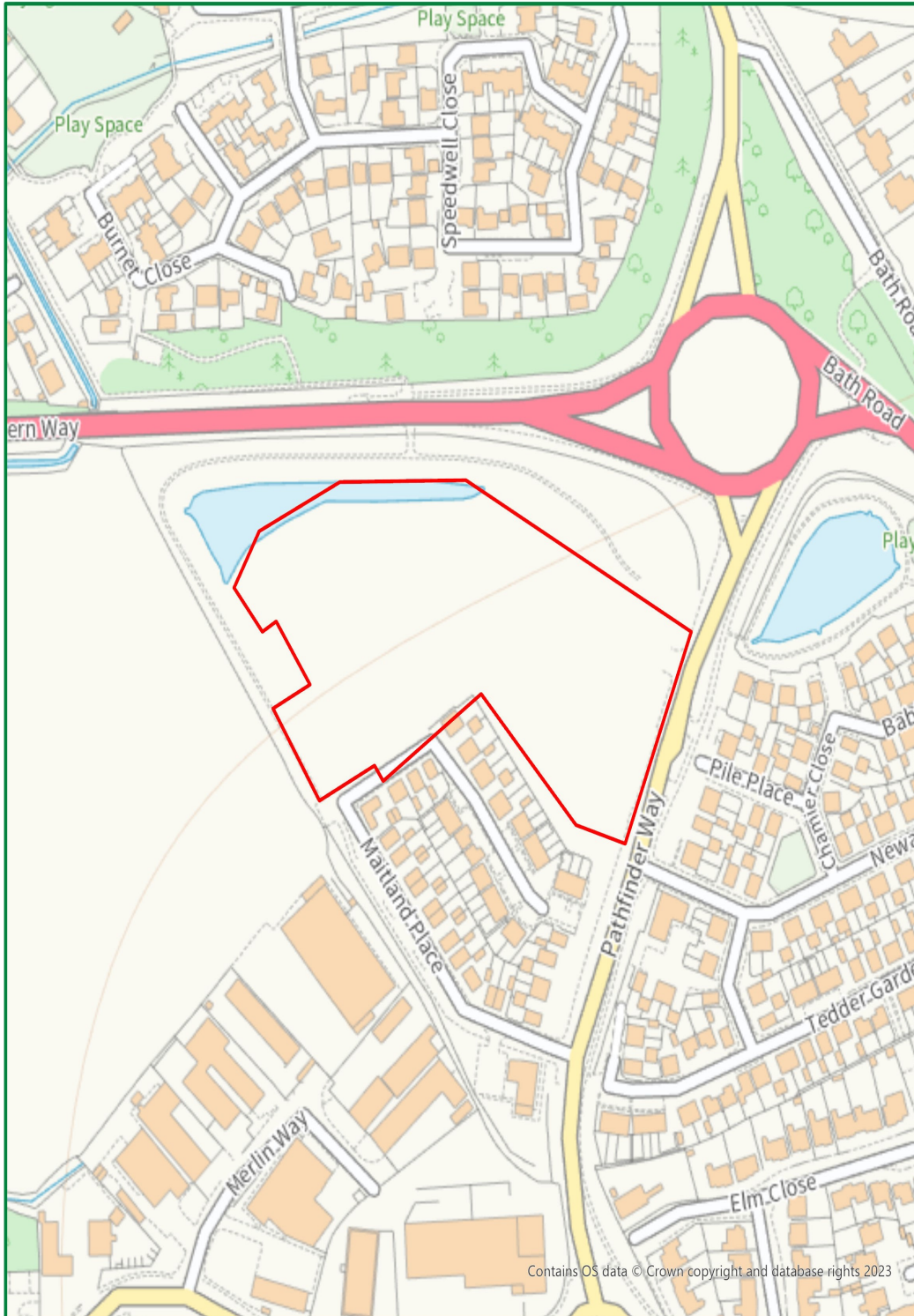
1. The applicant should note that under the terms of the Wildlife and Countryside Act (1981) and the Habitats Regulations (2010) it is an offence to disturb or harm any protected species, or to damage or disturb their habitat or resting place. Please note that this consent does not override the statutory protection afforded to any such species. In the event that your proposals could potentially affect a protected species you should seek the advice of a suitably qualified and experienced ecologist and consider the need for a licence from Natural England prior to commencing works. Please see Natural England's website for further information on protected species.

2. Please be advised that nothing in this permission shall authorise the diversion, obstruction, or stopping up of any right of way that crosses the site.

3. The applicant is requested to note that this permission does not affect any private property rights and therefore does not authorise the carrying out of any work on land outside their control. If such works are required it will be necessary for the applicant to obtain the landowners consent before such works commence.

4. Wiltshire Council as Highway Authority is proposing to install 'No Waiting At Any Time' markings on Pathfinder Way. The applicant must liaise with the Highway Authority to ensure the timescales for the necessary TRO correspond with the school delivery programme to meet Condition 7

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Lorraine McRandle

From: Lorraine McRandle
Sent: 22 August 2024 15:22
To: Planning Liaison
Cc: Teresa Strange
Subject: RE: WW PLN RESP PL52253 - Planning Consultation Re: PL/2023/05883: 52e Chapel Lane, Beanacre, Wiltshire

Lydia

Thank you for your emails and information provided.

We have contacted the EA to make them aware of the proposals and await their response.

We will liaise with Wiltshire Council to ascertain if Natural England have approved the Package Treatment Plant.

Regards

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

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From: Planning Liaison <planning.liaison@wessexwater.co.uk>
Sent: 22 August 2024 11:51
To: Lorraine McRandle <office@melkshamwithout-pc.gov.uk>
Cc: Teresa Strange <clerk@melkshamwithout-pc.gov.uk>
Subject: RE: WW PLN RESP PL52253 - Planning Consultation Re: PL/2023/05883: 52e Chapel Lane, Beanacre, Wiltshire

Good Morning Lorraine,

In addition to the information sent below I can advise that the LLFA will need to approve the surface water arrangement and the EA and Natural England will need to approve the Package Treatment Plant.

Kind regards,

Lydia Daniel
Senior Planning Liaison
Technician
Wessex Water
Claverton Down Bath BA2 7WW
wessexwater.co.uk



These comments are based upon known circumstances prevailing at the time of writing. A review of the contents of this email is required where 18 months or more have elapsed since issue or in the light of significant changes likely to impact upon the response (e.g. changes in development numbers or phasing). Please email review requests to planning.liaison@wessexwater.co.uk

From: Planning Liaison
Sent: Thursday, August 22, 2024 11:32 AM
To: Lorraine McRandle <office@melkshamwithout-pc.gov.uk>
Cc: Teresa Strange <clerk@melkshamwithout-pc.gov.uk>
Subject: RE: WW PLN RESP PL52253 - Planning Consultation Re: PL/2023/05883: 52e Chapel Lane, Beanacre, Wiltshire

Good Morning Lorraine,

Thank you for your email.

Wessex Water is not a statutory consultee and so we do not have to be consulted. Having reviewed the proposed development of 3 new dwellings we note that the foul appears to be discharging to a package treatment plants and the surface water discharging to rainwater gardens within the vicinity. As there is to be no communication with the Wessex Water network for this drainage strategy there is no need for us to comment.

Kind regards,

Lydia Daniel
Senior Planning Liaison
Technician
Wessex Water
Claverton Down Bath BA2 7WW
wessexwater.co.uk



These comments are based upon known circumstances prevailing at the time of writing. A review of the contents of this email is required where 18 months or more have elapsed since issue or in the light of significant changes likely to impact upon the response (e.g. changes in development numbers or phasing). Please email review requests to planning.liaison@wessexwater.co.uk

From: Lorraine McRandle <office@melkshamwithout-pc.gov.uk>
Sent: Wednesday, August 21, 2024 4:16 PM
To: Planning Liaison <planning.liaison@wessexwater.co.uk>
Cc: Teresa Strange <clerk@melkshamwithout-pc.gov.uk>
Subject: FW: Planning Consultation Re: PL/2023/05883: 52e Chapel Lane, Beanacre, Wiltshire

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Dear Wessex Water

The Parish Council have been consulted several times on proposals for 3 dwellings to the rear of 52e Chapel Lane (PL/2023/05883), Beanacre. They have several concerns, including the impact this application will have on drainage in the area and had previously asked Wiltshire Council to consult with yourselves on proposals. However, it would appear you have not been asked to comment.

Therefore, at a Planning Committee meeting on 19 August, it was agreed to contact yourselves and ask you provide a response to the proposals. Please see link below to the planning application on Wiltshire Council's website, including our previous comments:

<https://development.wiltshire.gov.uk/pr/s/planning-application/a0i3z00001BK1dpAAD/pl202305883>

Below are our latest comments regarding the proposals for information:

161/24 Revised/Amended Plans/Additional Information: To comment on any revised/amended plans/additional information on planning applications received within the required **timeframe (14 days)**.

PL/2023/05883: Land to the rear of 52e Chapel Lane, Beanacre. Erection of three dwellings, with access, parking and associated works

The Parish Council were only made aware of revised plans which include a proposed turning head after being contacted by a resident of Chapel Lane who noted reference to a turning head in comments from Highways which had not been uploaded to the planning portal.

Having considered the revised plans, the Parish Council object to proposals and wish to reiterate their previous concerns, particularly regarding drainage, highway safety concerns and the removal of an established hedgerow, which will reduce the biodiversity for the area.

The Parish Council believe the introduction of a turning head does not alleviate concerns previously raised and will not accommodate larger vehicles, such as septic tankers turning around. They also suspect there is nothing preventing the proposed turning head from being an additional parking space and raise a concern who will make sure it is kept free. Members also raise a concern who will ensure the boundary treatment does not exceed 900mm, in order to ensure visibility across the frontage, as suggested by Highways in their comments.

Given the Council's concern at the impact this development will have on drainage of the area, it was agreed to contact Wessex Water and the Environment Agency direct to make them aware of proposals and to ask they provide a response as it does not look like Wiltshire Council took up the parish council's suggestion to consult them. To also contact Wiltshire Council Drainage team to chase a response to revised plans.

It was agreed to keep the current 'call-in' for the application, in order it is considered at a Wiltshire Council Planning Committee meeting.

We hope you are able to provide a response.

Regards

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

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Lorraine McRandle

From: Teresa Strange
Sent: 21 August 2024 16:15
To: Shona Holt; David Pafford; Alan Baines; John Glover; Mark Harris; Richard Wood; Terrence Chivers; Martin Franks; Peter Richardson
Cc: Jonathon. Seed (jonathon.seed@wiltshire.gov.uk); O'Donoghue, Ruaridh; Lorraine McRandle
Subject: FW: PL/2022/08155
Attachments: Construction & Environmental Management Plan.pdf

Dear Planning Committee and Berryfield Ward Councillors
For your information, access to the Townsend Farm development should be via Semington Road, and will be put into place towards the end of this week.
Regards, Teresa

From: Thompson, Andy <Andy.Thompson@wiltshire.gov.uk>
Sent: 21 August 2024 15:58
To: Teresa Strange <clerk@melkshamwithout-pc.gov.uk>
Cc: Cleave, Julie <Julie.Cleave@wiltshire.gov.uk>; Baker, Dean <Dean.Baker@wiltshire.gov.uk>
Subject: RE: PL/2022/08155

Hi Teresa,

Made a Site Visit this morning with the Area Engineer Dean Baker. When I was in discussion with HDC yesterday the Engineer covering the Development, Julie Cleave sent through the attached, (see page 26). I've been in constant communication with the Site Supervisor, Alfie and he was very conscious of not upsetting the residents from Townend Farm, which is why he made the access on Berryfield Lane. However HDC have stated the attached Construction & Environmental Management Plan should be adhered to.

Alfie will be looking to construct a new access off Semington Road end of this week, early next week. I'll be on site again early Friday.

Kind Regards,

Andy.

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

Wiltshire Council

From: Teresa Strange <clerk@melkshamwithout-pc.gov.uk>
Sent: Wednesday, August 21, 2024 10:18 AM

To: Thompson, Andy <Andy.Thompson@wiltshire.gov.uk>
Subject: RE: PL/2022/08155

Hi Andy

Thanks for responding – as you say, no one else has given any indication. Its in Cllr Jonathon Seed’s ward, and he has asked them to advise.

For info, the half of the field that they are using for access and compound has a planning application for another 50 houses, its gone to appeal and the hearing is 10th Sept.

All the best, Teresa

From: Thompson, Andy <Andy.Thompson@wiltshire.gov.uk>

Sent: 20 August 2024 14:54

To: Teresa Strange <clerk@melkshamwithout-pc.gov.uk>; Enforcement <Enforcement@wiltshire.gov.uk>; O'Donoghue, Ruaridh <Ruaridh.O'Donoghue@wiltshire.gov.uk>

Cc: Lorraine McRandle <office@melkshamwithout-pc.gov.uk>; Renfrew, Stuart <Stuart.Renfrew@wiltshire.gov.uk>; Cleave, Julie <Julie.Cleave@wiltshire.gov.uk>; Seed, Jonathon <Jonathon.Seed@wiltshire.gov.uk>

Subject: RE: PL/2022/08155

Hi Teresa,

When I spoke with the Site Supervisor last week he was happy to install Pipework that would allow the Ditch to function as it should. I’m led to believe the Developer’s didn’t have to apply for an ‘Access’ as their was already a ‘Gated Entrance’ They have made it slightly wider to accept HGV’s, but he did sympathise with the local residents when initial attempts were made to access the Site from Semington Road, hence he made the access off Berryfield Lane.

At present myself & Local Highways are getting no indication from Planning, HDC or Enforcement as to how to proceed.

Kind Regards,

Andy.

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



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

Sent: Tuesday, August 20, 2024 11:48 AM

To: Enforcement <Enforcement@wiltshire.gov.uk>; O'Donoghue, Ruaridh <Ruaridh.O'Donoghue@wiltshire.gov.uk>

Cc: Lorraine McRandle <office@melkshamwithout-pc.gov.uk>; Renfrew, Stuart <Stuart.Renfrew@wiltshire.gov.uk>; Cleave, Julie <Julie.Cleave@wiltshire.gov.uk>; Thompson, Andy <Andy.Thompson@wiltshire.gov.uk>; Seed, Jonathon <Jonathon.Seed@wiltshire.gov.uk>

Subject: RE: PL/2022/08155

Dear all

I have just had a call from a resident of Townsend Farm.

They understand from the ground workers/site manager that the approved site access was not taken up when they came to start on site as there is a BT cable in the way that has not been moved by BT.

They started or were about to start using the road that is for the access for the Townsend Farm development – and they would have blocked access to the residents so they protested and said that it couldn't happen via that route (there is a lady in her 90s requiring regular medical attention at present and they were concerned about their access being blocked for this, and other reasons).

The ground workers have therefore made a site access from Berryfield Lane – our question to Highways I guess, is if this is allowed, is it safe? As its directly off the A350. When the parish council took delivery of plainings from the A350 for their allotments car park further down Berryfield Lane, we were not allowed to use that access point at all – and that was when the A350 was closed and traffic management in place – which is why we are asking the question.

Hope that helps re background info.

We also note that they have removed existing vegetation/hedgerow to make the access bigger and the drainage ditch looks like its been filled with stone to give a hard base to enter the sites; the councillor who walked along there this morning could not see any new/alternative pipework put in to compensate.

Kind regards, Teresa

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

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Upcoming leave: From the 22nd to 27th August

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From: Teresa Strange

Sent: 20 August 2024 09:54

To: Enforcement <Enforcement@wiltshire.gov.uk>; O'Donoghue, Ruaridh <Ruaridh.O'Donoghue@wiltshire.gov.uk>

Cc: Lorraine McRandle <office@melkshamwithout-pc.gov.uk>; Renfrew, Stuart <Stuart.Renfrew@wiltshire.gov.uk>; Cleave, Julie <Julie.Cleave@wiltshire.gov.uk>; Thompson, Andy <Andy.Thompson@wiltshire.gov.uk>; Jonathon.

Seed (<jonathon.seed@wiltshire.gov.uk> <jonathon.seed@wiltshire.gov.uk>

Subject: FW: PL/2022/08155

Dear Planning Enforcement

Please see photos and video of the site entrance, that were taken first thing this morning.

Kind regards, Teresa

From: Teresa Strange

Sent: 19 August 2024 17:47

To: Enforcement <Enforcement@wiltshire.gov.uk>; O'Donoghue, Ruaridh <Ruaridh.O'Donoghue@wiltshire.gov.uk>

Cc: Lorraine McRandle <office@melkshamwithout-pc.gov.uk>; Renfrew, Stuart <Stuart.Renfrew@wiltshire.gov.uk>;

Cleave, Julie <Julie.Cleave@wiltshire.gov.uk>; Thompson, Andy <Andy.Thompson@wiltshire.gov.uk>

Subject: RE: PL/2022/08155

Dear Planning Enforcement

I refer to your reply on this issue/application (in red below) to Stuart Renfrew, highways officer and my email earlier today (attached).

With regards to the approval at appeal of 20/07334/OUT, this clearly shows the access to site coming from Semington Road, and not from Berryfield Lane.

Surely that is a breach of planning consent?

Also attached are the highways comments at Reserved Matters stage about the access off of Semington Road.

PL/2022/08155

I am unable to see the Construction Management Plan uploaded to the outline or reserved matters application to see if they requested a different access to site, than that agreed at planning approval.

I would appreciate if you could explain how its not a breach of Planning to be able to inform members and residents – the site access is very visible from the A350 with lots of signage.

With many thanks, Teresa

Teresa Strange

Clerk & Responsible Financial Officer

Melksham Without Parish Council

First Floor

Melksham Community Campus

Market Place, Melksham

Wiltshire, SN12 6ES

01225 705700

www.melkshamwithout-pc.gov.uk

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Upcoming leave: From the 22nd to 27th August

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From: Renfrew, Stuart <Stuart.Renfrew@wiltshire.gov.uk>
Sent: 19 August 2024 16:20
To: Lorraine McRandle <office@melkshamwithout-pc.gov.uk>
Subject: FW: PL/2022/08155

Hi Lorraine,

In advance of your meeting, you may wish to read the statement, in red italics below, received this afternoon from Planning Enforcement. I don't know what is meant by 'Planning Control' but it appears to suggest that they, like highway maintenance, have no grounds for enforcement. I'm sure that Teresa will have a view on that for discussion at your meeting tonight.

I have copied in Andy Thompson and Julie Cleave to the response as this will be their Section 38 / 278 development going forward.

Good luck,

Stuart.

Good afternoon,

Thank you for your email.

Unfortunately, this is not something that we can be involved with, unless we have information about a breach of planning control. Using the access is not something that we could act against as its an existing use.

Kind regards,

From: Lorraine McRandle <office@melkshamwithout-pc.gov.uk>
Sent: Thursday, August 15, 2024 4:45 PM
To: Renfrew, Stuart <Stuart.Renfrew@wiltshire.gov.uk>
Subject: RE: PL/2022/08155

Hi Stuart

Thanks for the update much appreciated.

We have a Planning meeting on Monday and will let Members know what action has been taken.

Thanks again

Lorraine McRandle
Parish Officer
Melksham Without Parish Council
First Floor
Melksham Community Campus
Market Place, Melksham
Wiltshire, SN12 6ES
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From: Renfrew, Stuart <Stuart.Renfrew@wiltshire.gov.uk>
Sent: 15 August 2024 16:36
To: Lorraine McRandle <office@melkshamwithout-pc.gov.uk>
Subject: FW: PL/2022/08155

Hi Lorraine,

Copy of mail sent to Planning Enforcement.

Cheers,

Stuart.

Stuart Renfrew
Technician

Local Highways | Highways & Transport
Wiltshire Council | 36 Lancaster Road | Bowerhill | Melksham
Wiltshire | SN12 6SS

T. 01225 712814 | 07867 504803
E-Mail : stuart.renfrew@wiltshire.gov.uk
Web : www.wiltshire.gov.uk



Wiltshire Council



From: Renfrew, Stuart
Sent: Thursday, August 15, 2024 4:33 PM
To:
Cc:
Subject: PL/2022/08155

Dear Planning Enforcement colleagues,

For some days now we have been observing developer activity in a field to the South of the A350 Western Way in Melksham. They are accessing off the A350 onto an unclassified minor lane and immediately entering the field through an already existing wide gated access. Vehicular traffic on that lane is 'For access only' and I would surmise that that is what they are doing onto land in their ownership. Furthermore, whilst there are potential safety concerns with the A350 access, bringing the same HGV and site traffic through the small Berryfield Community road would be highly disruptive and not easy given the proliferation of on street parking. In that regard, our Section 38 Officer has visited the site and pressed for temporary signage to both highlight the site entrance and improve traffic flows to and from the site. I have copied him and the DC officer who is looking after this new development to this mail.

Given the above, I do not believe that I have any grounds for any enforcement under the Highways Act (1980) but I have just been advised by Melksham Without Parish Council that the site does not have current planning permission and hence this mail to yourselves. I believe that planning number is PL/2022/08155 and that even if the developer successfully appeals then their access should be off the C395 Semington Road at Townsend farm.

Please can you advise if this is a planning enforcement concern ?

Thanks and best wishes,

Stuart.

Stuart Renfrew
Technician

Local Highways | Highways & Transport
Wiltshire Council | 36 Lancaster Road | Bowerhill | Melksham
Wiltshire | SN12 6SS

T. 01225 712814 | 07867 504803
E-Mail : stuart.renfrew@wiltshire.gov.uk
Web : www.wiltshire.gov.uk



Lorraine McRandle

From: Thomas, Nic <Nic.Thomas@wiltshire.gov.uk>
Sent: 21 August 2024 11:15
To: Teresa Strange
Cc: Lorraine McRandle; Botterill, Nick; Clampitt-dix, Georgina
Subject: RE: Are Wiltshire Council sharing their response to the NPPF consultation?

Dear Teresa,

Thank you for copying me into your e-mail.

As Cllr Botterill has said, preparing responses to these types of consultations (106 questions in this case) takes quite a bit of time and co-ordination. It would be unusual for us to be able to share our response in advance of the deadline. From a pragmatic point of view, the questions will also be responded to in the government portal and submitted on-line rather than as a single document that can be easily shared.

My own thinking on this is that responses carry much more weight when responded to individually as issues and concerns are subtly different for each town/parish and interested party. There is a danger that if we are sharing our response in advance, that people will 'copy and paste' and this may dilute the message or undermine the credibility of the different responses.

Hopefully you got a flavour of the main areas of concern raised by Cllrs Clewer and Botterill at the webinar and should give you an idea of the messages we are likely to include in our response.

Kind regards,

Nic Thomas
Director - Planning

Wiltshire Council

Tel: 01225 713283
Email: nic.thomas@wiltshire.gov.uk
Web: www.wiltshire.gov.uk
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From: Teresa Strange <clerk@melkshamwithout-pc.gov.uk>
Sent: Tuesday, August 20, 2024 5:12 PM
To: Botterill, Nick <Nick.Botterill@wiltshire.gov.uk>
Cc: Thomas, Nic <Nic.Thomas@wiltshire.gov.uk>; Lorraine McRandle <office@melkshamwithout-pc.gov.uk>
Subject: RE: Are Wiltshire Council sharing their response to the NPPF consultation?

Dear Cllr Botterill

Many thanks for your swift response, Melksham Without Parish Council are looking to utilise the expertise of their planning consultant for the Melksham NHP to assist our reply on technical aspects, but we happen to be in that unique position; I was thinking on the lines of a consistent/joined up response with Wiltshire Council whilst painting the picture of the impact of these housing numbers on our community. Any help much appreciated.

Kind regards, Teresa

From: Botterill, Nick <Nick.Botterill@wiltshire.gov.uk>
Sent: 20 August 2024 17:05
To: Teresa Strange <clerk@melkshamwithout-pc.gov.uk>
Cc: Thomas, Nic <Nic.Thomas@wiltshire.gov.uk>; Lorraine McRandle <office@melkshamwithout-pc.gov.uk>
Subject: RE: Are Wiltshire Council sharing their response to the NPPF consultation?

Dear Teresa

Thanks for your email. This is a good question. The response produced by Cllr Clewer has already been shared via Facebook posts and I believe it is also on (or about to go on) the County Council Network (CCN) website. The official Wiltshire Council response produced by the planning officers if previous practice is followed will be submitted pretty much at the last minute so as to catch as many late developments as possible. I will speak to Nic Thomas (who I see you have copied) and see if we can produce some route map/handy guide which could be used by parishes when compiling their own responses. Having said that as these things go the questionnaire is pretty self explanatory and while there are some arcane questions these don't seem to be in the main areas of concern.

Kind regards

Cllr Nick Botterill

From: Teresa Strange <clerk@melkshamwithout-pc.gov.uk>
Sent: Tuesday, August 20, 2024 11:55 AM
To: Botterill, Nick <Nick.Botterill@wiltshire.gov.uk>
Cc: Thomas, Nic <Nic.Thomas@wiltshire.gov.uk>; Lorraine McRandle <office@melkshamwithout-pc.gov.uk>
Subject: Are Wiltshire Council sharing their response to the NPPF consultation?

Dear Cllr Botterill

Melksham Without Parish Council's Planning Committee met last night and discussed the webinar you ran last Wednesday and how they best respond to the current Government consultation on the NPPF. In order that they put forward a cohesive response, and on some technical aspects may require some assistance, are Wiltshire Council intending to share their response in good time to aid those town and parish councils in Wiltshire to add their weight/echo to any concerns that they may have? With many thanks for your consideration of this request.
Kind regards, Teresa

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

Wellbeing Statement I may send emails outside office hours but never with any expectation of response. Please just get back to me when you can within your own working hours. Thank you.

Upcoming leave: From the 22nd to 27th August

Want to keep in touch?

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

On twitter: [@melkshamwithout](#)

On Instagram: [melkshamwithoutpc](#)

Lorraine McRandle

From: Strategic Planning <StrategicPlanning@wiltshire.gov.uk>
Sent: 14 August 2024 14:43
To: Strategic Planning
Subject: Consultation on the pre-submission draft Gypsies and Travellers Development Plan Document
Attachments: Guidance Note Wiltshire Gypsies and Travellers DPD Statement Representation Procedure.pdf; Wiltshire Gypsies and Travellers DPD Public Notice.pdf

Dear all

Consultation on the pre-submission draft Gypsies and Travellers Development Plan Document

Wiltshire Council has published the draft Gypsies and Travellers Development Plan Document (DPD) along with accompanying evidence reports, for formal consultation. The Gypsies and Travellers DPD sets out the vision and framework to allocate land for Gypsies and Travellers in sustainable locations meeting identified permanent and temporary accommodation needs up to 2036 (since revised to 2038), in line with Government planning policy and legislation. Once adopted, relevant planning applications will be determined against the Plan, making it an important document in meeting accommodation need for Gypsy and Traveller communities in Wiltshire.

Comments are invited on the Gypsies and Travellers DPD and supporting evidence base documents during the consultation period, which runs from **9am on Tuesday 20th August to 5pm on Friday 4th October 2024**.

In-person events are being held across the county on selected dates from Wednesday 4th September to Thursday 12th September to enable you to find out more information as part of the consultation. You can just turn up to the in-person events, there is no need to book. There will also be an online webinar event on Tuesday 3rd September, however you must register beforehand to attend the online event. To see the full list of in-person events or to register for the online webinar event, see <https://www.wiltshire.gov.uk/planning-gypsy-travellers>. Officers will be available during all sessions to answer questions about the Gypsies and Travellers DPD and we would encourage people to attend and find out more about what the DPD proposes in their area.

How to respond

The Gypsies and Travellers DPD and supporting evidence documents are available to view and download at <https://www.wiltshire.gov.uk/planning-gypsy-travellers> from 9am on Tuesday 20th August, and people can also download a representation form and a simplified guidance note from this page.

We welcome your comments via the following means:

- Online via the council's dedicated consultation portal: <http://consult.wiltshire.gov.uk/portal>. This is the most efficient and effective way to make representations. Further information on how to use the portal can be found at www.wiltshire.gov.uk/local-plan
- By email using the representation form available at <https://www.wiltshire.gov.uk/planning-gypsy-travellers> and returned to strategicplanning@wiltshire.gov.uk
- By post in writing by completing a representation form and submitting this to:

Strategic Planning
Planning Directorate
Wiltshire Council
County Hall
Bythesea Road
Trowbridge

Wiltshire
BA14 8JN.

Please note that copies of all comments (including your personal details) will be made available for the public to view and therefore cannot be treated as confidential. Anonymous representations cannot be accepted.

Copies of all the consultation documents can be viewed during normal opening hours at the Council's main offices at Monkton Park in Chippenham, Bourne Hill in Salisbury, and County Hall in Trowbridge.

The following documents: the draft Gypsies and Travellers Development Plan Document, draft Sustainability Appraisal Report, draft Habitats Regulations Assessment and Evidence base reports will be made available to view at the following libraries during normal opening hours:

- Amesbury Library, Smithfield Street, Amesbury, SP4 7AL
- Bradford on Avon Library, Bridge Street, Bradford on Avon, BA15 1BY
- Calne Library, The Strand, Calne, SN11 0JU
- Chippenham Library, Timber Street, Chippenham, SN15 3EJ
- Springfield Community Campus, Beechfield Road, Corsham, SN13 9DN
- Devizes Library, Sheep Street, Devizes, SN10 1DL
- Malmesbury Library, 24 Cross Hayes, Malmesbury, SN16 9BG
- Marlborough Library, 91 High Street, Marlborough, SN8 1HD
- Melksham Community Campus, Market Place, Melksham, SN12 6ES
- Pewsey Library, Aston Close, Pewsey, SN9 5EQ
- Royal Wootton Bassett Library, Borough Fields, Royal Wootton Bassett, SN4 7AX
- Salisbury Library, Market Walk, Salisbury, SP1 1BL
- Tidworth Library, Tidworth Leisure Centre, Nadder Road, Tidworth, SP9 7QA
- Tisbury Library, Nadder Community Campus, Tisbury, SP3 6HJ
- Trowbridge Library, County Hall, Bythesea Road, Trowbridge, BA14 8JN
- Warminster Library, Three Horseshoes Walk, Warminster, BA12 9BT
- Westbury Library, Westbury House, 15 Edward Street, Westbury, BA13 3BD

Information on library opening times can be found at: <https://apps.wiltshire.gov.uk/librariesinformation>.
Electronic access to all submission documents will be available at all Wiltshire Council libraries.

Following the consultation, the council will consider the comments received before submitting the Gypsies and Travellers DPD and supporting evidence to the Secretary of State for examination. All comments received during this consultation will be passed on to the appointed independent Planning Inspector at that stage.

Any representation received may be accompanied by a request to be notified at a specific address of any of the following: that the Gypsies and Travellers DPD has been submitted to the Secretary of State for independent examination; that the Inspector's Report (including any recommendations) into the DPD has been published; and that the Gypsies and Travellers DPD has been adopted.

Should you require further information, please email: strategicplanning@wiltshire.gov.uk or call 01225 713223.

If you no longer wish to receive emails to do with the Gypsies and Travellers Development Plan Document, please let us know by emailing strategicplanning@wiltshire.gov.uk

Strategic Planning Services

Wiltshire Council

Email: strategicplanning@wiltshire.gov.uk

Planning and Compulsory Purchase Act 2004
The Town and Country Planning (Local Planning) (England) Regulations 2012 (Regulation 19)
The Environmental Assessment of Plans and Programmes Regulations 2004
Wiltshire Gypsies and Travellers Development Plan Document

Statement of the Representations Procedure and availability of documents

If you have a comment to make about the Wiltshire Gypsies and Travellers Development Plan Document ('the draft Plan'), it is important that we hear from you. To those not familiar with the planning system, the consultation and representation form can appear complicated and technical, so we have prepared this guide to provide explanation of the process and terms used alongside information on how to comment and where to find information.

This guidance document sets out the items described in 1) – 9) below:

1) Title of document

Title of the development plan document published for consultation.

2) Subject matter

What the development plan document published for consultation is about.

3) Period for submission of representations

When the period of consultation starts and closes.

4) Where to view the draft Plan and supporting documents (statement of fact)

Webpage link and list of locations where consultation documents can be found.

5) Things to consider when making a representation

Regarding 'soundness' and legal compliance.

6) How to submit your representation

Online, by email or by post.

7) Notification of next stages and what happens next

Tell us if you want to be notified.

8) Contact for more information

Email, phone, and postal address of the strategic planning policy team.

9) Representation form

Explanation and example of representation form.

1) Title of document

Wiltshire Gypsies and Traveller Development Plan Document.

This is the pre-submission draft published for the Regulation 19 consultation.

2) Subject matter

The Development Plan Document (hereafter referred to as 'the draft Plan') has been informed by the Regulation 18 consultation that took place in 2021 and replaces 'Core Policy 47: Meeting the needs of gypsies and travellers and travelling showpeople' of the adopted Wiltshire Core Strategy (2015). The draft Plan sets out Wiltshire Council's strategic planning policies for meeting the accommodation needs of gypsies and travelling showpeople, covering the period of 1st April 2024 to 31st March 2038. Consistent with national policy, the draft Plan seeks to address the accommodation needs of gypsies and travellers and travelling showpeople who meet the planning definitions as follows:

Gypsies and travellers - Persons of nomadic habit of life whatever their race or origin, including such persons who on grounds only of their own or their family's or dependants' educational or health needs or old age have ceased to travel temporarily or permanently, but excluding members of an organised group of travelling showpeople or circus people travelling together as such.

Travelling showpeople - Members of a group organised for the purposes of holding fairs, circuses or shows (whether or not travelling together as such). This includes such persons who on the grounds of their own or their family's or dependants' more localised pattern of trading, educational or health needs or old age have ceased to travel temporarily or permanently, but excludes Gypsies and Travellers as defined above.

It also sets out the approach to meeting needs for culturally appropriate accommodation for gypsies and travellers that do not meet the planning definition.

If adopted, the Plan will form part of the development plan for Wiltshire and guide decisions on future development.

The proposed submission documents include: the draft Plan; the draft Sustainability Appraisal Report (incorporating requirements of the Environmental Assessment of Plans and Programmes Regulations 2004); the draft Habitat Regulations Assessment, and various evidence base reports that form part of the evidence base for the draft Plan.

The role of this consultation is to provide the opportunity for representations to be made on the 'soundness' and legal compliance of the draft Plan before it is submitted to the Secretary of State for Examination. See Item 5 below for more information.

Following consultation, the Council will register and consider the comments received before submitting the draft Plan to the Ministry of Housing, Communities and Local Government.

3) Period for submission of representations

The period for submitting representations relating to the draft Plan begins at **9am Tuesday 20 August 2024** and closes at **5pm on Friday 4 October 2024**. Representations received beyond this date may not be considered.

4) Where to view the plan and supporting documents (statement of fact)

You can view and download the draft Plan and the supporting documents on the council's website here: www.wiltshire.gov.uk/planning-gypsy-travellers.

Hard copies of the draft Plan and supporting documents will be available to view during normal office hours at the Council's main offices:

- Monkton Park, Chippenham, Wiltshire, SN15 1ER (9am to 5pm, Monday to Friday)
- Bourne Hill, The Council House, Bourne Hill, Salisbury, Wiltshire, SP1 3UZ (9am to 5pm, Monday to Friday)
- County Hall, Bythesea Road, Trowbridge, Wiltshire, BA14 8JN (9am to 5pm Monday to Friday)

The following documents: the draft Plan; the draft Sustainability Appraisal Report (incorporating requirements of the Environmental Assessment of Plans and Programmes Regulations 2004); the draft Habitat Regulations Assessment, and various evidence base reports, will be made available to view at the following libraries during normal opening hours:

- Amesbury Library, Smithfield Street, Amesbury, Wiltshire, SP4 7AL
- Bradford On Avon Library, Bridge Street, Bradford On Avon, Wiltshire, BA15 1BY
- Calne Library, The Strand, Calne, Wiltshire, SN11 0JU
- Chippenham Library, Timber Street, Chippenham, Wiltshire, SN15 3EJ
- Springfield Community Campus, Beechfield Road, Corsham, Wiltshire, SN13 9DN
- Devizes Library, Sheep Street, Devizes, Wiltshire, SN10 1DL
- Malmesbury Library, 24 Cross Hayes, Malmesbury, Wiltshire, SN16 9BG
- Marlborough Library, 91 High Street, Marlborough, Wiltshire, SN8 1HD
- Melksham Community Campus, Market Place, Melksham, Wiltshire, SN12 6ES
- Pewsey Library, Aston Close, Pewsey, Wiltshire, SN9 5EQ
- Royal Wootton Bassett Library, Borough Fields, Royal Wootton Bassett, Wiltshire, SN4 7AX
- Salisbury Library, Market Walk, Salisbury, Wiltshire, SP1 1BL
- Tidworth Library, Nadder Road, Tidworth, Wiltshire, SP9 7QA
- Tisbury Library, Nadder Community Campus, Weaveland Road, Tisbury, Wiltshire, SP3 6HJ
- Trowbridge Library, County Hall, Bythesea Road, Trowbridge, Wiltshire, BA14 8JN
- Warminster Library, Three Horseshoes Walk, Warminster, Wiltshire, BA12 9BT
- Westbury Library, Westbury House, 15 Edward Street, Westbury, Wiltshire, BA13 3BD

Wiltshire Gypsies and Traveller Development Plan Document Statement of Representations Procedure (Regulation 19 consultation)

Information on library opening times can be found at:

<https://apps.wiltshire.gov.uk/librariesinformation>

Electronic access to all submission documents will be available at all Wiltshire Council libraries.

If you require the consultation documents in an alternative format, please contact strategicplanning@wiltshire.gov.uk.

Physical copies of documents can be provided to individuals if requested. The printing and postage costs will be incurred by those requesting additional copies. If you wish to make a purchase, please contact strategicplanning@wiltshire.gov.uk.

There will be a live webinar on Tuesday 3 September 2024 at 6:00pm to 7:30pm and five drop-in events held around the county where you can ask questions and gain further information about the consultation. More information on these events can be found at: www.wiltshire.gov.uk/planning-gypsy-travellers.

5) Things to consider when making a representation

The draft Plan has been published by the Local Planning Authority (LPA) (Wiltshire Council) for representations to be made on it before it is submitted for examination by an independent Planning Inspector. The Planning and Compulsory Purchase Act 2004, as amended, states that the purpose of the examination is to consider whether the draft Plan complies with the relevant legal requirements, including the duty to co-operate, and is sound. The Inspector will consider all representations on the draft Plan that are made within the consultation period set by the LPA.

Specifically, we are asking people to consider the following when making representations:

i) Legal compliance.

This encompasses whether the draft Plan complies with the relevant legislation and regulations in the way it has been prepared and its content. Things to consider include the following before making a representation of legal compliance:

- The draft Plan should comply with all relevant requirements of the Planning and Compulsory Purchase Act 2004 (as amended) and the Town and Country Planning (Local Planning) (England) Regulations 2012, as amended.
- The draft Plan should be included in the LPA's current Local Development Scheme¹ (LDS) and the key stages set out in the LDS should have been followed. The LDS is effectively a programme of work prepared by the LPA, setting out the plans it proposes to produce. It will set out the key stages in the production of any plans which the LPA proposes to bring forward for examination.
- The process of community involvement for the draft Plan in question should be in general accordance with the LPA's Statement of Community Involvement² (SCI). The SCI sets out the LPA's strategy for involving the community in the preparation and revision of plans and the consideration of planning applications.

¹ Wiltshire Local Development Scheme (LDS), Wiltshire Council. For the latest Wiltshire local development scheme please visit: [Local Development Scheme - Wiltshire Council](#).

² Wiltshire Statement of Community Involvement, Wiltshire Council. For the latest Wiltshire statement of community involvement please visit: [Statement of Community Involvement - Wiltshire Council](#).

Wiltshire Gypsies and Traveller Development Plan Document Statement of Representations
Procedure (Regulation 19 consultation)

- The LPA is also required to provide a Sustainability Appraisal (SA) report when it publishes a plan. This should identify the process by which SA has been carried out, and the baseline information used to inform the process and the outcomes of that process. SA is a tool for assessing the extent to which the plan, when judged against reasonable alternatives, will help to achieve relevant environmental, economic and social objectives.
- The Habitats Regulations Assessment (HRA) will also be available and needs to be carried out for the Plan, in order to protect the integrity of internationally important nature conservation sites.

To access these documents, alongside other supporting documents, please go to: www.wiltshire.gov.uk/planning-gypsy-travellers.

ii) Soundness.

The tests of soundness are set out in national policy (National Planning Policy Framework). Plans are sound if they are:

- (a) Positively prepared – providing a strategy which, as a minimum, seeks to meet the area’s objectively assessed needs; and is informed by agreements with other authorities, so that unmet need from neighbouring areas is accommodated where it is practical to do so and is consistent with achieving sustainable development;
- (b) Justified – an appropriate strategy, taking into account the reasonable alternatives, and based on proportionate evidence;
- (c) Effective – deliverable over the plan period, and based on effective joint working on cross-boundary strategic matters that have been dealt with rather than deferred, as evidenced by the statement of common ground; and
- (d) Consistent with national policy – enabling the delivery of sustainable development in accordance with the policies in this Framework and other statements of national planning policy, where relevant.

If you think the content of the draft Plan is not sound because it does not include a policy on a particular issue, you should go through the following steps before making representations:

- Is the issue with which you are concerned already covered specifically by national planning policy?
- Is the issue with which you are concerned already covered by another policy in the draft Plan?
- If the policy is not covered elsewhere, in what way is the draft Plan unsound without the policy?
- If the draft Plan is unsound without the policy, what should the policy say?

iii) Complies with the Duty to co-operate.

Section 33A of the PCPA requires the LPA to engage constructively, actively and on an ongoing basis with neighbouring authorities and certain other bodies over strategic matters during the preparation of the Plan. The LPA will be expected to provide evidence of how they have complied with the duty.

6) How to submit your representation

Representations can be submitted via the following means:

- Online via the council's consultation portal accessible via this link: www.wiltshire.gov.uk/planning-gypsy-travellers.
- By email using the form available at: www.wiltshire.gov.uk/planning-gypsy-travellers and returned to strategicplanning@wiltshire.gov.uk; or
- By post in writing by using the form and sending this to: Strategic Planning, Planning Directorate, Wiltshire Council, County Hall, Bythesea Road, Trowbridge, Wiltshire, BA14 8JN.

Representations should be made on the representation form. The use of the standard representation form is strongly recommended as this will ensure that comments are related to the matters relevant to the subsequent examination by a planning inspector. Further information on the representation form can be found in Section 9 below.

If you wish to make a representation seeking a modification to the draft Plan you should set out clearly in what way you consider the draft Plan or part of the draft Plan is legally non-compliant or unsound, having regard as appropriate to the soundness criteria in section 5(ii) above. Your representation should be as succinct as possible and supported by evidence wherever possible. It will be helpful if you also say precisely how you think the draft Plan should be modified.

You should concisely provide all the evidence and supporting information necessary to support your representation and your suggested modification. You should not assume that you will have a further opportunity to make submissions. Any further submissions after the Plan has been submitted for examination may only be made if invited by the Inspector, based on the matters and issues they identify.

Where groups or individuals share a common view on the draft Plan, it would be very helpful if they would make a single representation which represents that view, rather a large number of separate representations repeating the same points. In such cases the group should indicate how many people it is representing and how the representation has been authorised.

Please consider carefully how you would like your representation to be dealt with in the examination: whether you are content to rely on your written representation, or whether you wish to take part in hearing session(s). Only representors who are seeking a change to the draft Plan have a right to be heard at the hearing session(s), if they so request. In considering this, please note that written and oral representations carry the same weight and will be given equal consideration in the examination process.

Please note: all submitted representations will be made publicly available. To ensure an effective and fair examination, it is important that the Inspector and all other participants in the examination process are able to know who has made representations on the Plan. The LPA will therefore ensure that the names of those making representations can be made available (including publication on the LPA's website) and taken into account by the Inspector.

The council therefore cannot accept anonymous representations – you must provide us with your name and contact details. Address details will not be made publicly available. All personal data

will be handled in line with the council's Strategic Planning privacy policy. You can view the Council's privacy notice at <https://www.wiltshire.gov.uk/planning-privacy-notice>.

7) Notification of next stages and what happens next

When making your representations using the representation form you will have the option to request to be notified via email, or at a postal address, of any of the following stages of the Plan's process:

- the submission of the Wiltshire Gypsies and Travellers Development Plan Document for independent examination;
- the publication of the planning inspector's report following examination of the Wiltshire Gypsies and Travellers Development Plan Document; and
- the adoption of the Wiltshire Gypsies and Travellers Development Plan Document.

If you wish to be kept informed of the above stages please double check that the contact details you include with your representation are correct so we can contact you regarding this.

Once the Regulation 19 representation period has closed, updates regarding the status of the draft Plan will be published on the Council's planning policy webpages. Any person who makes a submission during the Regulation 19 representation period who wishes to be kept informed of its progress will automatically be added to the Strategic Planning team's database and will be provided with updates on the progress of the Plan. If you wish to be removed from this database, please contact Strategicplanning@wiltshire.gov.uk.

Following the end of the consultation period, the Council will summarise the main issues raised and submit the draft Plan, accompanying evidence and all submitted representations to the Secretary of State, who will appoint an Inspector to undertake an independent examination. The Inspector will assess whether the Plan meets the relevant legal requirements, complies with the Duty to Cooperate, and is sound. This submission is anticipated to take place in quarter one 2025 with the examination and hearings anticipated to take place following this.

8) Contact for more information

If you would like any further information on the draft Plan, proposed submission documents, or any of the supporting documents, please contact us via:

- Telephone: 01225 713223
- Email: Strategicplanning@wiltshire.gov.uk.
- Post: Strategic Planning, Planning Directorate, Wiltshire Council, County Hall, Bythesea Road, Trowbridge, Wiltshire, BA14 8JN.

9) Representation form

The representation form is split into two parts. Part A (personal details) of the form is where you provide your personal details. Please fill out as many parts of this section of the form as you can. We need this information to ensure that we can keep you informed about the next stages in the draft Plan's preparation. When the draft Plan is examined, the government-appointed Inspector may also wish to ask you for more information relating to your comments, or invite you to attend hearing sessions - where you will be given the opportunity to put your views to the Inspector and contribute to the discussion on the issues that you have raised.

Part B of the form is where you provide details of the representation you are making. This should identify which draft Plan policy/section/paragraph and/or proposed submission document section/paragraph the representation refers to.

Wherever possible it is encouraged that you submit comments online via the council's consultation portal accessible via this link: www.wiltshire.gov.uk/planning-gypsy-travellers. The representation form can also be downloaded from the council's website www.wiltshire.gov.uk/planning-gypsy-travellers.

A copy of the representation form can be found overleaf.

Wiltshire Gypsies and Travellers Development Plan Document

Ref:

(For official use only)

Publication Stage Representation Form

Please return to Wiltshire Council, by 5pm on Friday 4th October 2024

By post to: Strategic Planning, Planning Directorate, Wiltshire Council, County Hall, Bythesea Road, Trowbridge, Wiltshire, BA14 8JN.

By e-mail to: strategicplanning@wiltshire.gov.uk

For further information please visit: www.wiltshire.gov.uk/planning-gypsy-travellers
or Tel: 01225 713223

This form has two parts:

Part A – Personal details

Part B – Your representation(s). Please use a separate sheet for each representation.

Part A – Personal details

Please note the following:

- We cannot register your representation without your details.
- Representations cannot be kept confidential and will be available for public scrutiny, however, your contact details will not be published.
- All information will be sent for examination by an independent inspector.
- All personal data will be handled in line with the Council's Privacy Policy on Strategic Planning matters. You can view the Strategic Planning privacy notice at <https://www.wiltshire.gov.uk/planning-privacy-notice>.

**If an agent is appointed, please fill in your Title, Name and Organisation but the full contact details of the agent must be completed.*

	1. Personal details	2. Agent's details (if applicable)*
Title		
First name		
Last name		
Job title (where relevant)		
Organisation (where relevant)		
Address Line 1		
Address Line 2		
Address Line 3		
Address Line 4		
Postcode		
Telephone Number		
Email Address		

Part B – Please use a separate sheet for each representation.

Please note, in your representation you should set out **succinctly** and provide copies of all the evidence and supporting information necessary to support your representation and your suggested modification(s). You should not assume that you will have a further opportunity to make submissions.

After this stage, further submissions may only be made if invited by the Inspector, based on the matters and issues he or she identifies for examination.

3. To which part of the Wiltshire Gypsies and Travellers Development Plan Document does this representation relate?

Policy:	Paragraph:	Table:	Figure:
Site:		Other:	

4. Do you consider the Wiltshire Gypsies and Travellers Development Plan Document:

(i) Legally compliant	Yes:		No:	
(ii) Sound	Yes:		No:	
(iii) Complies with the duty to co-operate	Yes:		No:	
<i>Please indicate with an 'X' as appropriate</i>				

4b. If you think the Wiltshire Gypsies and Travellers Development Plan Document is not sound, please indicate the reason(s) why:

(1) Not positively prepared	
(2) Not justified	
(3) Not effective	
(4) Not consistent with national policy	
<i>Please indicate with an 'X' as appropriate</i>	

See the separate statement of representation procedure (guidance note) for further information on 'soundness'.

5. Please give details of why you consider the Wiltshire Gypsies and Travellers Development Plan Document is not legally compliant or is unsound or fails to comply with the duty to co-operate. Please be as precise as possible.

If you wish to **support** the Wiltshire Gypsies and Travellers Development Plan Document on the basis that you consider it is sound, legally compliant and meets the duty to cooperate, please also use this box to set out your comments.

(Continue on a separate sheet/expand box if necessary)

5a. If you wish to make a separate representation, relating to legal compliance, soundness or the duty to cooperate in relation to the accompanying Sustainability Appraisal (SA), please make them here.

(Continue on a separate sheet/expand box if necessary)

6. Please set out the modification(s) you consider necessary to make the Wiltshire Gypsies and Travellers Development Plan Document legally compliant and sound, in respect of any legal compliance or soundness matters you have identified at 5 above. (Please note that non-compliance with the duty to co-operate is incapable of modification at examination). You will need to say why each modification will make the Wiltshire Gypsies and Travellers Development Plan Document legally compliant or sound. It will be helpful if you are able to put forward your suggested revised wording of any policy or text. Please be as precise as possible.

(Continue on a separate sheet/expand box if necessary)

7. If your representation is seeking a modification to the plan, do you consider it necessary to participate in the examination hearing session(s)?

	No , I do not wish to participate in hearing session(s)		Yes , I wish to participate in hearing session(s)
--	--	--	--

8. If you wish to participate in the hearing session(s), please outline why you consider this to be necessary:

(Continue on a separate sheet/ expand box if necessary)

Please note the Inspector will determine the most appropriate procedure to adopt to hear those who have indicated that they wish to participate in hearing session(s). You may be asked to confirm your wish to participate when the Inspector has identified the matters and issues for examination.

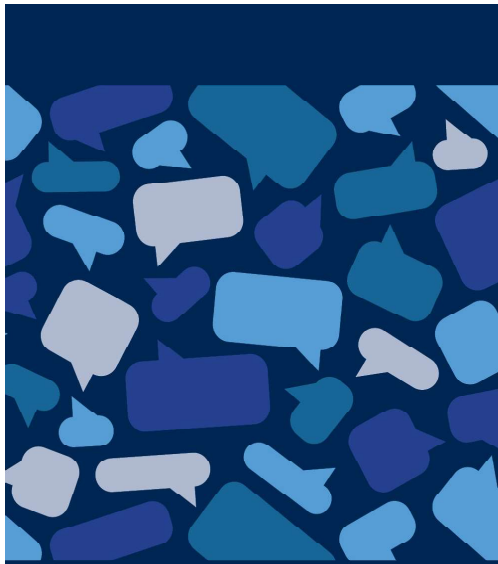
9. Do you wish to be notified of any of the following?

Please tick all that apply.

The submission of the Wiltshire Gypsies and Travellers Development Plan Document for Independent Examination	
The publication of the report of the Inspector appointed to carry out the examination	
The adoption of the Wiltshire Gypsies and Travellers Development Plan Document	

Please ensure that we have either an up-to-date email address or postal address at which we can contact you.

Signature:		Date:	
------------	--	-------	--



Gypsies and Travellers Development Plan Document

Consultation

Wiltshire Council

Gypsies and Travellers Development Plan consultation begins today, with engagement events to start next month

You can now have your say on the Gypsies and Travellers Development Plan Document, as the consultation begins today (Tuesday 20 August) until 5pm on Friday 4 October.

To enable you to find out more about the Development Plan Document and ask questions, we are holding five engagement events at different locations around the county in September where you can drop-in to find out more, and one online engagement event.

You can read the Gypsies and Travellers Development Plan Document and supporting consultation documents on our website and at the main council offices at County Hall, Trowbridge, Monkton Park, Chippenham, and Bourne Hill,

Salisbury. The plan will also be available in many Wiltshire Council libraries.

You can share your views through our online portal, and anyone without internet access can visit a library to use the computers, or contact us to get a written copy of the representation form and find out how to view the documents.

Information about what types of issues you can comment on will be available on our website.

The list of engagement events is as follows. You can just turn up at any time during the in-person events, which are drop-in sessions – there is no need to book. However, if you wish to attend the online event, you must sign up beforehand. Anyone with an interest in the Plan can attend any of the in-person events – they do not need to choose the one nearest to them.

Event	Date	Time	Location
General information webinar	Tuesday 3 September	6pm-7.30pm	Online
Salisbury	Wednesday 4 September	4.30pm-7pm	Five Rivers Health and Wellbeing Centre, Hulse Road, Salisbury SP1 3NR
Devizes	Thursday 5 September	4.30pm-7pm	Devizes Library, Sheep Street, Devizes SN10 1DL
Chippenham	Monday 9 September	4.30pm-7pm	Olympiad Leisure Centre, Sadlers Mead, Chippenham SN15 3PA
Royal Wootton Bassett	Wednesday 11 September	4.30pm-7pm	Royal Wootton Bassett library, 11 Borough Fields, Royal Wootton Bassett SN4 7AX
Trowbridge	Thursday 12 September	4.30pm-7pm	Atrium, County Hall, Bythesea Road, Trowbridge BA14 8JN

Find out more, take part in the consultation and sign up for the engagement event



Wiltshire Gypsies and Travellers Development Plan Document

Planning and Compulsory Purchase Act 2004
The Town and Country Planning (Local Planning) (England) Regulations 2012
(Regulation 19)

The Environmental Assessment of Plans and Programmes Regulations 2004

Notice of Publication of the draft Wiltshire Gypsies and Travellers Development Plan Document

Notice is hereby given that Wiltshire Council has published the draft Wiltshire Gypsies and Travellers Development Plan Document (“the draft Plan”) for a formal consultation period beginning on **Tuesday 20th August 2024** during which representations may be made.

Following consultation, the Council will register and consider the comments received before submitting the draft Plan to the Secretary of State for Housing, Communities and Local Government.

The draft Plan addresses the accommodation needs of Wiltshire’s travelling communities to 2038 and updates Core Policy 47 ‘Meeting the needs of Gypsies and Travellers’ of the Wiltshire Core Strategy. The draft Plan contains policies that collectively make provision for the permanent and temporary accommodation needs of the travelling community. These include policies allocating new sites and existing sites for additional pitches and plots. The draft Plan also safeguards existing sites so that they can continue to meet on-site needs in the longer term.

The proposed submission documents include: the draft Plan, the draft Sustainability Appraisal report (incorporating requirements of the Environmental Assessment of Plans and Programmes Regulations 2004), the draft Habitat Regulations Assessment and a number of other supporting documents that form part of the evidence base for the draft Plan.

The period for submitting representations relating to the draft Plan begins **9am Tuesday 20th August 2024** and closes at **5pm on Friday 4th October 2024**. Representations received beyond this date may not be considered. A statement of the representations procedure (guidance note) explaining how to comment can be viewed alongside the proposed submission documents. Please note that copies of all comments (including your personal details) will be made available for the public to view, and therefore cannot be treated as confidential. Anonymous comments cannot be accepted.

The proposed submission documents can be viewed on the Council’s website at: www.wiltshire.gov.uk/planning-gypsy-travellers and during normal office hours at the Council’s main offices: Monkton Park (Chippenham), Bourne Hill (Salisbury) and County Hall (Trowbridge).

The following documents: the draft Plan; the draft Sustainability Appraisal Report (incorporating requirements of the Environmental Assessment of Plans and Programmes Regulations 2004); the draft Habitat Regulations Assessment, and various evidence base reports will be made available to view at the following libraries during normal opening hours: Amesbury, Bradford on Avon, Calne, Chippenham, Corsham, Devizes, Malmesbury, Marlborough, Melksham, Pewsey, Royal Wootton Bassett, Salisbury, Tidworth, Tisbury, Trowbridge, Warminster, and Westbury.

Electronic access to all submission documents will be available at all Wiltshire Council libraries.

Representations can be submitted via the following means:

- online via the Council's consultation portal accessible via this link: www.wiltshire.gov.uk/planning-gypsy-travellers
- by email using the form available at: www.wiltshire.gov.uk/planning-gypsy-travellers and returned to <mailto:strategicplanning@wiltshire.gov.uk>; or
- by post in writing to: Strategic Planning, Planning Directorate, Wiltshire Council, County Hall, Bythesea Road, Trowbridge, Wiltshire, BA14 8JN.

The form has an accompanying statement of the representations procedure (guidance note) to assist in its completion. Please use a separate form for each representation you wish to make.

Address details will not be made publicly available. All personal data will be handled in line with the council's Strategic Planning privacy policy. You can view the Council's privacy notice at <https://www.wiltshire.gov.uk/planning-privacy-notice>.

Any representation may be accompanied by a request to be notified at a specified address (email/postal) of any of the following: that the draft Plan has been submitted to the Secretary of State for independent examination; that the Inspector's Report (including any recommendations) into the draft Plan has been published; and that the draft Plan has been adopted.

There will be a general information live webinar on Tuesday 3rd September 2024 at 6:00pm to 7.30pm and five drop-in events held around the county where you can ask questions and gain further information about the consultation. More information on these events can be found at: www.wiltshire.gov.uk/planning-gypsy-travellers

If you require more information or would like to request copies of documents, please contact Strategic Planning via email (<mailto:strategicplanning@wiltshire.gov.uk>), phone (01225 713223) or post to Strategic Planning, Planning Directorate, Wiltshire Council, County Hall, Bythesea Road, Trowbridge, Wiltshire, BA14 8JN. Please note that there will be a fee for providing any documents requested.

Nic Thomas

Director of Planning

**EXTRACT FROM PLANNING COMMITTEE MINUTES OF
MONDAY, 26 FEBRUARY 2024**

437/23 Planning Policy

- i) **Semington Parish Neighbourhood Development Plan. To consider a response to the Regulation 14 consultation.**

POLICY 6: GREEN BLUE INFRASTRUCTURE AND NATURE RECOVERY (p26 & 27)

1. The Neighbourhood Plan identifies a Green and Blue Infrastructure (GBI) Network for the purpose of promoting nature protection and recovery as well as the necessary mitigation of climate change. The Network encompasses significant assets including Semington Brook and associated floodplain, the corridor of the Avon and Kennet Canal as shown on Map 8 together with the strong network of hedgerows and hedgerow trees.
2. Development proposals must maintain and improve the GBI of the parish in the design of their layouts and landscaping schemes, linking into and extending the Network where possible. This includes the retention of existing trees and hedgerows as an integral part of development proposals. This includes appropriate measures to secure their protection during any construction works. Development proposals that will lead to the extension of the Network will be supported.
3. Proposals that will lead to the loss of land lying within the Network and that will undermine its integrity or functionality will be resisted, unless suitable alternative provision can be provided.

The Clerk explained this policy included the Kennet & Avon Canal and brook corridor, which spilt over to Melksham Without and therefore suggested the parish council may wish to support this policy, on how sensitive development should be considered in these areas.

POLICY 7: PROTECTING SEMINGTON'S ACTIVELY RURAL LANDSCAPE (p28)

1. Development proposals outside the Semington settlement boundary that accords with local and national policies for development in the countryside, will be supported where proposals singly and cumulatively, maintain the actively rural landscape and a sensitive settlement edge. New development will, where appropriate, be expected to:
 - a. respect and respond to the landscape character

- sensitivities of the area as identified in the Semington Landscape and Visual Appraisal; and,
- b. maintain and enhance the overall green and blue infrastructure network; and,
 - c. maintain the rural setting of smaller settlements and of farmsteads outside Semington village.
2. The Neighbourhood Plan shows an area of high landscape sensitivity, as shown on Map 10. Development in this area will only be supported where it:
 - a. maintains the actively rural landscape, the generally open character of the countryside and a sensitive settlement edge;
 - b. minimises urbanising effects, artificial lighting and traffic movements;
 - c. retains important elements of the green and blue infrastructure network and the rural landscape such as the Kennet & Avon Canal, hedgerows and trees and views;
 - d. does not adversely impact the existing landscape and recreational value of the countryside;
 - e. demonstrates compliance with Habitats Regulations and Policy SEM 1.
 3. The nationally promoted and recognised route of the Kennet & Avon Canal, and its setting, is a key feature in this area of high landscape sensitivity and must be protected. Development proposals which include new buildings, structures and land uses that would undermine the rural, undeveloped nature of the setting to the Canal will not be permitted.
 4. The Neighbourhood Plan identifies 22 key views on Map 9. Proposals for development should take into account the key views, and should not cause undue harm to the natural or historic landscape features that contribute to their acknowledged value.
 5. Proposals must also demonstrate compliance with Habitats Regulations and Policy SEM

The Clerk highlighted this policy was similar to the draft Melksham Neighbourhood Plan (JMNP2) Green Wedge Policy. Evidence from their “sensitivity” study had been used, which covered their boundary up to the canal and Melksham Without’s boundary, therefore, it would be useful to support the policy and to comment that both Melksham’s and Semington’s neighbourhood plans/parishes were aware of what each other were doing in relation to their respective plans.

**POLICY 10: HOUSING ALLOCATION POLICY (p37 & 38)
Land to the west of Turnpike Close (the Auction Field) for approximately 40 dwellings to enable a local shop.**

1. Land to the west of Turnpike Close, (known locally as the Auction Field) as defined on Map 13, is allocated for the development of a village shop (use class F2(a)).
2. To enable the provision of the village shop, up to 40 dwellings will be supported on the site. The housing development should:
 - a. Meet local needs, as identified in the Semington Parish Housing Needs Survey (2021), the Swindon and Wiltshire SHMA 2017, and any subsequent updates, this should include at least 30% affordable homes;
 - b. Meet the requirements of the Semington Character and Design Statement in terms of the design, layout, form, heights and materials. The development should reflect the existing low-medium density character of the wider area; and
 - c. Not commence until the village shop is constructed and capable of occupation for its intended use.
3. The development proposal must be informed by robust and meaningful community engagement, in accordance with the Semington Pre-Application Engagement Protocol. The overall development of the site should be informed by the 12 considerations of Building for a Healthy Life and include the following:
 - a. High quality open space, including recreation areas;
 - b. Retention of trees and hedgerows with the provision of new areas of landscaping to provide an appropriate buffer from the A361 and existing development;
 - c. Pedestrian linkages through the site, particularly linking the existing housing to the north to the village shop;
 - d. Safe access for all, with vehicular access from the A361 and the provision of sufficient car and cycle parking which is appropriately sited within the development; and
 - e. At least a 10% net gain for biodiversity.
4. Compliance with Habitat Regulations through adherence to the TBMS (2020, or latest iteration) must be demonstrated through a project level Habitats Regulations Assessment with regards to potential impacts on the Bath and Bradford on Avon Special Area of Conservation as set out in policy SEM 1.

The Clerk explained it would be useful to support this policy, with perhaps some commentary that in the context of the Melksham area, that this is another proactive, plan led housing allocation to be supported, rather than having speculative development in the area

Resolved: To support the above policies in Semington's Development Plan.

Lorraine McRandle

Subject: FW: Semington Parish Neighbourhood Plan (2023 – 2038) Regulation 16 Consultation

From: Neighbourhood Planning <NeighbourhoodPlanning@wiltshire.gov.uk>
Sent: 07 August 2024 15:08
To: Neighbourhood Planning <NeighbourhoodPlanning@wiltshire.gov.uk>
Subject: Semington Parish Neighbourhood Plan (2023 – 2038) Regulation 16 Consultation

Dear Sir/Madam,

I am writing to inform you that Semington Parish Council have submitted the draft Semington Parish Neighbourhood Plan (2023 – 2038) to Wiltshire Council. Wiltshire Council will be coordinating a public consultation on this document between **Wednesday 7th August 2024 and Tuesday 24th September 2024**.

The draft Semington Parish Neighbourhood Plan (2023 – 2038) submission can be viewed and commented on from the [Wiltshire Council consultation portal](#).

Please be aware that documents viewed via the consultation portal may not be available to view with Internet Explorer. Please use an alternative internet web browser such as Google Chrome or Microsoft Edge.

Alternatively you can comment by completing an editable representation form downloaded from the supporting documents section of the consultation portal which can then be emailed to neighbourhoodplanning@wiltshire.gov.uk or posted to the address:

Neighbourhood Planning
Strategic Planning
County Hall
Bythesea Road
Trowbridge
Wiltshire
BA14 8JN

Please ensure that any comments on the Draft Neighbourhood Plan are received by Wiltshire Council **no later than 5pm on Tuesday 24th September 2024**.

Please be aware that all representations will be publicly available and may also appear on the Wiltshire Council website via the consultation portal.

Following this consultation, the comments received will be passed to an independent examiner, to be appointed by the council, who will consider the representations and recommend whether the Draft Neighbourhood Plan should be put to a community referendum.

If you have any questions please do not hesitate to contact Neighbourhood Planning on Tel: 01225 713698 or by email to neighbourhoodplanning@wiltshire.gov.uk.

Neighbourhood Planning
Strategic Planning

Wiltshire Council

Tel: 01225 713698
Email: neighbourhoodplanning@wiltshire.gov.uk
Web: www.wiltshire.gov.uk
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Teresa Strange

From: Teresa Strange
Sent: 20 August 2024 15:50
To: Howell, Samantha
Cc: Holder, Nick; Locum; jon.hubbard@wiltshire.gov.uk
Subject: FW: Footpath between Western Way and Burnet Close
Attachments: 10813-WCC-MBC-01.pdf; 10813-WCC-MBC-00.pdf; 20240110153922.pdf; WhatsApp Image 2024-01-11 at 07.55.52_c23eafb0.jpg; WhatsApp Image 2024-01-11 at 07.55.52_5a63c00f.jpg

Dear Sam

I hope that this email finds you well.....

I refer to the email trail below, and that Wiltshire Council are to provide a footpath connecting Western Way (in Melksham Without) to Burnet Close (in Melksham Town) using s106 funds to ask what progress there is on this, and seek an answer to the other question which is what the trigger for these sort of requests are – we are clear when it's the developer has to provide the work but not when its Wiltshire Council itself. The s106 funds have been with Wiltshire Council for over 4 years now, and the development occupied for some time.

A resident only asked me at the weekend if it would be ready for the return to school, and the winter weather, as was so muddy when wet.

An update would be very useful please,

Thankyou in advance,

Teresa

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

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Upcoming leave: From the 22nd to 27th August

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On twitter: @melkshamwithout

On Instagram: melkshamwithoutpc

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From: Teresa Strange
Sent: 31 July 2024 12:29
To: Holder, Nick <Nick.Holder@wiltshire.gov.uk>
Subject: FW: Footpath between Western Way and Burnet Close

Dear Nick

I am writing to you in your role as Cabinet Member for Highways to follow up on two things please.

1. What progress there is on the footpath between Western Way and Burnet Close? The latest news we had in March was that the best estimate would be next year? We note that the s106 funds were paid to Wiltshire Council in April 2020 for a planning application that was approved in 2017, and so Wiltshire Council have surely had plenty of time and funding to undertake the preliminary works by now? We are yet to see any pre-application by Wiltshire Council, although I am unsure if the parish council would be consulted at this stage, they are obviously keen to do. We did provide some feedback to the preliminary plans in March but have not heard anything since.
2. The wider question to Allan Creedy in January has still not be answered, which is for someone to please explain to the parish council what the triggers are for Wiltshire Council to undertake work that is in planning conditions/s106 agreements for highways. See question highlighted in the email below.

With many thanks for any assistance here,
With kind regards, Teresa

From: Teresa Strange
Sent: 04 March 2024 15:32
To: Nick.Holder@wiltshire.gov.uk; Hubbard, Jon <Jon.Hubbard@wiltshire.gov.uk>
Subject: FW: Footpath between Western Way and Burnet Close

Hi both
For your info.

I note that I have never had an answer from Allan Creedy on this, nor to the wider question as to what is the trigger for s106 works when they are to be done by Wiltshire Council themselves.
This feedback from Julie Cleave is because I raised it with her last week, and I only knew that Kingsley Hampton was doing the prelim work (after we raised it I think) because MWPC put it forward for the LWCIP consultation and he replied.)

Melksham Without PC can't understand why WC can't undertake the preliminary works, often desk based, before the need (ie Occupation) arises. The issue raised when we asked some years ago on the one to the rear of Melksham Oak was that they needed the funds, but in this case, the funds were received by WC some 4 years ago.
With kind regards, Teresa

Teresa Strange
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First Floor
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From: Cleave, Julie <Julie.Cleave@wiltshire.gov.uk>
Sent: 04 March 2024 15:20
To: Teresa Strange <clerk@melkshamwithout-pc.gov.uk>
Subject: RE: Footpath between Western Way and Burnet Close

Hi Teresa,

I have received the attached preliminary drawings from Kingsley showing the footpath link improvements, please note these drawings are provisional and have not yet been formally approved.

I have also received the following response:-

*In Terms of timescale – I cant really provide a definitive answer to this currently.
I have to submit for pre application first, probably need to raise a cycle track conversion order, planning application and then to engineering to put into their programme (Incl Atkins lighting).
With the current programme at capacity, I would estimate next year at best.*

Kind regards,

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

Wiltshire Council

Tel: 01225 713463
Email: Julie.Cleave@wiltshire.gov.uk
Web: www.wiltshire.gov.uk
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From: Teresa Strange <clerk@melkshamwithout-pc.gov.uk>
Sent: Friday, March 1, 2024 12:48 PM

To: Cleave, Julie <Julie.Cleave@wiltshire.gov.uk>
Subject: FW: Footpath between Western Way and Burnet Close

Hi Julie

I hope all is well....

Further to our conversation earlier in the week, please see below and attached. We have received no reply to this email.

In an attempt to get some movement on this project, I also submitted to the LCWIP consultation, and Kingsey Hampton replied to say:

Thank you for your submission, I will include it in LCWIP responses.

However, just make you aware, work has started on this scheme and I await preliminary ecology reports and drawings from our contractors.

Once received, I will submit a pre application planning enquiry.

All the best, Teresa

From: Teresa Strange
Sent: 11 January 2024 16:00
To: Creedy, Allan <allan.creedy@wiltshire.gov.uk>
Cc: samantha.howell@wiltshire.gov.uk; nick.botterill@wiltshire.gov.uk; Thomas, Caroline <Caroline.Thomas@wiltshire.gov.uk>; Nick.Holder@wiltshire.gov.uk; Hubbard, Jon <Jon.Hubbard@wiltshire.gov.uk>; Linda Roberts (linda.roberts@melksham-tc.gov.uk) <linda.roberts@melksham-tc.gov.uk>
Subject: Footpath between Western Way and Burnet Close

Dear Allan

The development that is known as Pathfinder Place, by Taylor Wimpey, at Bowerhill (land south of Western Way) in Melksham Without has been completed and occupied now (213 dwellings).

In the s106 (extract attached) is funding for improving the pedestrian and cycle access from Western Way to the town via Burnet Close. This is already a well trod route for residents, especially pupils accessing Melksham Oak school who are walking through the new development and using the new pedestrian crossing further down the A365 at Newall Road. In addition it avoids the circuitous route via the current road works on the main Spa Roundabout that have been taking many months, and are very overdue. The winter conditions are making it almost unusable at present, as its just a muddy track and not surfaced (see attached).

Can you please let us know when the upgrade to the footpath will be put in place, we are yet to see any plans for it (albeit the actual bit to be improved is in Melksham Town and not Melksham Without) or heard anything on it from your team. We note that the s106 funding was received by Wiltshire Council in April 2020, nearly 4 years ago and so members are keen to see this now put in place as the housing is now all occupied. (See below for confirmation of funding paid).

On a wider note, we also want to understand what triggers/mechanisms there are at Wiltshire Council for this to be put in place? Should we be requesting via LHFIG who draw down from the s106 funding, or is this something that your team routinely picks up? This is not the first "pedestrian and cycle improvements" that have been funded by s106 for the parish that we have struggled to get implemented, and only with the intervention and assistance of our Wiltshire Councillors. Perhaps you could explain the process so we know how to work with it?

We look forward to hearing from you.

Kind regards, Teresa

From: Evans, Debbie <Debbie.Evans@wiltshire.gov.uk>
Sent: 11 January 2024 15:40
To: Teresa Strange <clerk@melkshamwithout-pc.gov.uk>
Cc: Holder, Nick <Nick.Holder@wiltshire.gov.uk>; Hubbard, Jon <Jon.Hubbard@wiltshire.gov.uk>
Subject: RE: Footpath between Western Way and Burnet Close

Good afternoon Teresa,

Happy new year.

I can confirm the Pedestrian and Cycleway Improvement contribution has been received by Wiltshire Council. £133,538 was paid on 01/04/2020.

Kind Regards

Debbie Evans
S106 & Community Infrastructure Levy Monitoring Officer
Planning

Wiltshire Council

Tel: 01225 716766
Email: debbie.evans@wiltshire.gov.uk
Web: www.wiltshire.gov.uk
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From: Teresa Strange <clerk@melkshamwithout-pc.gov.uk>
Sent: Thursday, January 11, 2024 2:54 PM
To: Evans, Debbie <Debbie.Evans@wiltshire.gov.uk>
Cc: Holder, Nick <Nick.Holder@wiltshire.gov.uk>; Hubbard, Jon <Jon.Hubbard@wiltshire.gov.uk>
Subject: FW: Footpath between Western Way and Burnet Close

Hi Debbie

I hope that this email finds you well... and happy new year.

Can you please confirm that Wiltshire Council are in receipt of this s106 payment please, as attached and below – and the final amount as index linked.

With kind regards, Teresa

From: Teresa Strange
Sent: 10 January 2024 15:46
To: Nick.Holder@wiltshire.gov.uk; Hubbard, Jon <Jon.Hubbard@wiltshire.gov.uk>
Subject: Footpath between Western Way and Burnet Close

Hi Nick and Jon

Further to our conversation earlier Nick, please find extract of the s106 agreement for the Pathfinder Place development – the whole document will be stored online with the original planning application 16/01123.

See the green highlighted bits....

To my reading, there was a sum of £124,000 payable to Wiltshire Council *“for pedestrian and cycle improvements between the new toucan crossing on Western Way and the Windsor Avenue/Burnet Close area”*.

And this was payable to Wiltshire Council before commencement of development.

Its also index liked so higher than £124k.

Hope it helps!

Kind regards, Teresa

Teresa Strange
Clerk & Responsible Financial Officer
Melksham Without Parish Council
First Floor
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Market Place, Melksham
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Teresa Strange

From: Teresa Strange
Sent: 20 August 2024 16:17
To: Locum; Committee Clerk
Cc: Lorraine McRandle
Subject: FW: Bloor Homes - New Road Farm consultation

Hi Tracy and Andrew

I need to arrange a date for a pre app meeting with Bloor Homes for the New Road Farm planning application for some 200+ dwellings (this is a Local Plan allocation site). Unfortunately no one from the Town Council was able to come to the last meeting.

Please can you let me have availability for Tracy and your council rep for

w/c 2nd Sept – understand Tracy on leave

w/c 9th Sept

w/c 16th Sept

This is envisaged to be during working hours and a closed meeting, reported to the respective planning committees so in the public domain.

On a similar note, as you will be aware our agreed protocol is to hold pre app meetings with developers and the host is the council whose parish the development is in, and then invite an officer and councillor rep from the other council. I note on your planning agenda that you are having a presentation by the developers from Upside – is that something you are reciprocating by inviting reps from Melksham Without? And a note of caution that it was a site put forward as a NHP site allocation and so any response to be consistent with that of the NHP?

Many thanks, Teresa

From: Teresa Strange
Sent: 20 August 2024 16:03
To: Tristan Harris <Tristan.Harris@jbp.co.uk>
Cc: Matthew Roberts <matthew.roberts@jbp.co.uk>; Lorraine McRandle <office@melkshamwithout-pc.gov.uk>
Subject: RE: Bloor Homes - New Road Farm consultation

Hi Tristan

Sorry for late reply, just catching up on correspondence as on holiday last week.

I will talk to the town council about a mutual date and come back to you.

Regarding the campus, I will forward you the email to Matthew previously with this detailed.

Kind regards, Teresa

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

Wellbeing Statement I may send emails outside office hours but never with any expectation of response. Please just get back to me when you can within your own working hours. Thank you.

Upcoming leave: From the 22nd to 27th August

Want to keep in touch?

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

On twitter: [@melkshamwithout](#)

On Instagram: [melkshamwithoutpc](#)

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From: Tristan Harris <Tristan.Harris@jbp.co.uk>

Sent: 20 August 2024 08:59

To: Matthew Roberts <matthew.roberts@jbp.co.uk>; Teresa Strange <clerk@melkshamwithout-pc.gov.uk>

Subject: Re: Bloor Homes - New Road Farm consultation

Hi Teresa,

My colleague Matthew is on leave so just following up to check whether there is a suitable date in September with the Town and without Parish Councils. Would be useful to have them in the same room for our consultation.

Would you also be able to help with obtaining a room at the campus for a consultation drop in event? We are looking at anything either on w/c 16th September or w/c 23rd September.

Thanks,

Tristan

Senior Account Manager at JBP



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From: Matthew Roberts <matthew.roberts@jbp.co.uk>
Sent: 13 August 2024 11:48
To: Teresa Strange <clerk@melkshamwithout-pc.gov.uk>
Cc: Tristan Harris <Tristan.Harris@jbp.co.uk>
Subject: Bloor Homes - New Road Farm consultation

Hi Teresa,

Hope you're well. Just getting in touch as in September we'll be holding a public consultation for the plans and we'd also like to come and meet with the Town and without Parish Councils too. It would be great to get everyone in the same room at the same time although I appreciate that might not be possible. Are there any dates in the coming weeks or September that spring to mind that might be suitable?

Also, I was thinking of the campus for the consultation drop-in, nothing fancy, just an area that we could have a couple of tables with some plans on them and speak to people. Is that something you can help with or is there someone else?

Kind regards,
Matthew

Matthew Roberts
Account Director
M: 07484 792685



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