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## MELKSHAM WITHOUT PARISH COUNCIL

Clerk: Mrs Teresa Strange

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Wednesday 12<sup>th</sup> March 2025

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), Mark Harris, Peter Richardson and Martin Franks

You are summoned to attend the Planning Committee Meeting which will be held on **Monday 17<sup>th</sup> March 2025 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.**

<https://us02web.zoom.us/j/2791815985?pwd=Y2x5T25DRlVWVU54UW1YWWE4NkNrZz09&omn=84307192304>

Or go to [www.zoom.us](http://www.zoom.us) or Phone 0131 4601196 and enter: **Meeting ID: 279 181 5985**  
**Passcode: 070920.** Instructions on how to access Zoom are on the parish council website [www.melkshamwithout-pc.gov.uk](http://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



Serving rural communities around Melksham

## AGENDA

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

*Under the Public Bodies (Admission to Meetings) Act 1960, the public and representatives of the press and broadcast media be excluded from the meeting during consideration of 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:**
  - a) **[PL/2025/01259](#): Land at Norrington Lane, Shaw, Melksham, Wiltshire:** The Erection of an Equestrian Stabling Barn, the Erection of an Outdoor Riding Arena (Manège), the Siting of a Muck Heap Trailer, the Installation of an Access Track, and the Change of Use of the Land to Equestrian for Private Use. Applicant: J Bollen  
**Comments by: 18<sup>th</sup> March 2025.**
  - b) **[PL/2025/01290](#): 71B School Lane, Shaw, Melksham, SN12 8EJ:** Single storey side extension to provide a double garage, wc and office with room in loft. Applicant: Mr P Bennett. **Comments by: 18<sup>th</sup> March 2025.**
  - c) **[PL/2025/01653](#): 40 Locking Close, Bowerhill, Melksham, SN12 6XR:** Proposed Single Storey Side Extension. Applicant: Mr Runnacles. **Comments by: 19<sup>th</sup> March 2025.**
  - d) **[PL/2025/01044](#): 1 Wellesley Close, Bowerhill, Melksham, Wilts, SN12 6XT:** Two storey side extension. Applicant: Mr & Mrs Joseph & Emily Guest. **Comments by 27<sup>th</sup> March 2025.**
  - e) **[PL/2025/02015](#): THE WILLOWS, LOWER WOODROW, FOREST, MELKSHAM, SN12 7RB:** Construction of a new garage and home office and associated change of use of paddock land to residential curtilage. Applicant: Mr & Mrs Fletcher.  
**Comments by: 3<sup>rd</sup> April 2025.**

7. **Amended Plans/Additional Information:** To comment on any revised/amended plans/additional information on planning applications received within the required timeframe (14 days).
- a) **PL/2024/07097: Land south of Snarlton Farm, Snarlton Lane, Melksham, SN12 7QP:** 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 on and 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.
- ADDITIONAL INFORMATION** – new Design & Access Statement Addendum – A Guide for Placemaking **Comments by: 21<sup>st</sup> March 2025.**
8. **Current planning applications:** Standing item for issues/queries arising during period of applications awaiting decision.
- a) **PL/2024/10674: Land off Woodrow Road, Woodrow Road, Melksham, SN12 7AY** Outline application with all matters reserved except for access for the development of up to 70 dwellings, open space, ecological enhancements, play space, associated infrastructure (including drainage structures and works to the public highway), access, parking, servicing and landscaping. Applicant: Waddeton Park Ltd  
**New comments from Waste Officer particularly regarding swept path analysis**
- b) **PL/2024/10345: Land north of the A3102, Melksham (New Road Farm)** The construction of 295 homes; public open space, including formal play space and allotments; sustainable drainage systems; and associated infrastructure; with 0.4ha of land safeguarded for a nursery. The principal point of access is to be provided from a new northern arm on the existing Eastern Way/A3102 roundabout junction, with a secondary access onto the A3102. Additional access points are proposed for pedestrians and cyclists. Applicant: Bloor Homes South West  
**New comments from Ecology and Urban Design Officers**
- c) **PL/2024/09725 Land off Corsham Road, Whitley, Melksham** Outline planning application (with access, layout and landscaping to be approved) for up to 22 dwellings, new access off Corsham Road, public open space, drainage and associated works.  
**New Interim Ecological Assessment**  
**To consider correspondence from Neighbourhood Plan consultants on this application.**
- d) **PL/2025/00626: Land North of Berryfield Lane, Melksham, SN12 6DT:** Outline planning application for up to 68 dwellings and formation of new access and associated works (All matters reserved other than access).  
**See in particular new comments from Public Protection, Wilts & Berks Canal Trust, Landscape officer, Drainage team, Highways Officer.**  
**To note application has been called in.**

- e) **[PL/2024/11426](#): Land to the South of A365 Bath Road and West of Turnpike Garage, Melksham, Wilts:** Construction of warehouse with office space, parking and associated landscaping including site access.
- f) **[PL/2024/11665](#): Land at Semington Road, Melksham, SN12 6DP:** (Rear of Townsend Farm Phase 2) Application for reserved matters pursuant to application ref: PL/2022/08155 for appearance, scale, layout and landscaping. Applicant: Living Space Housing.  
**New comments from Urban Design, Highways, Public Protection**

9. **Lime Down Solar** To note CAWS (Community Action: Whitley & Shaw) response to stage 2 of the Statutory Consultation and to consider the parish council's response. **Deadline for Comments: 19<sup>th</sup> March 2025**

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

a) **Westlands Lane, Beanacre:** To note action taken on the following issues raised by residents, including noise vibration, displaced wildlife, mud and gravel on the road, rubbish accumulating, degradation of road surface and lorries ignoring construction management plans and using the route to sites via the A350 and weight limit bridge

b) **Berryfield Lane, Berryfield:** To receive update on current enforcement action

11. **Planning Policy:**

a) **Joint Melksham Neighbourhood Plan:**

i) To approve response as a Qualifying Body following queries raised by the Examiner.

ii) To note cessation of funding by Melksham Town Council for this joint project and consider way forward for outstanding payments and commissioned work.

iii) To note draft Minutes of last Steering Group meeting 29<sup>th</sup> January 24.

b) **Neighbouring Neighbourhood Plans:** To note following the positive referendum result on 27<sup>th</sup> February that Wiltshire Council have decided to formally 'make' the Semington Parish Neighbourhood Plan. <https://www.wiltshire.gov.uk/planning-neighbourhood-made-plans>

c) **Wiltshire Council's Draft Local Plan Examination:** To note the Inspectors' Initial Questions and dedicated website page for further updates  
<https://www.localplanservices.co.uk/wiltshirelpexamination>

- d) To consider submitting comments to Wiltshire Council's survey on what should be included in their Local Validation Checklist (**Comments by 21<sup>st</sup> April**).  
<https://www.wiltshire.gov.uk/planning-validation-checklist-consultation>
- e) To note update from Clerk who attended the **Wiltshire Council Planning Forum** for town and parish councils on Weds 5<sup>th</sup> March, and raised questions on engagement with parish councils on s106 agreements and decisions to defend appeals.
- f) To note launch of **Government's new Planning & Infrastructure Bill** and consider implications at parish level. <https://www.gov.uk/government/publications/the-planning-and-infrastructure-bill/guide-to-the-planning-and-infrastructure-bill#what-does-the-bill-do>

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

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

- i) **Land at Blackmore Farm, Sandridge Common, Melksham, SN12 7QS**  
**[PL/2023/11188](#)**: Demolition of agricultural buildings and development of up to 500 dwellings, up to 5,000 square metres of employment, land for a primary school, land for mixed use hub, open space. Applicant: Tor & Co for Gleasons
  - **To consider any queries arising from ongoing negotiations and approve way forward**
- ii) **Pathfinder Place:**
  - To note any update on outstanding issues and consider way forward.
  - To note update regarding transfer of Play Area
- iii) **Buckley Gardens, Semington Road (PL/2022/02749: 144 dwellings)**
  - 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) **To note any S106 decisions made under delegated powers**

### **b) Contact with developers:**

Copy to all Councillors



## **CAWS BESS Working Group Update March 2025**

### **Introduction**

With the LDS Statutory Consultation coming to an end on 19 March 2025, it seems like a good time to provide our next update. In this update, we share our take on the consultation event at Shaw School, Wiltshire Council's decision not to support the scheme, and how we are framing the Working Group submission.

### **Shaw School Consultation Event 26 February 2025**

The event was very well attended. The Lime Down Solar (LDS) team were much better informed than at last year's event. Information on the boards was limited and the team were not broadcasting information, but they were responding to questions with a much better grasp of the issues and local concerns. The utility of the event was, of course, constrained by the fact that the cable route within the search corridors is still to be defined.

LDS agreed to answer all our questions (taken from the list we published in last February 2025 via WhatsApp), and their answers arrived last week. They are helpful, but more information is required to make proper sense of what is proposed. We are addressing this gap in our consultation response (see below).

Thank you to everyone who attended.

### **Wiltshire Council's Cabinet strongly oppose the proposed Lime Down Solar Park scheme**

The cabinet of Wiltshire Council (WC) decided in a meeting held on 4 March 2025 that they will be strongly opposing the scheme. They cited concerns about potential environmental damage, the use of Best and Most Versatile (BMV) agricultural land, disruption to local communities and the potential industrialisation of the countryside. They were also concerned about its ecological and biodiversity impacts and the lack of information regarding the cabling. This is a helpful intervention for those Wiltshire residents north of the M4 who will be most impacted by the scheme.

As Lime Down Solar Park has been designated as a Nationally Significant Infrastructure Project (NSIP), WC will not make the final decision. This will be made by the Secretary of State. The Planning Inspector will take cognisance of the WC consultation submission in reaching a recommendation for the Secretary of State, but it remains to be seen how much weight this will be given in the final decision making process.

### **CAWS Consultation Response**

The CAWS submission is maturing. Now that Whitley has been deselected for the BESS, our primary focus, as previously advised, is to ensure that the cable works are appropriately engineered, are safe, and also to minimise the disruption to residents during and after the installation of the cables.

Again, as stated previously, we are taking the opportunity to place information regarding the deselection of the Whitley Sites firmly in the public domain and in front of the Planning Inspectorate in order to help de-risk any future speculative developments in this general area.

The key themes of the CAWS response will be as follows:

- **Whitley BESS Site Deselection.** We concur with the developer's decision to deselect Whitley as a site to host a BESS, especially with regards to matters associated with topography, landscape, proximity to residential property, access, drainage, and noise.
- **Deselection of Potential Development Area No 5 (PDA 5): Whitley.** We concur with the developer's decision to discount this site for the overall scheme for similar reasons.
- **Additional Round of Public Consultation.** As a final decision on the cable route inside the identified Cable Search Corridors has not yet been made, there should be a further round of public consultation once a proposal for the final cable route is made.
- **Strategic Planning.** The relationship between the proposal and local development plans, such as the Neighbourhood Plan and Local Plan, is unclear and should be clarified.
- **Emerging Cable Route.** The cable route is currently most likely to approach Whitley and the Melksham Substation through the "Southwest Corridor". The developer should avoid Octavian, the reservoir and disused underground workings on Goodes Hill, the Roman Road and Wansdyke, other heritage assets especially along Top Lane and nearby, and private gardens.
- **Alternative Cable Routes.** The developer should consider installing cables along the A350 during upcoming dualling roadworks, and approaching Melksham Substation from the north and to the west of Daniels Wood.
- **Engineering Design.** Consultation documents, the DCO application and all relevant management plans should set out proposals and the rationale for cable trench depth, joint bays, cable sealing ends, temporary construction compounds, haul roads, maintenance and operation, cable life, hard surface permeability, water flow paths, the impact of trenching, trees, Electromagnetic Field Assessment (EFA), Biodiversity Net Gain (BNG) and reinstatement.
- **Hydrology.** The developer's flood risk assessments are unclear, and in any event do not reflect local knowledge, recent data published by the Environment Agency, and the Special Protection Zone 2 north of Top Lane.
- **Ecology and Biodiversity.** Ecology and biodiversity surveys do not appear to have been conducted in the cable search corridors. These should be available in an additional round of consultation and include reference to BNG.
- **Heritage.** The developer should provide a copy of its Heritage Survey/Report for land north of Top Lane (the previous BESS site). Cable works on land expected to include, or be near to, heritage/archaeological assets should be supervised by a suitably qualified and experienced expert.
- **Plans.** The developer should provide a Construction/Installation Management Plan, a Traffic Management Plan, an Operation and Management Plan and a Decommissioning Plan. Amongst other things, these plans should enforce working hours between 08:30 and 16:30, Monday to Friday, require works to be screened, and take all reasonable steps to minimise noise. The developer should assess the cumulative impact of all the other projects proposed for the area and set out proposed mitigations. The community should be kept updated throughout the life of the scheme.
- **Community Benefits.** Community benefits should be provided for flood alleviation, renewable energy for community buildings, discounted renewable equipment and installation for residential property, and community engagement.



Wherever possible CAWS will propose mitigations for any identified issue.

### **Individual Submissions**

Residents are encouraged to make their own individual submissions. You can provide feedback:

- online using the developers feedback form [click here](#)
- by email sent to [info@limesdownsolar.co.uk](mailto:info@limesdownsolar.co.uk)
- by post to FREEPOST Lime Down Solar

CAWS recommends email as the best approach. Please copy CAWS if you respond by email so that we can keep a central record of all the submissions and have evidence that they have been submitted. The CAWS email address is [whitley.and.shaw@gmail.com](mailto:whitley.and.shaw@gmail.com).

### **Next Steps**

We are expecting a lull in local activity after 19 March 2025 while the developer assesses all the consultation responses.

LDS have stated that they are not necessarily against an additional round of consultation once the cable route is defined and so we will keep an eye on this over the next few months. In the meantime, the only formally published next step is the Development Consent Order Application which the developer still expects to submit in Quarter 4, 2025.

We will maintain our contact with the developer, WC, local parish councils et al. over the next few months, albeit that we expect our contact levels to reduce.

### **And Finally...**

- If you think we should be doing something that we are not currently focussed on, please do tell us. If you are able to help with that issue or are able to put us in touch with people who can, please tell us that too.
- If you have any new questions for the developer, please let us know. We are keen to compile an ongoing and full list of questions regardless of the status of consultation.
- Keep an eye out for any activity around the villages that might suggest where the cable might actually be going.

## **Teresa Strange**

---

**From:** Teresa Strange  
**Sent:** 10 March 2025 15:07  
**To:** Rivans, Natalie; Flower, Kerry  
**Subject:** RE: New enforcement complaint - ignoring Construction Traffic Management Plan - Melksham East Storage Ltd & Melksham West Storage Ltd  
**Attachments:** National Grid Melksham Resident Letter 21 02 25.pdf; RE: National Grid Melksham works; RE: Noise Complaint - Whitley; RE: HGV traffic through Beanacre

Hi Kerry and Natalie

I have had 2 complaints of HGVs using the wrong route and over the weight limit bridge, today and end of last week. Both attached, I have asked them both to take photos and fill in monitoring forms.

I have had a complaint about the state of the highways, and that displaced wildlife – deer – are moving from one field to another and then darting across the road, which residents say are dangerous.

I am ignoring the complaints that they cannot walk in the fields as there have been no changes to Rights of Way that I am aware of, and have let the residents know that they are trespassing and shouldn't have been using those fields for dogwalking anyway.

I have been copied into the complaints of a Corsham Road resident of noise and vibration -which has gone to public protection.

All the emails are attached, there are currently 3 different schemes going on down there, some are planning applications and National Grid say theirs is under permitted development. All detailed on the attached.

I am not aware who is doing what and so have asked the residents for photos of vehicles that are ignoring the weight limit bridge, and reg numbers and company names on the vehicles.

Re the state of the road, Stuart Renfrew highway engineer was there last week and said it was a mess, and that cars were ignoring the 20mph TTRO currently in place.

Any enforcement and highways help would be useful please!

I have also let Network Rail know as its their asset, the railway bridge, that the traffic is going over.

I have NOT contacted the police, please let me know if that is for me to do, or whether you will be doing, thanks!

With kind regards, Teresa

Teresa Strange  
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**From:** Rivans, Natalie <Natalie.Rivans@wiltshire.gov.uk>

**Sent:** 20 January 2025 12:26

**To:** Flower, Kerry <Kerry.Flower@wiltshire.gov.uk>

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

**Subject:** RE: New enforcement complaint - ignoring Construction Traffic Management Plan - Melksham East Storage Ltd & Melksham West Storage Ltd

Hi Kerry

The complaint is the HGVs vehicles using the bridge. I have gone to the owner of the site who has confirmed neither of the HGVs are ones attached to his site and suggests It's worth noting that National Grid had transformer deliveries to the Melksham substation towards the end of last year, so these could potentially be theirs.

In any case, I have asked that evidence is collated via photos and monitoring sheets so we can ascertain more. Once I have this, I will let you know. For now, as the incidents do not appear to be happening regularly.

I have also asked the police are made aware as potentially this is a criminal offence. If this does continue perhaps a TTO can be explored, but appreciate substantial evidence is likely needed in the first instance.

Thanks

**Natalie Rivans**

Planning Enforcement Officer

Planning Enforcement Team

**Wiltshire Council**

External Tel: 01225 770502

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Website: [www.wiltshire.gov.uk](http://www.wiltshire.gov.uk)

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## Teresa Strange

---

**From:** Teresa Strange  
**Sent:** 11 March 2025 15:50  
**To:** Rivans, Natalie; 'Flower, Kerry'  
**Cc:** Alford, Phil (Phil.Alford@wiltshire.gov.uk); Peter Richardson  
**Subject:** PHOTO EVIDENCE - National Grid Melksham works, Westlands Lane, Beanacre, Melksham Without  
**Attachments:** 20250311\_123925.jpg; 20250311\_123931.jpg; 20250311\_123928.jpg; 20250311\_123938.jpg; 20250311\_123941.jpg; 20250311\_123930.jpg; 20250311\_123949.jpg; 20250311\_144552.jpg; 20250311\_144852.jpg; 20250311\_123933.jpg; 20250311\_123936.jpg; 20250311\_144651.jpg; WhatsApp Image 2025-03-11 at 15.09.17\_bf809c7c.jpg; WhatsApp Image 2025-03-11 at 15.09.18\_36d59dca.jpg; WhatsApp Image 2025-03-11 at 15.09.08\_5703a8a9.jpg; WhatsApp Image 2025-03-11 at 15.25.55\_ce88cbf4.jpg; WhatsApp Image 2025-03-11 at 15.44.36\_e33270f4.jpg

Dear Natalie and Kerry

Further to our recent email correspondence, please see the attached.

1. Photos of a gravel lorry accessing the Morrisons Energy site via the bridge at lunchtime today.
2. Photos of the load accessing Westlands Lane from the A350 and met a school bus and had to stop and reverse all the way back out onto the A350 – causing the traffic on the A350 to be halted whilst it reversed out the junction.
3. Photos of a lorry (GTI logo) using the weight limit bridge and then accessing site. The driver said he had been instructed by his Transport Manager to access from the east.
4. Lorries passing on Westlands Lane that are ruining the verges as too narrow where they are passing.
5. Road degrading already.
6. Rubbish build up in gateway.

Residents are struggling to keep up with the monitoring sheets but are filling them in.

They seem to think that it's the National Grid/Morrisons Energy work.

**I am happy to contact them direct, but didn't want to interfere with your work, but let me know if it's helpful for me to do so.**

**Can you also confirm you are in receipt please as I know you struggle to receive photos. Thankyou**

Hope it helps,

Kind regards,

Teresa

Teresa Strange  
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21 February 2025

Dear resident

**Essential work to upgrade our Melksham substation**

We're writing to let you know about work we need to do to upgrade our Melksham substation.

This is so we can safely connect new sources of low carbon energy generation and energy storage to our network, whilst also maintaining secure electricity supplies for homes and businesses in the local area and beyond.

We're starting work from 24 February to create a safe working area and install worker welfare facilities. Works to build the extension will then take place during 2025 and 2026.

**These works will have no impact on power supplies to you or the local area.**

We are carrying out most of this work under permitted development on National Grid owned land, which means we do not require planning permission. However, we must meet environmental licences as we carry out our activity, and we'll make sure all our work is done carefully and considerately.

We are working with Morrison Energy Services to deliver this project. This means you may see their vehicles and equipment in the area and at our substation. They will be following agreed suitable routes to minimise disruption in the local area. They are acting on behalf of National Grid and we are responsible for the work, so please contact us directly if you have any questions about this project.

**Please find some Frequently Asked Questions enclosed, with more details about our work.**

We will write to you again soon with details of our dedicated project email address and website. In the meantime, if you have any further questions you can contact National Grid Community Relations at [communityrelations@nationalgrid.com](mailto:communityrelations@nationalgrid.com). You can also call the project for free on 0800 138 5541 and leave a message.

We will keep you updated as the project progresses.

Yours faithfully



Mark Fox

External Affairs Advisor

National Grid

## Melksham substation upgrade

### Frequently asked questions

#### What is National Grid's role?

We don't generate electricity ourselves. We own and maintain the high voltage network in England and Wales. It consists of over 7,000 kilometres (km) of overhead line, 22,000 pylons, over 700 km of underground cable and 300 substations.

We transport large amounts of electricity at high voltage from where it's generated to areas where it is needed. The local network operator then delivers it at lower voltages to individual homes and businesses. As a business regulated by Ofgem, we have a legal obligation to connect new sources of energy generation to our transmission network when requested.

#### What will your work involve?

This work will install what is known as a supergrid transformer, as part of an innovative approach called a 'grid park'. It enables us to connect multiple generation sources to the network at the same point, saving time and money all of which bring benefits to energy users locally and nationally.

The design is efficient and cost-effective, reducing the overall work we need to do. Longer term, it also has the potential to help speed up low carbon power connections to the transmission network.

The work will create a new small compound of (750m<sup>2</sup>), next to the existing substation's northern boundary and south of Westlands Lane.

While doing our work, we'll aim to minimise disruption to people locally and the environment by using considerate construction methods. We will, for instance, regularly monitor noise to ensure it is kept to a minimum.

#### How will you manage traffic and road safety?

Vehicles will bring people and materials to site and take away spoil. We have developed a detailed traffic management plan to carefully control our vehicle movements locally.

This dictates that all our vehicles should arrive and leave along Westlands Lane to the west via the B3353, avoiding Beanacre and the railway bridge. Vehicle movements will also be restricted to between 8:30 am and 4:30 pm Monday to Friday.

We have applied for a Temporary Traffic Restriction Order (TRRO) on the full length of Westlands Lane to reduce the speed limit to 20 mph. This will help keep residents and other road users safe, and ensure our vehicles can safely enter and exit the site.

To provide permanent access to the new substation area, we will need to widen the bellmouth of the gated entrance next to the existing National Grid site entrance on Westlands Lane. We are applying for planning permission for this and anticipate that, if granted, this will take place in late 2025.

### **Will wildlife be affected by this work?**

We have carried out ecological surveys to understand what we need to do to protect local flora and fauna. We'll ensure any vegetation clearance is kept to an absolute minimum. All this work will be carried out under the supervision of a licenced ecologist.

We are also committed to replacing any of the natural environment that we effect on our own land with an additional 10% improvement, as measured by Defra.

### **Is this related to other National Grid work at the Melksham substation?**

There are several National Grid projects planning to carry out work in and around Melksham substation in the coming years, as part of the biggest upgrade of the national transmission network in a generation. We're working closely with them to co-ordinate our work.

We are currently upgrading a section of our existing overhead line that runs between our substations at Melksham and Bramley in Hampshire. This work near to, and into, our Melksham substation is planned to take place between June and November this year. The project team will contact any residents that may potentially be impacted by this activity with more details nearer the time.

In the meantime, if you have any questions about this work, you can visit the project website at: [www.nationalgrid.com/bramley-melksham](http://www.nationalgrid.com/bramley-melksham) or contact the team directly at [Bramley-Melksham@nationalgrid.com](mailto:Bramley-Melksham@nationalgrid.com) for more details.

Separately, National Grid has submitted a planning application to Wiltshire Council for an extension to the west of the existing substation site for the installation of a new shunt reactor. A shunt reactor helps efficiently manage and regulate the complex movement of reactive power and voltage levels on the network. It is currently expected that this work will take place towards the end of 2026 or early 2027. We will keep you updated as these proposals progress.

### **How can people stay up to date with what you are doing?**

We'll make sure to keep people up-to-date as we progress our project, through letters such as this. We are also creating a dedicated website page where you'll be able to find the very latest information as our work progresses. We'll share the website address when it goes live, along with a dedicated project email address.

We will also keep important organisations and groups up to date as well, including Melksham Without Parish Council.

If you have any immediate queries, please contact the National Grid Community Relations team at [communityrelations@nationalgrid.com](mailto:communityrelations@nationalgrid.com). Alternatively, you can call the project for free on 0800 138 5541 and leave a message, and one of the team will get back to you as soon as possible between 9am and 5:30pm Monday to Friday.



## Teresa Strange

---

**From:** Teresa Strange  
**Sent:** 10 March 2025 14:33  
**To:** Environmental Health  
**Cc:** [REDACTED]  
**Subject:** RE: Noise Complaint - Whitley  
**Attachments:** National Grid Melksham Resident Letter 21 02 25.pdf

Hi Sara

I think that this is one of these things currently going on – or even the cumulative effect of them?

1. Melksham West Storage Ltd: 17/04116 with discharge of conditions on 2022/02615 and variation on PL/2024/01377 for additional units – this is a BESS (Battery Energy Storage System) - I think additional units being delivered and installed now, the original installation caused this resident in particular issues due to noise and vibration, Peter Nobes dealt with, although I know he has moved to cover a different area now – this BESS is behind the National Grid sub station
2. Melksham East Storage Ltd : 17/04110 with discharge of condition on 2022/02614 and variation on PL/2024/01378 for additional units – this is a BESS – as above
3. National Grid works at the substation – see attached letter - this is what has the TTRO for 20mph on Westlands Lane.
4. I understand from the description of the fields that are being worked in, that work has commenced on this solar farm, known as Wick Farm - I am contacting the owners to establish. 20/06840/FUL

Land North of Melksham Substation, Near Melksham, Wiltshire Construction of a solar farm and battery storage facility together with all associated works, equipment and necessary infrastructure.

**For info:** I will also be contacting Natalie Rivans in Planning Enforcement as WC Highways as we have lorries ignoring the weight limit bridge, and CEMP for the applications, but don't know which development is doing that – I have sent monitoring forms and asked residents to record and take photos if possible.

**For more info:** There is a planning application for a new shunt reactor to go into the National Grid sub station but I don't think its that, as I have just double checked and its not yet had a decision. There are also plans to refurbish the overhead power lines by Balfour Beatty and so a lot of work on the pylons, and at that substation – I have contacts and planning application numbers for those, but really do think that they have not started yet, but just mentioning so you are all aware of the picture down there.

Hope that helps!

All the best, Teresa

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

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---

**From:** Teresa Strange  
**Sent:** 10 March 2025 11:49  
**To:** Environmental Health <publicprotectionwest [REDACTED]>  
[REDACTED]  
**Subject:** RE: Noise Complaint - Whitley

Hi Sara

I am just out of the office, but when I am back in a couple of hours I can give you some planning application numbers, there are several sites working down there at present, including a National Grid upgrade of which I have contact details.

Kind regards, Teresa

Teresa Strange  
Clerk & Responsible Financial Officer  
Melksham Without Parish Council  
First Floor  
Melksham Community Campus  
Market Place, Melksham  
Wiltshire, SN12 6ES  
01225 705700

[www.melkshamwithout-pc.gov.uk](http://www.melkshamwithout-pc.gov.uk)

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**From:** [REDACTED]  
**Sent:** 10 March 2025 11:42  
**To:** Environmental Health <[publicprotectionwest@wiltshire.gov.uk](mailto:publicprotectionwest@wiltshire.gov.uk)>  
**Cc:** Teresa Strange <[clerk@melkshamwithout-pc.gov.uk](mailto:clerk@melkshamwithout-pc.gov.uk)>  
**Subject:** Re: Noise Complaint - Whitley

Hi Sara

Address [REDACTED] Corsham Road, Whitley  
Phone [REDACTED]

Noise is coming from Beanacre, substation direction, we are on top of hill at Whitley.  
Experiencing noise for number of weeks already. Some mornings been starting around 0630 with machinery/vehicles running and beeping and then all day long.

Regards  
[REDACTED]

On Mon, 10 Mar 2025 at 11:36, Environmental Health <[publicprotectionwest@wiltshire.gov.uk](mailto:publicprotectionwest@wiltshire.gov.uk)> wrote:

Good morning

Thank you for your email

Please provide your full address and a phone number.

Also, please can you provide a location for the noise?

When I have this information, I can pass the complaint to an officer to investigate

Kind regards

**Sara Gee**

**Technical Support Officer**

**Pollution and Pest Control**

**Public Protection**

**Environment**



**Wiltshire Council**

0300 456 0107

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**From:** [REDACTED]  
**Sent:** 10 March 2025 09:19  
**To:** Environmental Health <[publicprotectionwest@wiltshire.gov.uk](mailto:publicprotectionwest@wiltshire.gov.uk)>  
**Cc:** Teresa Strange <[clerk@melkshamwithout-pc.gov.uk](mailto:clerk@melkshamwithout-pc.gov.uk)>  
**Subject:** Noise Complaint - Whitley

Morning

The noise from the construction between Whitley and Beanacre is horrific this morning. My head is pounding already due to the noise and humming vibration being caused by machinery which was noticeable due to headache caused from about 0830.

This is pretty unbearable disturbance in our own home here in Whitley. I dont have windows open. The noise is vibrating our house.

Please can someone visit the site to see what can be done to reduce the noise and vibration which is causing a disturbance. And is relentless!

Last week there was machinery being started before 0700.

Regards

[REDACTED]

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**Date: Wednesday 29<sup>th</sup> January 2025**

**Start: 6.30pm**

**Present:**

**Steering Group Members Present**

Councillor David Pafford Chair (MWPC)

Councillor Graham Ellis (MTC)

Councillor Pat Aves (MTC)

Councillor Alan Baines, substitute for Councillor John Glover

Mark Blackham (Bowerhill Residents Action Group)

John Hamley (MTUG)

Shirley McCarthy (Environment)

Chris Holden (Melksham Community Area Partnership)

**Officers**

Teresa Strange (MWPC)

Andrew Meacham (MTC)

**Task Group Members**

Councillor Mark Harris

**Planning Consultants**

Vaughan Thompson (Place Studio)  
online

**MTC**            **Melksham Town Council**

**MWPC**        **Melksham Without Parish Council**

**WC**            **Wiltshire Council**

**MTUG**        **Melksham Transport User Group**

**MINUTES**

**1. Welcome & Housekeeping**

Councillor Pafford welcomed everyone. The Housekeeping message was not required to be read out as there was no one new present.

**2. Apologies**

Apologies were received from Councillor John Glover (MWPC), who was substituted by Councillor Alan Baines, and from Councillor Mike Sankey (WC).

### 3. **Declarations of Interests**

There were no declarations of interest

### 4. **Public Participation**

There were no members of the public present.

### 5. **Items to be considered in closed session as confidential**

**Resolved:** For item 10 to be held in closed session.

### 6. **Minutes and Notes**

It was proposed by Mark Blackham, seconded by John Hamley and

**RESOLVED** to approve, and for the Chair to sign, the minutes of the Steering Group meeting held on 25<sup>th</sup> September 2024.

### 7. **Current Planning Policy context (recent changes to the NPPF (National Planning Policy Framework) and Wiltshire Council's current Land Supply figure**

Vaughan gave an update.

There was a new method for calculating housing under the new NPPF (Dec 2024) which was mandatory. The Local Plan would still be examined under the old NPPF criteria and if adopted, planning would be on that basis for about 5 years.

Wiltshire Council would fall under the housing requirement for a 20% buffer to be applied to the 5 year land supply requirement meaning an effective need to demonstrate a 6 years housing supply from July 2026.

The amended NPPF is already in force but the new Wiltshire local plan is not adopted. WC can only currently demonstrate a two year housing supply.

Teresa confirmed that the Local Plan and JMNP2 are to be considered against the old NPPF as they have been submitted before 15<sup>th</sup> March 2025, as part of transitional arrangements.

### 8. **Appointment of Examiner and proposed Referendum**

Reg16 consultation finished Wednesday 22<sup>nd</sup> January. Examiner started Monday 27 January. Two weeks to comment on Reg 16. Referendum proposed for 1<sup>st</sup> May.

Members were concerned about speculative planning applications. Teresa advised that policies that have gone through Reg 16 and not received negative comments carry significant weight. All policies will carry more weight once through examination. Members were asked to remember that JMNP1 also remains in force.



Work may be needed to bring plan into line with Local Plan and new national requirements but it was noted that JMNP2 already allocates more housing than was required by the old rules. Reasonable to expect that NP would have to supply 10% of overall requirement but not worth speculating on that yet.

## 9. Regulation 16 consultation

27 submissions made in Reg 16 consultation. Detailed submission from Wiltshire Council.

Vaughan ran through the submissions. Overall nothing new. Some challenges to site allocations and designations. Some positive comments on allocation of sites which strengthen the approach taken by JMNP2. Comments from WC and statutory bodies and some landowners generally constructive.

Proposed response reflects and welcomes positive feedback.

The meeting moved in closed session.

## 10. Regulation 16 consultation comments

### Details recorded in Confidential Note

It was proposed by Chris Holden, seconded by Shirley McCarthy and unanimously resolved to approve the proposed response. It was noted that the Qualifying Bodies will need to approve the comments before sending on to the Examiner via Wiltshire Council.

The Steering Group reconvened.

Teresa asked about keeping the mailing list informed and queried how much information to include. After discussion she suggested something on the lines of "Regulation 16 finished last week. Thank you very much for your comments. The plan started examination on Monday 27<sup>th</sup> January. We will update you as we know more."

It was proposed by David Pafford, seconded by Pat Aves and **unanimously resolved** to take the approach suggested by Teresa.

## 11. Invoices approved under delegated powers

July - £1512.50 from Place for desktop publishing, consultation and new content in draft plan.

August - £1140.00 to Place for work on addendum to SEA.

September – £2565.00 to Place for work on Sea and finishing documents

November - £6225.00 and £1725.00 to Antony Keown for capacity work#

As of now for financial year to end of March total of £29,070.96. Additional costs will be incurred in this financial year for further technical support from Place and probable changes to plan. For next financial year, for advertising referendum and training for councillors on using the JMNP.

Second Reg 14 consultation, new government and changes to NPPF have contributed to budget overspend. MWPC looking to use some funding from CIL money.

Mark Harris wished to put on record that Place have done work that they have not charged for.

Teresa advised that adopted plans increase the percentage of CIL money from 15% to 25% without a cap. Estimated that £50-£60k of technical support has been supplied. Unable to say if a fresh grant would be available from central government.

Shirley McCarthy asked if there was a possibility that MTC would not provide further funds. David Pafford felt MTC has been content, if not always happy, with the joint approach. Will be up to the new council to decide on its approach. MWPC will push for a joint approach.

It was agreed that David Pafford would attend the next meeting on MTC in his role as chair of the Steering Group.

**12. Date and venue of Next Steering Group Meeting**

Not set. Dependent on examiner’s timetable and comments.

The meeting closed at 7:45pm.    signed.....  
Chair,

## **Teresa Strange**

---

**From:** Kilmister, Michael <Michael.Kilmister@wiltshire.gov.uk>  
**Sent:** 18 February 2025 16:37  
**To:** Teresa Strange  
**Cc:** locum@melksham-tc.gov.uk; Clarke, Aidan  
**Subject:** Draft Joint Melksham NP2 - Clarification Note  
**Attachments:** Joint Melksham Neighbourhood Plan 2 - Clarification Note.docx  
  
**Importance:** High

Afternoon Teresa,

The neighbourhood planning examiner, Andrew Ashcroft has asked me to send you a clarification note for the examination.

He has suggested an indicative response date of 21 March 2025 which reflects the issues raised in the Note. However, the examiner is relaxed at working to a different timetable if this raises specific issues for the Parish Councils.

If certain responses are available before others, the examiner is happy to receive the information on a piecemeal basis. However, irrespective of how the information is assembled, please can all responses be sent to the examiner through Wiltshire Council and make direct reference to the policy/issue concerned.  
Thanks

Kind Regards

Mike

Michael Kilmister

Neighbourhood Planning Manager  
Planning Directorate  
Wiltshire Council  
County Hall, Bythesea Road, Trowbridge, BA14 8JN

Tel: 01225 770228  
e-mail [Michael.kilmister@wiltshire.gov.uk](mailto:Michael.kilmister@wiltshire.gov.uk)

Web: [www.wiltshire.gov.uk](http://www.wiltshire.gov.uk)

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## **Teresa Strange**

---

**From:** Teresa Strange  
**Sent:** 12 March 2025 13:24  
**To:** Locum  
**Cc:** Hayley Bell  
**Subject:** RE: Additional payments for neighbourhood Plan

Hi Tracy

I am adding this to the MWPC Planning agenda for next week.

Can you confirm the following please, so we are clear on what MTC are paying (and not) so that the parish council can decide on the way forward to address the issues that this raises?

1. Assume MTC are **NOT** paying Place Studio invoice 029 for £570 plus VAT for the work to review the Reg 16 comments and prepare a response to the Examiner – that the town council approved at their Special meeting on 3<sup>rd</sup> Feb (and MTC are NOT raising an invoice to MWPC for 30% share)
2. Assume MTC are **NOT** paying their 70% share of the invoice to be raised by Place Studio for their recent work on the response to the Examiner's questions – that I understand the town council approved at their Ec Dev meeting last night.
3. Assume MTC are **NOT** paying their 70% share for any work by Place Studio to assist with the Examiner's questions that need further clarification.
4. Assume MTC are **NOT** paying their 70% share for any work by Place Studio to update the NHP2 with any changes to the documentation requested by the Examiner.
5. For the financial year 2025/26 is there anything in the budget for the NHP? Can you clarify if MTC intend paying their 70% share to advertise the Referendum, which is likely to be on 1<sup>st</sup> May – so leaflets delivered to residents with the Melksham News, advertising in the Melksham News etc as well as contributing officer time to produce these items.
6. Can you confirm that you **ARE** paying the £10,853.72 invoice outstanding to Melksham Without Parish Council since January for the invoices paid to date by the parish council, for the MTC 70% share.

With many thanks,.

Teresa

---

**From:** Teresa Strange  
**Sent:** 11 March 2025 19:07  
**To:** Locum <locum@melksham-tc.gov.uk>  
**Cc:** Hayley Bell <hayley.bell@melksham-tc.gov.uk>  
**Subject:** RE: Additional payments for neighbourhood Plan

Hi Tracy

As per my email to you the other day when asked about CIL for a FOI enquiry.

There are lots of things that the CIL shared pot can be spent on, but we have been waiting for the town council to agree to hold a joint CIL working party to agree on what that spend is. I understand that has now been agreed.

Our understanding was that we were waiting for the town council to suggest some suitable dates for the meeting. We were given some, and then they were cancelled.

The parish council is using its own share of CIL to pay for its share of the NHP spend. This town council could use its own CIL to fund their share of the NHP?

Can I ask how the town council intend on finishing the NHP project to its conclusion with no financial commitment? The document that the Ec Dev Committee is approving tonight has been prepared in good faith

by Place Studio to meet the deadlines that the parish council, and the town council as the lead council, needed to move to the next stage.

With kind regards,  
Teresa

---

**From:** Locum <[locum@melksham-tc.gov.uk](mailto:locum@melksham-tc.gov.uk)>  
**Sent:** 11 March 2025 16:40  
**To:** Teresa Strange <[clerk@melkshamwithout-pc.gov.uk](mailto:clerk@melkshamwithout-pc.gov.uk)>  
**Cc:** Hayley Bell <[hayley.bell@melksham-tc.gov.uk](mailto:hayley.bell@melksham-tc.gov.uk)>  
**Subject:** Additional payments for neighbourhood Plan

Hi Teresa,

I wasn't at the Melksham Finance meeting last night, Hayley was in attendance. I wanted to inform you that the committee did not authorise the additional payment for the Neighbourhood Plan. They stated that they had set a budget of £20,000 and had not approved any expenditure beyond this amount.

Would it be possible for this payment to come from the shared CIL allocation? I understand that CIL funds can be legitimately used for the Neighbourhood Plan.

Let me know your thoughts.

Kind Regards

Tracy

*Tracy Predeth MPA*

*Locum Clerk*



**Melksham**  
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## **Teresa Strange**

---

**From:** Teresa Strange  
**Sent:** 04 March 2025 10:46  
**To:** Locum  
**Cc:** Finance; Marianne Rossi  
**Subject:** FW: Agenda for Finance, Administration and Performance Committee, Monday 10th March 2025, 7.00 pm  
**Attachments:** 479-MR240125 MTC.pdf

Hi Tracy

Further to our conversation last week, I am keen to sort out the payment of Place Studio's invoices and the general funding arrangement for the joint Melksham Neighbourhood Plan.

I think the Town Council owe Place Studio the payment for their invoice 029 dated 4<sup>th</sup> Feb, and for funding to be approved for the work they are currently doing to enable a response to the Examiner.

I understood that you have paid the invoices that you have for approval on this agenda? I just don't want to move forward without the recent and current work not being approved. We have paid you for our share of the invoices in your agenda pack.

I note that the town council are still to pay the parish council some £10k on the attached invoice, dated at the end of January, which looks like it might be for approval, as you have the back up sheet on the agenda, but not the invoice?

But concerned that there is not an item to pay Place their outstanding invoice and for their current work.

Apologies if I have misunderstood your agenda pack....

Kind regards, Teresa

---

**From:** Melksham Town Council <moderngov@melksham-tc.gov.uk>

**Sent:** 03 March 2025 16:39

**Subject:** Agenda for Finance, Administration and Performance Committee, Monday 10th March 2025, 7.00 pm

The agenda for Finance, Administration and Performance Committee, Monday 10th March 2025, 7.00 pm has just been published.

To see the publicly available information, follow the link: [Agenda details](#)

Meeting venue: Town Hall

The following items are included in the agenda:

**No. Item**

- 1 Apologies
- 2 Declarations of Interest
- 3 Public Participation
- 4 Minutes
- 5 Grants Awarded
- 5.1 Back on Track
- 5.2 Melksham Foodbank
- 5.3 Swish

## **Teresa Strange**

---

**From:** Marianne Rossi  
**Sent:** 26 February 2025 14:12  
**To:** Teresa Strange  
**Subject:** FW: NHP invoicing and budgets  
**Attachments:** 20241219131423.pdf; Copy of Neighbourhood Plan cost tally- 2024-25.xlsx

---

**From:** Marianne Rossi  
**Sent:** 19 December 2024 13:26  
**To:** Mel Rolph <mel.rolph@melksham-tc.gov.uk>  
**Cc:** Teresa Strange <clerk@melkshamwithout-pc.gov.uk>; Locum <locum@melksham-tc.gov.uk>; Hayley Bell <hayley.bell@melksham-tc.gov.uk>; rfo@melksham-tc.gov.uk  
**Subject:** RE: NHP invoicing and budgets

Hi Mel,

For Tracy, Hayley and Kalpesh for budgeting.

Please find attached the NHP invoices that you need to invoice us, Teresa has calculated MWPC's 30% share and is noted on all three of the invoices.

We also have an invoice coming to you with NHP costs that we have incurred and we will be invoicing you £10,853.72 as per attached for 2024/25 year to date. Teresa has spoken to Katie from Place this morning and they are estimating three days of work by Place Studio to respond to the examiners questions and change text and maps in the NHP. The would be 3 days at £570 per day net, which totals £1,710. Your 70% share would be £1,197, we think that this will be this financial year.

For 2025/26 there is £825 for post referendum training and some money for advertising the referendum as well say another £2,000 for a full page advert in the MIN and printing delivering leaflets on usual 70/30 split.

Hope that helps for your budget, we thought that we would look at year end invoicing now so that we don't need to do accruals etc at year end.

Best Wishes,  
Marianne

Marianne Rossi  
Finance and Amenities Officer  
Melksham Without Parish Council  
First Floor  
Melksham Community Campus  
Market Place  
Melksham  
Wiltshire  
SN12 6ES  
01225 705700  
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**Teresa Strange**

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**From:** Neighbourhood Planning <NeighbourhoodPlanning@wiltshire.gov.uk>  
**Sent:** 05 March 2025 16:14  
**Subject:** Semington Parish Neighbourhood Plan- Made March 2025

Dear Sir / Madam

I am writing to you to let you know that Wiltshire Council have taken the decision pursuant to Section 38A(4) of the Planning & Compulsory Purchase Act, 2004, to make the Semington Parish Neighbourhood Plan. The Semington Parish Neighbourhood Plan now forms part of the Wiltshire Council Development Plan and the policies in the Neighbourhood Plan will be given full weight when assessing planning applications that affect land in the Semington, Little Marsh and Littleton Neighbourhood Area.

Copies of the Semington Parish Neighbourhood Plan and Wiltshire Council's Decision Statement (post-referendum) are available to download from Wiltshire Council's Neighbourhood Planning webpages: <https://www.wiltshire.gov.uk/planning-neighbourhood-made-plans>

There is a 6-week period within which legal challenges may be made against the decision to 'make' the Neighbourhood Plan.

If you require any further information, please do not hesitate to e-mail [neighbourhoodplanning@wiltshire.gov.uk](mailto:neighbourhoodplanning@wiltshire.gov.uk) or call Neighbourhood Planning on 01225 713591.

Kind regards

**Neighbourhood Planning**  
Strategic Planning



Tel: 01225 713591

Email: [neighbourhoodplanning@wiltshire.gov.uk](mailto:neighbourhoodplanning@wiltshire.gov.uk)

Web: [www.wiltshire.gov.uk](http://www.wiltshire.gov.uk)

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## **Examination of the Wiltshire Local Plan Review**

Inspectors: Philip Mileham BA (Hons) MA MRTPI and  
Gareth Wildgoose BSc (Hons) MSc MRTPI

Programme Officer: Mr Ian Kemp

Email: [ian@localplanservices.co.uk](mailto:ian@localplanservices.co.uk)

27 February 2025

Dear Ms Clampitt-Dix,

### **Wiltshire Local Plan review – Inspectors’ Initial Questions**

As you will be aware, we have been appointed by the Secretary of State to conduct the examination of the Wiltshire Local Plan Review 2020-2038 (the Plan). We have commenced our initial preparation and request some further information as well as responses to some initial questions as set out below.

Please note that further questions may be raised in subsequent correspondence following consideration of the Council’s responses to this letter and/or as a result of examining the evidence already submitted in greater detail.

### **Relevant National Policy and Guidance**

Annex 1 of the National Planning Policy Framework (the Framework) states at paragraph 235 regarding implementation that Plans that have been submitted for examination before 12 March 2025 will be examined under the previous version of the Framework.

The submitted Plan was subject to public consultation between September and November 2023. Therefore, for the purposes of this examination, the Plan is to be examined under the September 2023 version of the Framework.

As part of our initial review of the submitted Plan, we note that the Council has, in the case of Policy 89, relied upon National Planning Practice Guidance (NPPG) of May 2024 as justification for its approach. However, we are concerned that this approach is not consistent with an examination based on the September 2023 iteration of the Framework. We therefore consider that the examination should proceed utilising the version of the NPPG as it stood in September 2023 to align with the Framework we are examining the Plan against.

As such, please can the Council advise at this early stage whether there are any other policies reliant on later amendments to the NPPG? If so, please can the Council consider whether potential Main Modifications (MMs) are necessary to address this. This is in order to make the most productive use of time and resources over the course of the examination.

### **Proposed changes to the submitted Plan**

The starting point of the examination is the Regulation 19 version of the Plan which was subject to consultation in accordance with the 2012 Regulations, and that the Council submitted a Plan that they consider to be sound and legally compliant. However, in that latter regard, we note that the Council has provided

a schedule of proposed changes (SD/41A) for our consideration during the examination.

Based on the evidence before us, those proposed changes in SD/41A have not been subject of public consultation prior to submission of the Plan. Furthermore, some of the proposed changes individually, or taken together, would materially affect the policies of the Plan should they be implemented. Consequently, for the purposes of the Planning and Compulsory Purchase Act 2004, the proposed changes would only constitute MMs to the Plan if we consider that they would be necessary for soundness and legally compliant. We will therefore consider these issues as part of the examination.

### **Duty to Cooperate**

The Council has provided a number of Statements of Common Ground (SoCG) with prescribed bodies along with some updates on 20 February 2025. As you will be aware, the Duty to Cooperate (DtC) applies up to the point of submission of the Plan. We note that the recent updates to some of the SoCG include reference to meetings held post-submission of the Plan.

Please can the Council clearly differentiate through the submission of updated SoCG the discussions that have taken place up to submission under the DtC from any other meetings that are part of general discussions with these bodies?

In addition to the above, the Examination Library provided on submission of the Plan and the additional documents recently submitted do not seemingly include SoCG with a number of neighbouring authorities (for example, Gloucestershire County Council, Oxfordshire County Council, South Gloucestershire Council, Vale of the White Horse District Council and West Berkshire Council), and other prescribed bodies such as Homes England, NHS England, Network Rail and Swindon and Wiltshire Local Enterprise Partnership. Please can you confirm whether signed SoCGs under the DtC are to be submitted for each of these prescribed bodies?

If the Council does not intend to provide an up-to-date and signed SoCG for any of the prescribed DtC bodies, we would be grateful for an explanation of the intended approach.

### **Plan period**

The revised spatial strategy topic paper (SD/16) shows the Plan period of 2020-2038 commencing in advance of the date of the most up-to-date calculation of Local Housing Need. In that regard, the plan period would look forward around 13 years from the current date which the Council seeks to justify as being 15 years from the date of the assessments of housing and employment needs. However, paragraph 22 of the Framework (September 2023) expects strategic policies to look ahead over a minimum of 15 years following *adoption* of the Plan. As a result, the submitted Plan would not appear to look sufficiently far ahead to anticipate and respond to long-term requirements and opportunities.

We identify this matter to you at this early stage as it is clearly a matter of concern and one which will have implications for the rest of the examination,

including our consideration of whether the Plan is positively prepared and consistent with national policy with respect to the overall amount of housing and employment land to be identified.

### **Proposed Salisbury Area new community**

Policy 21 of the Plan identifies an area of search for a new community north of Salisbury within the plan period. However, we have significant concerns that there appears to be no substantive evidence provided to support its inclusion in the Plan. Policy 21 itself references the need for the new community being confirmed through a review of the Plan which suggests that it cannot currently be justified. Furthermore, we cannot find any criteria to support the delineation of the area of search as shown on the key diagram.

Paragraph 22 of the Framework states that:

*'Where larger scale developments such as new settlements or significant extensions to existing villages and towns form part of the strategy for the area, policies should be set within a vision that looks further ahead (at least 30 years), to take into account the likely timescale for delivery.'*

We also note that despite the references to the need for the new community not yet being established, the Plan relies on the delivery of around 300 homes from this source later in the plan period.

### **Housing supply**

From our early review of the representations, we note that several sites included within the Plan (and thereby the housing trajectory) have, following the Regulation 19 consultation, been identified as unavailable and that your suggested MMs propose deleting them from the Plan. As such, we will need to consider the implications of those potential changes to the Plan as part of the examination, including in terms of the effect upon housing land supply.

Housing Delivery Topic Paper (SD/59) indicates the anticipated number of years of housing supply forecast from 2024-2028 inclusive in Figure 5. However, we are unable to find the corresponding detailed evidence of the sites and their phasing profile which reflects this or the housing trajectory in Figure 4.1. Please could you provide us with the supporting site-specific evidence which underpins the housing trajectory but recast this with the four unavailable sites excluded.

The tables included in the Plan showing the distribution of housing growth in the Housing Market Areas and rural areas (tables 4.2, 4.4, 4.6, 4.8, 4.10, 4.12, 4.14 and 4.16), show completions and commitments to 31 March 2021, and the residual residential requirement to 01 April 2022. This is significantly in advance of the submission of the plan, but also, in advance of the calculation of Local Housing Need. However, we note that the footnote accompanying these tables suggests that major permissions to 2023 are also included in the second column, but also that document SD/59 updates these figures to 2023, but shows major permissions up to 31 August 2024.

For the examination to be effective we require the calculation of housing figures to be as up-to-date as possible and have a consistent base date. As such we would be grateful if the Council could please prepare and submit to us a set of updated tables including completions and extant permissions and an updated 'residual' with the most recent financial year as its base-date. We ask for the Council's views on whether this should be produced to take into account the forthcoming 2024/25 financial year, and how long this may take to prepare?

### **Housing needed for different groups**

Paragraph 62 of the Framework indicates that in the context of establishing the amount of housing to be planned for, the size, type and tenure of housing needed for different groups in the community should be assessed and reflected in planning policies. The examples of those groups include travellers housing needs to be assessed in accordance with the definition in Annex 1 of Planning Policy for Traveller Sites. In that respect, we note that the Plan does not specifically address the matter of travellers housing needs as it is otherwise intended to be dealt with under a separate Gypsies and Travellers Development Plan Document (DPD) identified in the Local Development Scheme (SD/39) as anticipated to be adopted by Quarter 3 of 2025. In light of that situation, we would welcome an update on the current status of the Gypsies and Travellers DPD, together with the Council's view as to whether there should be provisions in the Plan to ensure certainty of how those needs would otherwise be met in the event that the Gypsies and Travellers DPD were not to reach adoption.

### **Existing Development Plan policies to be superseded/ not-superseded by the Local Plan review**

The Plan includes, at Appendix A, tables A.1 to A.8 which set out the policies in the existing Development Plan for Wiltshire which are proposed to be deleted upon the adoption of the Local Plan review. However, it appears that this does not include a number of policies which relate to the 'existing plan allocations' upon which the Council relies on as part of its submitted Development Strategy. The relevant policies in these cases appear to only be listed in the accompanying 'Planning for...' evidence documents (SD/01 to SD/15) rather than within the Plan itself. We would therefore be grateful if you could provide us with a consolidated list of policies which would be retained, including all those which relate to 'existing plan allocations' to which the Plan's housing strategy and trajectory relies.

Please can the Council also advise us why you are seeking to retain parts of previous older Plans with allocations rather than having them within the submitted Plan?

### **Highway matters**

We note that concerns have been raised by National Highways regarding the effect of certain policies (e.g. Policy 47 – Royal Wootton Bassett Market Town) on the Strategic Road Network. The Council has identified that further modelling work is being undertaken. Please could you advise what has been commissioned

and provide us with an indication of when this information may be completed and available for our consideration?

### **Retail evidence**

The submitted Plan's approach to retail and town centres is supported by the Retail Study (2020) (SD/23 and 23A). However, we have some concerns that this evidence may not be sufficiently up-to-date as the projections within it would not have been able to take into account the effects of the coronavirus pandemic on shopping patterns. Is the Council intending to update this during the examination?

### **Examination documents**

The procedural aspects of the examination will follow the Planning Inspectorate's Procedure Guide for Local Plan Examinations<sup>1</sup> - a copy of which should be included on the Examination website. In addition, as part of our initial preparation we have noticed that there are a significant number of documents that are mentioned in the Plan that are not currently included in the Examination Library. We would, therefore, be grateful if the Council could undertake a thorough review of the Plan and rectify the omissions from the Examination Library of any documents mentioned, by adding those documents as soon as possible. This should include a section where background documents are made available, which for certainty should include the existing documents that comprise the Development Plan (including any Neighbourhood Plans that have been made).

### **Next Steps**

This letter raises a number of concerns and includes several questions and requests, some of which will require the Council to undertake further work. We appreciate that this may take some time to address fully and robustly. However, to ensure that progress on the examination keeps moving efficiently, we request that the Council respond by no later than three weeks from the date of this letter. This should explain your position with respect to our initial questions and requests. We assume that given the extent of work requested it will not be possible to complete all of the work raised in this letter by that date, so we ask that you set out a reasonable timetable for providing the information and clarifications that we seek.

In terms of how the examination can progress from here, much depends on the Council response to this letter. You will appreciate that we have raised a number of significant concerns. Therefore, until we have the Council's reply, we will not be in a position to set out a definitive process or timetable for the next steps of the examination.

If anything in the preceding paragraphs is unclear, please do not hesitate to contact us via the Programme Officer. Once the requested information has been

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<sup>1</sup> [Procedure Guide for Local Plan Examinations - GOV.UK](#)

received, we will give it due consideration before advising on the next steps to be taken as soon as possible.

Your sincerely,

*Philip Mileham and Gareth Wildgoose*

INSPECTORS



## Extract from Wiltshire Council's new Planning mailing list

### **We want your views on what should be submitted with planning applications**

<https://www.wiltshire.gov.uk/planning-validation-checklist-consultation>

When planning applications are submitted, the applicant has to submit various plans and information to show what the intended works are. These requirements are set out on a national and local validation checklist. The local validation checklist ensures that the council has the correct level of information submitted with planning applications at the start of the process.

The checklists have many benefits; they help to speed up applications; they ensure that applicants get a better level of service; they help to ensure that the information requested is proportionate to the type and scale of application being made; and they also ensure that stakeholders have access to all the information they need to form a complete view when responding to a planning consultation.

We want to hear your views on our revised local validation checklists to ensure they are appropriate and helping to improve the planning application process.

[Find out more and share your views](https://www.wiltshire.gov.uk/planning-validation-checklist-consultation)

# Outline Planning Permission Validation Checklist



**Wiltshire Council**

## Outline Planning Permission Validation Checklist

Document/Plan Type	When is it required? What information is required?
<b>Application Form</b>	<p><b>When required:</b></p> <ul style="list-style-type: none"> <li>• All applications.</li> </ul> <p><b>What information is required?</b></p> <ul style="list-style-type: none"> <li>• The correct application form with all sections completed and the declaration signed.</li> <li>• The correct ownership certificate with the relevant notice served (if appropriate).</li> </ul> <p><b>Guidance</b></p> <ul style="list-style-type: none"> <li>• <a href="#">Making an application - Application Form</a></li> <li>• <a href="#">Planning Portal Consent Types - Outline Planning Consent</a></li> <li>• <a href="#">Ownership Certificate Notices</a></li> </ul>
<b>Fee</b>	<p><b>When required:</b></p> <ul style="list-style-type: none"> <li>• All applications.</li> </ul> <p><b>What is required?</b></p> <ul style="list-style-type: none"> <li>• The appropriate fee.</li> <li>• If the application is being submitted via the Planning Portal, please pay the Planning Portal directly. The fee is required for the application to be released.</li> </ul> <p><b>Guidance</b></p> <ul style="list-style-type: none"> <li>• For full details of fees and to calculate your planning fee visit: <a href="#">Fees for planning applications - GOV.UK</a></li> <li>• <a href="#">Planning Portal Fee Calculator</a></li> </ul>
<b>Location Plan</b>	<p><b>When required:</b></p> <ul style="list-style-type: none"> <li>• All applications.</li> </ul> <p><b>What information is required?</b></p> <ul style="list-style-type: none"> <li>• Up to date map drawn to a scale of 1:2500 or 1:1250 ensuring the relevant scale bar, the scale used, and the paper size are clearly marked.</li> <li>• Site edged clearly with a red line, including any required visibility splays and access to the site from the public highway</li> <li>• The direction of north should be shown.</li> <li>• The plan must cover a large enough area to enable the location to be easily found.</li> <li>• A blue line should be drawn around any other land owned by the applicant.</li> </ul> <p><b>Guidance</b></p> <ul style="list-style-type: none"> <li>• <a href="#">Planning Portal - Location and Site Plan Guidance</a></li> </ul>

	<ul style="list-style-type: none"> <li>• <a href="#">National information requirements</a></li> </ul>
<b>Site Plans (existing and proposed)</b>	<p><b>When required:</b></p> <ul style="list-style-type: none"> <li>• All applications.</li> </ul> <p><b>What information is required?</b></p> <ul style="list-style-type: none"> <li>• Existing and proposed site/block plans drawn to a scale of 1:500 or 1:250/1:200/1:100 ensuring the relevant scale bar, the scale used, and the paper size are clearly marked.</li> <li>• The existing plan should show the existing site layout.</li> <li>• The proposed plan must show the area or areas at which the access points to the site are proposed, the approximate location of buildings, routes and open spaces.</li> <li>• Any trees or public rights of way affected by the development should be shown.</li> </ul> <p><b>Guidance</b></p> <ul style="list-style-type: none"> <li>• <a href="#">Planning Portal - Location and Site Plan Guidance</a></li> </ul>
<b>Site Access Plan</b>	<p><b>When required:</b></p> <ul style="list-style-type: none"> <li>• Where approval of the access to the site is sought at this outline stage.</li> </ul> <p><b>What information is required?</b></p> <ul style="list-style-type: none"> <li>• Proposed site access plans drawn to a scale of 1:500 or 1:250/1:200/1:100 ensuring the relevant scale bar, the scale used, and the paper size are clearly marked.</li> <li>• The proposed plans must show the detail of the accesses to and within the site for vehicles, cycles and pedestrians and how these fit into the existing access network.</li> </ul> <p><b>Guidance</b></p> <ul style="list-style-type: none"> <li>• <a href="#">Planning Portal - Location and Site Plan Guidance</a></li> </ul>
<b>Site Survey</b>	<p><b>When required:</b></p> <ul style="list-style-type: none"> <li>• New residential development.</li> </ul> <p><b>What information is required?</b></p> <ul style="list-style-type: none"> <li>• Site survey showing existing features and levels.</li> <li>• The relevant scale bar, the scale used, and the paper size should be clearly marked.</li> </ul> <p><b>Guidance:</b></p> <ul style="list-style-type: none"> <li>• <a href="#">Supporting Documents - Plans and Drawings</a></li> </ul>

<b>Elevations (proposed)</b>	<p><b>When required:</b></p> <ul style="list-style-type: none"> <li>• Where approval of the appearance of the buildings is sought at this outline stage.</li> <li>• Where new buildings are proposed within a conservation area.</li> </ul> <p><b>What information is required?</b></p> <ul style="list-style-type: none"> <li>• Elevation drawings drawn to a scale of 1:100 or 1:50 that show any elevations that would be created by the development. These should include proposed building materials and the style and materials of any new windows or doors.</li> <li>• The relevant scale bar, the scale used, and the paper size should be clearly marked.</li> </ul> <p><b>Guidance</b></p> <ul style="list-style-type: none"> <li>• <a href="#"><u>Supporting Documents - Plans and Drawings</u></a></li> </ul>
<b>Floor Plans (existing and proposed)</b>	<p><b>When required:</b></p> <ul style="list-style-type: none"> <li>• Where approval of the appearance is sought as this outline stage.</li> <li>• Where new buildings are proposed within a conservation area.</li> </ul> <p><b>What information is required?</b></p> <ul style="list-style-type: none"> <li>• Proposed floor plans drawn to a scale of 1:100 or 1:50 showing the proposed layout of the dwellings/building.</li> <li>• Internal and external walls and openings should be shown, and the uses of the rooms or floorspace should be marked.</li> <li>• The relevant scale bar, the scale used, and the paper size should be clearly marked.</li> </ul> <p><b>Guidance</b></p> <ul style="list-style-type: none"> <li>• <a href="#"><u>Supporting Documents - Plans and Drawings</u></a></li> </ul>
<b>Roof Plans (existing and proposed)</b>	<p><b>When required:</b></p> <ul style="list-style-type: none"> <li>• Where approval of the appearance of the buildings is sought at this outline stage and the roof details are not evident from the elevations.</li> <li>• Where new buildings are proposed within a conservation area.</li> </ul> <p><b>What information is required?</b></p> <ul style="list-style-type: none"> <li>• Proposed roof plans drawn to a scale of 1:100 or 1:50 showing the shape of the roof.</li> <li>• The plan should show the position of all ridges, valleys, dormers, windows, roof lights and other features, such as chimneys or raised parapets.</li> <li>• The relevant scale bar, the scale used, and the paper size should be clearly marked.</li> </ul> <p><b>Guidance:</b></p> <ul style="list-style-type: none"> <li>• <a href="#"><u>Supporting Documents - Plans and Drawings</u></a></li> </ul>

<b>Site Sections (existing and proposed)</b>	<p><b>When required:</b></p> <ul style="list-style-type: none"> <li>Where approval of the appearance of the buildings is sought at this outline stage and a change in level is proposed – for example when on a sloping site or when a building is part cut into the ground.</li> <li>Where new buildings are proposed within a conservation area.</li> </ul> <p><b>What information is required?</b></p> <ul style="list-style-type: none"> <li>Existing site sections drawn to an appropriate scale showing the existing site levels showing the existing floor levels and a cross section through the site.</li> <li>Proposed site sections drawn to an appropriate scale showing the proposed floor or site levels and a cross section through the site with levels related to a defined datum point.</li> <li>The relevant scale bar, the scale used, and the paper size should be clearly marked.</li> </ul> <p><b>Guidance:</b></p> <ul style="list-style-type: none"> <li><a href="#">Supporting Documents - Plans and Drawings</a></li> </ul>
<b>Design and Access Statement</b>	<p><b>When required:</b></p> <ul style="list-style-type: none"> <li>Any major development (10 houses or 1000 or more square metres of floorspace) anywhere in Wiltshire.</li> <li>Applications in a Conservation Areas or the Avebury/Stonehenge World Heritage Site where the proposed development consists of one or more dwellings or a non-residential building or buildings where the floorspace is 100 square metres or more.</li> </ul> <p><b>What is required?</b></p> <ul style="list-style-type: none"> <li>A statement which explains the design principles and concepts that have been applied to the development and that demonstrates the steps taken to appraise the context of the development and how the design of the development takes that into account, including any impact on a heritage asset.</li> <li>The statement should explain the policy adopted as to access, and how development plan policies relating to access have been considered.</li> <li>Should state what consultation, if any, has been undertaken on issues relating to access and what account has been taken of the outcome of any such consultation.</li> <li>Explains how any specific issues which might affect access to the development have been addressed.</li> </ul> <p><b>Guidance:</b></p> <ul style="list-style-type: none"> <li><a href="#">Design and Access Statement Guidance</a></li> </ul>
<b>Ecological Assessments</b>	<p><b>When required:</b></p> <ul style="list-style-type: none"> <li><a href="#">Does my application need to be supported by ecological information?</a></li> </ul> <p><b>What information is required?</b></p> <ul style="list-style-type: none"> <li>This depends on the nature of your proposal and its geographical location within Wiltshire. This link <a href="#">Biodiversity and development</a> can help you decide what to include in ecology survey and assessment reports.</li> </ul>



	<p><b>Guidance:</b></p> <ul style="list-style-type: none"> <li>• <a href="#">Wiltshire Council Mapping - Biodiversity Mitigation Layers</a></li> <li>• <a href="#">Biodiversity and Development</a></li> <li>• <a href="#">National Planning Policy Framework</a></li> <li>• <a href="#">Protected Species &amp; Development: Advice for Local Planning Authorities</a></li> </ul>
<b>Biodiversity Net Gain</b>	<p><b>When required:</b></p> <ul style="list-style-type: none"> <li>• All applications not subject to an exemption.</li> </ul> <p><b>What information is required?</b></p> <ul style="list-style-type: none"> <li>• An unlocked and completed statutory biodiversity metric (or small sites metric) showing the calculations of the pre-development biodiversity of any onsite habitat.</li> <li>• If you believe an exemption applies to your application, please ensure the Biodiversity Net Gain section of the application form is completed and enough detail provided for us to confirm your exemption. It may be necessary to provide additional plans as evidence to confirm your exemption.</li> </ul> <p><b>Guidance:</b></p> <ul style="list-style-type: none"> <li>• <a href="#">Biodiversity and Development</a></li> <li>• <a href="#">Biodiversity Net Gain Guidance</a></li> <li>• <a href="#">Statutory biodiversity metric tools and guides</a></li> <li>• <a href="#">Exempt Developments</a></li> </ul>
<b>Nutrient Neutrality</b>	<p><b>When required:</b></p> <ul style="list-style-type: none"> <li>• All applications proposing an increase in overnight accommodation falling within one of the following catchment areas - the Hampshire Avon, River Test and the River Lambourn and the Somerset Levels and Moors.</li> <li>•</li> </ul> <p><b>What information is required?</b></p> <ul style="list-style-type: none"> <li>• A completed Nutrient Neutrality Calculator specific to the catchment area the proposal falls within – please see the guidance below for information on the catchment areas.</li> </ul> <p><b>Guidance:</b></p> <ul style="list-style-type: none"> <li>• <a href="#">Phosphorus and nitrogen mitigation</a></li> </ul>
<b>Flood Risk Assessment</b>	<p><b>When required:</b></p> <ul style="list-style-type: none"> <li>• When the development falls within Flood zone areas 2 or 3.</li> </ul> <p><b>What information is required?</b></p> <ul style="list-style-type: none"> <li>• A proportionate flood risk assessment.</li> </ul>

	<p><b>Guidance:</b></p> <ul style="list-style-type: none"> <li>• <a href="#">Flood Risk Information for Planning</a></li> <li>• <a href="#">Wiltshire Planning Explorer Map - Flood Zones</a></li> <li>• <a href="#">Planning Portal - Flood Risk Assessment</a></li> </ul>
<b>Tree Survey/ Arboricultural Impact Assessment</b>	<p><b>When required:</b></p> <ul style="list-style-type: none"> <li>• When development potentially affects trees on site or on adjoining land.</li> <li>• Proposals where there are protected trees within the application site.</li> </ul> <p><b>What information is required?</b></p> <ul style="list-style-type: none"> <li>• A tree survey report proportionate to the scale of the development identifying the quantity, species, position and size of the tree(s) and should provide a full and clear specification of the works intended.</li> </ul> <p><b>Guidance:</b></p> <ul style="list-style-type: none"> <li>• Please instruct a suitable qualified professional to produce an appropriate report.</li> <li>• <a href="#">Planning Portal - Arboricultural Implications</a></li> </ul>
<b>Land Contamination Assessment</b>	<p><b>When required:</b></p> <ul style="list-style-type: none"> <li>• For redevelopment of former petrol filling sites or commercial garages.</li> <li>• For landfill sites and other brownfield sites where contamination is known or suspected.</li> </ul> <p><b>What information is required?</b></p> <ul style="list-style-type: none"> <li>• Desk based study.</li> <li>• Report of on-site investigative reports if warranted by desk study.</li> </ul> <p><b>Guidance:</b></p> <ul style="list-style-type: none"> <li>• Please instruct a suitable qualified professional to produce an appropriate report.</li> <li>• <a href="#">Planning Portal - Land Contamination Assessment</a></li> </ul>
<b>Transport Assessment</b>	<p><b>When required:</b></p> <ul style="list-style-type: none"> <li>• Residential development of 100 dwellings.</li> <li>• Retail and/or employment/leisure uses of 1000m2 or more.</li> <li>• Waste management facilities.</li> </ul> <p><b>What information is required?</b></p> <ul style="list-style-type: none"> <li>• Transport implications of the proposal, including access to the site by different modes of transport and impact on any nearby trunk road.</li> </ul> <p><b>Guidance:</b></p> <ul style="list-style-type: none"> <li>• <a href="#">Transport Assessments and Statements</a></li> </ul>



<b>Archaeological Assessment</b>	<p><b>When required:</b></p> <ul style="list-style-type: none"> <li>Where the site includes, or has the potential to include, a heritage asset of archaeological interest.</li> </ul> <p><b>What information is required?</b></p> <ul style="list-style-type: none"> <li>Desk-based assessment Field evaluation if desk-based assessment points to its necessity.</li> </ul> <p><b>Guidance:</b></p> <ul style="list-style-type: none"> <li>Please instruct a suitable qualified professional to produce an appropriate report.</li> <li><a href="#"><u>Archaeology and historic environment record - Wiltshire Council</u></a></li> </ul>
<b>Functional and Viability Assessment</b>	<p><b>When required:</b></p> <ul style="list-style-type: none"> <li>When the proposal includes an isolated dwelling in the countryside for agricultural, equestrian or other rural based enterprises.</li> </ul> <p><b>What information is required?</b></p> <ul style="list-style-type: none"> <li>Professional assessment by independent expert/consultant on whether there is an essential need for a rural worker to live near their place of work in the countryside.</li> </ul> <p><b>Guidance:</b></p> <ul style="list-style-type: none"> <li><a href="#"><u>Viability Guidance</u></a></li> </ul>
<b>Waste Audit</b>	<p><b>When required:</b></p> <ul style="list-style-type: none"> <li>For residential developments of 10 or more houses</li> <li>New employment premises of 300 square metres or more, or new retail facilities of 500 square metres or more</li> </ul> <p><b>What information is required?</b></p> <ul style="list-style-type: none"> <li>Details of means of minimising waste during the development process; and for encouraging post development recycling</li> </ul> <p><b>Guidance:</b></p> <ul style="list-style-type: none"> <li>Please instruct a suitable qualified professional to produce an appropriate report.</li> </ul>
<b>Noise Impact Assessment</b>	<p><b>When required:</b></p> <ul style="list-style-type: none"> <li>For industrial uses falling within class B2 (general industrial uses) and that are proposed within 10 metres of a boundary with residential property or waste management facilities.</li> <li>For proposed residential uses that are adjacent to or within close proximity of noise generating industrial uses.</li> </ul> <p><b>What information is required?</b></p> <ul style="list-style-type: none"> <li>A professional noise assessment that demonstrates the impact of the use on the amenity of existing residential properties or in the case of proposed new residential development demonstrates the likely impact on the amenity of the occupiers of the proposed dwellings including any mitigation proposals.</li> </ul>

	<p><b>Guidance:</b></p> <ul style="list-style-type: none"> <li>• <a href="#">Environmental advice for developers and planning agents</a></li> <li>• <a href="#">Noise impact assessments</a></li> <li>• Please instruct a suitable qualified professional to produce an appropriate report.</li> </ul>
<b>Ventilation/Extraction Details</b>	<p><b>When required:</b></p> <ul style="list-style-type: none"> <li>• For proposed new restaurants; hot food takeaways and public houses and other premises selling/serving hot food.</li> </ul> <p><b>What information is required?</b></p> <ul style="list-style-type: none"> <li>• Details of the proposed ventilation/extraction systems.</li> <li>• The associated alterations/additions to the external appearance of the building required to accommodate them should be shown on the elevation plans.</li> </ul> <p><b>Guidance:</b></p> <ul style="list-style-type: none"> <li>• Please consult with the manufacturer/installers who may be able to provide the relevant information.</li> </ul>
<b>Landscape and Visual Impact Appraisal</b>	<p><b>When required:</b></p> <ul style="list-style-type: none"> <li>• Proposals for major development or waste management facilities within or adjacent to an area of outstanding natural beauty.</li> </ul> <p><b>What information is required?</b></p> <ul style="list-style-type: none"> <li>• A professional landscape and visual impact assessment that demonstrates the impacts on the character and appearance of the landscape and includes an appropriate mitigation strategy.</li> </ul> <p><b>Guidance:</b></p> <ul style="list-style-type: none"> <li>• Please instruct a suitable qualified professional to produce an appropriate report.</li> <li>• <a href="#">Environmental advice for developers and planning agents</a></li> </ul>
<b>Statement of Community Involvement</b>	<p><b>When required:</b></p> <ul style="list-style-type: none"> <li>• Major developments of 10 dwellings or more, including sheltered housing.</li> <li>• Retail developments of 1,000 square metres or more.</li> <li>• Waste Management facilities.</li> <li>• Large road schemes.</li> <li>• Mineral extraction.</li> <li>• Other developments of 1,000 square metres or more likely to generate significant public interest.</li> </ul> <p><b>What information is required?</b></p> <ul style="list-style-type: none"> <li>• Submission of a report outlining what public consultation has been undertaken and how the results have been considered within the application.</li> </ul>

	<b>Guidance:</b> <ul style="list-style-type: none"> <li>• <a href="#">Statement of Community Involvement</a></li> </ul>
<b>Planning Statement</b>	<b>When required:</b> <ul style="list-style-type: none"> <li>• Where demolition of buildings in a Conservation Area is proposed.</li> </ul> <b>What information is required?</b> <ul style="list-style-type: none"> <li>• Assessment of the contribution of the building to the character and appearance of the Conservation Area.</li> <li>• Explanation and justification for the proposed demolition.</li> </ul> <b>Guidance:</b> <ul style="list-style-type: none"> <li>• <a href="#">Planning Portal - Planning Statement</a></li> </ul>
<b>Planning Obligations Draft Heads of Terms</b>	<b>When required:</b> <ul style="list-style-type: none"> <li>• For any proposal that requires the completion of a legal agreement or where one is being offered, including those where the Council has given written confirmation in pre-application discussions that an agreement will be required.</li> </ul> <b>What information is required?</b> <ul style="list-style-type: none"> <li>• Heads of Terms covering the relevant areas.</li> </ul>
<b>Fire Statement</b>	<b>When required:</b> <ul style="list-style-type: none"> <li>• Applications involving buildings that are at least 18 metres (or 7 stories) tall containing 2 or more dwellings.</li> <li>• Educational accommodation.</li> </ul> <b>What information is required?</b> <ul style="list-style-type: none"> <li>• Completed fire statement submitted on the form published by the Secretary of State (<a href="#">Form</a>).</li> </ul> <b>Guidance:</b> <ul style="list-style-type: none"> <li>• <a href="#">Fire safety and high-rise residential buildings</a></li> </ul>

## **Teresa Strange**

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**From:** Wiltshire Council <planning@sf.wiltshire.gov.uk>  
**Sent:** 25 February 2025 16:39  
**To:** Teresa Strange  
**Subject:** Thank you for your comments PL/2025/00865

This email is confirmation that Wiltshire Council has received your comments as set out below. Your response to this consultation will be reviewed prior to it being made public and whilst every effort is made to publish comments as soon after receipt as possible, sometimes there can be a delay of up to 48 hours for which we apologise and for any inconvenience the delay may cause. During this time your comment is available for inspection by the Planning Officer.

Melksham Without Parish Council  
Member of the Public  
Stance : No Objection

Your Comment:

Additional note that the description of the site as Melksham East Storage Ltd was felt to be misleading, this is not related to the BESS Battery Storage site or its owners; and was not on the actual application form.

Planning Team  
Wiltshire Council

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Ministry of Housing,  
Communities &  
Local Government

## Guidance

# Guide to the Planning and Infrastructure Bill

Published 11 March 2025

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The Planning and Infrastructure Bill is central to the government's plan to get Britain building again and deliver economic growth. The Bill will speed up and streamline the delivery of new homes and critical infrastructure, supporting delivery of the government's Plan for Change milestones of building 1.5 million safe and decent homes in England and fast-tracking 150 planning decisions on major economic infrastructure projects by the end of this Parliament. It will also support delivery of the government's Clean Power 2030 target by ensuring that key clean energy projects are built as quickly as possible.

## Background

Sustained economic growth is the only route to delivering the improved prosperity our country needs and the higher living standards working people deserve. That is why it is this government's number one mission.

In our first 8 months in office, the government has taken decisive action to restore economic stability, increase investment, and reform the economy to drive up productivity, prosperity and living standards across the UK. To build the homes and critical infrastructure our country needs, we have already delivered the most significant reforms to our planning system in a generation, including the publication of a revised, pro-growth National Planning Policy Framework in December 2024. The publication of the Planning and Infrastructure Bill marks another major milestone in our reform programme.

## What are the government's objectives in legislating?

The Planning and Infrastructure Bill is an ambitious piece of legislation which will speed up and streamline the delivery of new homes and critical infrastructure. The Bill has 5 overarching objectives:

- 1. Delivering a faster and more certain consenting process for critical infrastructure:** A failure to build enough critical infrastructure, in particular Nationally Significant Infrastructure Projects (NSIPs), is constraining economic growth and undermining our energy security. Upgrading the country's major economic infrastructure – including our electricity networks and clean energy sources, roads, public transport links and water supplies – is essential to delivering basic services and growing the economy. The Bill will make it quicker and easier to deliver critical infrastructure projects including through streamlining NSIP consultation requirements, ensuring National Policy Statements are kept

up to date, and reducing opportunities for judicial review. These changes will support the government's Clean Power Action Plan by accelerating the planning process for energy infrastructure and ensuring local communities benefit through the creation of a bill discount scheme for people living closest to new electricity transmission infrastructure.

2. **Introducing a more strategic approach to nature recovery:** When it comes to development and the environment, we know we can do better than the status quo, which too often sees both sustainable housebuilding and nature recovery stall. Instead of environmental protections being seen as a barrier to growth, we want to unlock a win-win for the economy and for nature. The Bill will introduce a new Nature Restoration Fund that will unlock and accelerate development while going beyond simply offsetting harm to unlock the positive impact development can have in driving nature recovery.
3. **Improving certainty and decision-making in the planning system:** Decisions about what to build and where should be shaped by local communities and reflect the views of local residents. However, in exercising local democratic oversight, it is vital that planning committees operate as effectively as possible. The Bill will ensure that they play their proper role in scrutinising development without obstructing it, whilst maximising the use of experienced professional planners. At the same time our reforms to planning fees will ensure that local planning authorities have the resources they need to deliver an efficient service.
4. **Unlocking land and securing public value for large scale investment:** The government is determined to enable more effective land assembly by public sector bodies, speed up site delivery, and deliver housing, infrastructure, amenity, and transport benefits in the public interest. To unlock more sites for development, the Bill will ensure that compensation paid to landowners through the compulsory purchase order process is fair but not excessive, and that development corporations can operate effectively.
5. **Introducing effective new mechanisms for cross-boundary strategic planning:** We cannot meet housing need without planning for growth on a larger than local scale. The Bill implement strategic planning at a sub-regional level through the production of Spatial Development Strategies to facilitate effective cross-boundary working to address development and infrastructure needs.

## What does the Bill do?



# Part 1: Infrastructure

## Nationally Significant Infrastructure Project (NSIP) reform

The government's approach to NSIP reform is to make targeted and impactful interventions to the consenting system to maximise certainty and speed. In January 2025, we published a working paper on streamlining infrastructure planning to test stakeholder views on potential legislative changes to the NSIP regime, ahead of introduction of the Planning and Infrastructure Bill. Following further policy development and feedback from a range of stakeholders – including developers, planning and technical experts, eNGOs and local authorities – the government is implementing several critical reforms outlined in the working paper, aimed at addressing the biggest barriers to delivery. These changes will ensure that: national policies are kept up to date; changes to these policies can be made more easily; consultation requirements are streamlined; there is greater flexibility in the overall planning system; and the number of opportunities for judicial review are reduced where a case has no merit.

### National policy statement updates

National policy statements (NPS) provide policy guidance on how NSIP applications are to be prepared and determined. The Bill will require national policy statements to be updated every 5 years so that they reflect the government's priorities and ambition. A more streamlined process will also be created for parliament to consider certain changes made to NPSs outside this rhythm of updates. Updates that can use this route will include legislative changes (enactments, amendments, or repeals) that have taken effect since the NPS was last amended, published changes to government policy, or relevant Court decisions issued since the NPS was last amended.

### Flexibility on consenting routes

Government is making sure the NSIP regime is flexible enough to accommodate the complexity and volume of projects in the years to come. The Bill will give the Secretary of State the power to direct projects out of the NSIP regime on case-by-case basis if a project would be better suited to being consented via an alternative consenting route.

### Streamlining consultation

The government is committed to streamlining the consultation requirements of the NSIP regime. Following feedback received through the working paper

and wider engagement, the Bill makes several immediate improvements to the regime. The government will continue working with the sector to fix the underlying consenting processes so the system is fit for the demands of the future.

The Bill will amend requirements on the content of consultation reports to enable shorter and more concise reports that effectively summarise the themes raised, and how they have informed applicants proposals. The acceptance criteria in the Planning Act 2008 will also be changed to enable the Planning Inspectorate to require corrective action on an application ahead of examination (rather than requiring the Planning Inspectorate to ask the applicant to withdraw or reject an application) – thereby reducing cautiousness from applicants and disproportionate gold plating of consultation requirements. We will remove the requirement to consult people that might or would be able to make a relevant claim under the Compulsory Purchase Act ('category 3'), while maintaining the requirement to notify those persons at the acceptance stage, in order to more broadly mirror other planning regimes where notification rather than pre-application consultation requirements apply.

A duty will be introduced for statutory consultees and local authorities to have regard for guidance. The guidance will be targeted so that key consultees identify and narrow areas of disagreement through the pre-application process. This duty will be supported by guidance for applicants to ensure they provide consultees with the right level of information to support their role, on non-statutory engagement (in advance of statutory consultation), and the acceptance stage.

The Bill will also remove the disincentive for statutory consultees, local authorities or those affected by compulsory acquisition to proactively engage in the DCO process between acceptance and preliminary meeting. Existing legislation will be clarified to ensure that Examining Authorities can award costs in circumstances where an application has been accepted for examination but is withdrawn before the preliminary meeting.

### **Judicial review changes**

In response to the recommendations made in Lord Banner KC's independent review, the Bill makes provision for the removal of the paper permission stage for judicial reviews of NPSs and Development Consent Orders, and removes the right to appeal for cases deemed totally without merit at the oral permission hearing.

### **Frequently asked questions**

**Q. How will these reforms help deliver 150 decisions on major economic infrastructure projects this Parliament? Will it prevent issues seen in the past projects?**

- Our reforms will streamline the system and help us deliver a faster, more certain and less costly NSIP regime. They are targeted specifically at

fixing elements of the system we know are slowing down decisions and development.

- This is essential to delivering our commitment in the Plan for Change to determine at least 150 Development Consent Orders (DCO) in this Parliament.

**Q. How will regularly updating National Policy Statements help speed up the system?**

- Regular updates ensure that the NPSs reflect current government policy, provide certainty for the sector, encourages investment, and helps mitigate legal challenges.
- This is why we are implementing the NIC's recommendations to ensure 5-yearly updates and enabling a more streamlined process for updates.
- It is currently taking too long to update NPSs – some NPSs such as waste water and hazardous waste have not been updated since they were designated over 10 years ago – whilst the process to update the energy and transport (National Networks) NPSs took over 4 years.
- Regular updates allow technological developments (e.g. threshold updates reflecting up to date renewable technology) to be reflected in the policy, allowing for a more reactive and appropriate NPS for projects to be considered under.

**Q. Will local communities still be able to get involved in the planning process?**

- The government is committed to good quality engagement with communities and consultees, but also to streamlining unnecessary processes and gold-plating. We will continue working with the sector to fix the underlying consenting processes so that the system is fit for the demands of the future.

**Q: How will you ensure access to justice with fewer permission attempts?**

- Only cases deemed totally without merit in the oral permission hearing in the High Court will be prevented from appealing to the Court of Appeal. Other cases will continue to be able to appeal the refusal of permission to the Court of Appeal.
- This will ensure there is no possibility of unmeritorious claims holding up NSIP projects, whilst also maintaining access to justice in line with our domestic and international obligations.

## Electricity network connections reforms

The current ‘first come, first served’ connection process gives little value to how ready a project is, which is preventing more viable projects from being able to connect ahead of slower moving ones. It also overlooks the technological and locational mix of projects connecting to the grid, and therefore does not consider impacts on the efficiency, cost or security of the electricity system, nor take account of strategic planning of the system as a whole.

The grid connections process is therefore not fit for purpose and Ofgem and the National Energy System Operator (NESO) are working, with support from government, to reform it, moving from a ‘first come, first served’ to a ‘first ready, first connected’ approach. These reforms are an essential enabler for the government’s Clean Energy Superpower and Growth missions.

The Bill will reform the process to make it more efficient and strategically aligned, ensuring that reforms already underway by Ofgem and NESO deliver the intended benefits in full. Time limited powers will be conferred on the Secretary of State and Ofgem to enable prioritisation of the connections queue for 3 years from Royal Assent of the Bill. These powers will be available should the existing connections reform processes face significant delays or fail to deliver intended benefits, including alignment with strategic energy plans. They will allow the Secretary of State and Ofgem to directly amend, electricity licences (both terms and conditions of particular licences, and standard conditions of a particular licence type), documents maintained in accordance with the conditions of licences, agreements made in accordance with a document so maintained, and qualifying connection agreements. These amendments are for the purpose of improving the process for managing connections to the electricity transmission and distribution systems.

The Secretary of State and Ofgem can further direct NESO and the Distribution Network Operators (DNOs) to make necessary changes accordingly. NESO and DNOs will be required to prioritise projects for connection based on strategic and system plans (e.g. the proposed Clean Power 2030 Action Plan), including applying technological and locational criteria.

### Frequently asked questions

#### **Q. How do the reforms support economic growth?**

- Speeding up the connections process will help kickstart economic growth, as delays in connecting to the power grid are a major obstacle for launching new projects on time and within budget. The current system is

often criticised for being too slow, which makes it difficult to connect low-cost clean energy generation to the grid on the one hand, and delays investment in anything which requires electricity, from housing and hospitals to gigafactories and data centres.

## **Q. How will consumers benefit?**

- Consumers could benefit from reduced network build and maintenance costs, some of which should be passed through onto bills. Ofgem's Impact Assessment of NESO's proposals for connections reform estimated that £5 billion of unnecessary network reinforcements could be avoided.
- Additionally, the reform is expected to reduce system costs by enabling faster addition of generation and storage to the system, potentially lowering constraint and other costs. Households are expected to benefit from reduced electricity bills in the long run due to reductions in network build, maintenance, and operating costs. However, the extent of bill reductions depends on various factors, including the costs of accelerated investments and market prices.

## **Consenting for electricity infrastructure in Scotland**

The existing electricity infrastructure consenting process, as set out in the Electricity Act 1989, has delays caused by the inefficiencies of an outdated process which was not designed to deal with modern energy demands. Scottish consenting reforms taken forward by the Bill will make the system more efficient, more predictable and look to reduce overall consenting timescales.

Mandatory pre-application requirements will be introduced ensuring that there is meaningful engagement with communities and statutory consultees early on reducing the risk of low quality and inconsistent applications being submitted and reducing the likelihood of delays later on in the consenting process. The Scottish Government will have the power to charge fees for the statutory pre-application service. The Bill will allow for specific application requirements to be set out to help developers to submit applications with all the relevant information, and enables time periods to be set for key stages of the application process. This will help all the bodies involved in the process to work together in a timely fashion.

The process followed when a local authority objects to an application will be improved. Instead of the automatic trigger for a public inquiry, objections will be handled through a tailored, reporter-led process, which is proportionate to the further evidence-gathering needed. The statutory right of appeal process, which currently only applies to offshore consenting, will be

extended to onshore Electricity Act 1989 consenting in Scotland – allowing persons to challenge the decisions of Scottish Ministers in 6 weeks with a new requirement that the timescale will commence from the publication of the decision, rather than the date the decision was taken. This will create certainty in Scotland by making the challenge process consistent across onshore and offshore, and ensuring they are brought in a timely manner.

The Bill will also enable variations to existing consents. This includes creating a statutory process for a consent-holder to apply for a variation to a section 37 (overhead line) consent, which is already in place for variations to section 36 (generating station) consents. It will also enable the Scottish Government to vary consents to address changes in circumstances relating to the environment or technological changes, or to correct an error in the consent.

The Scottish Government cannot currently charge fees for processing applications for necessary wayleaves, statutory rights that allow electricity licence holders to install and access their electricity lines and associated infrastructure on land owned by others. The Bill will allow the Scottish Government to charge developers fees at the point of application.

A power for Scottish or UK ministers to amend the Electricity Works (Environmental Impact Assessment) (Scotland) Regulations 2017 will enable the pre-application and application reforms, such as allowing the Scottish Government to charge developers fees for screening and scoping opinions, and to change the publication requirements for EIA reports, copies and additional information.

## **Frequently asked questions**

### **Q. Why is the consenting process different in Scotland to England and Wales?**

- Consenting decisions for electricity infrastructure is a devolved matter in Scotland and it is right that the consenting regimes reflect the requirements of each nation. However, the UK government and the Scottish Government recognise that the legislative framework hasn't been updated in Scotland since 1989 and that reform is required to speed up decision making as was done for England and Wales through the Planning Act 2008's Nationally Significant Infrastructure Projects.

### **Q. How will these reforms help speed up consenting?**

- These reforms intend to speed up the consenting process overall, reducing the time taken for decisions on applications. They do not make applications for electricity infrastructure consents more or less likely to be granted and these decisions will continue to be taken by Scottish Ministers on a case by case basis.

### **Q. Does the Scottish Government support these reforms?**

- This is a shared priority for both the UK and Scottish governments. The Scottish Government's 'Programme for Government 2024-25' commits to collaborating with the UK government on the reforms as part of the progress to renewables.
- We have worked closely with the Scottish Government on the reform proposals. The UK government consultation in October to November last year was undertaken in collaboration with the Scottish Government and we have continued to work with them in developing the legislation in this Bill.

## Long duration electricity storage cap and floor scheme

Long duration electricity storage (LDES) is infrastructure that can store electricity and then discharge continuously at 8 hours or longer at full power. LDES enables the electricity system to store clean wind and solar power when it is plentiful and use it when most needed. It is a crucial part of making Britain a clean energy superpower. The Bill will impose a duty on Ofgem to deliver a cap and floor scheme for LDES. The scheme will support investment in LDES, helping to ensure sufficient LDES is deployed to help to decarbonise the electricity system and allow us to maximise the use of intermittent renewable energy generation. Ultimately, a cheaper and more efficient energy system can be a key driver of growth.

This cap and floor mechanism provides a minimum revenue certainty for investors (the 'floor' level) to provide security and a regulated limit (the 'cap' level) on revenues to avoid excessive returns. The floor is set at a low level to minimise the likelihood of its use, while still providing comfort to investors that operators can meet debt payments in the unlikely scenario that revenues are much lower than forecast. They are not high enough for the asset owners to make a profit (when considering the cost of debt), so there is no incentive for them to seek floor payments – they are merely a form of insurance. In return for consumers underwriting this risk, a revenue cap ensures that LDES asset owners must share some or all profits above a certain level.

Investment in LDES again after a hiatus of 4 decades will make an important contribution to power sector decarbonisation and economic growth by integrating renewables and reducing electricity system costs while supporting energy security. Analysis for DESNZ finds that, in a central scenario, 20GW of 24-hour duration LDES could save £24 billion of electricity system costs from 2030 to 2050.

### Frequently asked questions

#### Q. Will there be an impact on bills?

- LDES will help to reduce household bills by maximising the use of renewable generation, which in turn will reduce our reliance on expensive natural gas. It will also reduce the need to build new network infrastructure.
- Independent analysis found that deploying 20GW of LDES could generate £24 billion of electricity system savings between 2030 and 2050, through reduced additional generation and network build requirements.

### **Q. Will there be an impact on the environment?**

- All pumped storage hydro projects must go through a rigorous planning permission process which includes environmental impact assessments.
- All projects need to have due regard for the environmental impact of any installation and put in appropriate mitigations before being allowed to begin construction.
- Supporting the deployment of new LDES capacity will also have positive environmental impacts. LDES can help to decarbonise the system by maximising the use of renewable generation, replacing flexibility from fossil-fuelled electricity generation, and minimising required network build.

## **Consumer benefits for homes near electricity transmission projects**

On its way to transmitting power to all of Great Britain, electricity transmission infrastructure passes through communities who do not experience enduring direct benefits from it in terms of new jobs, skills or investment. This infrastructure is needed to move power from where it is generated, through lower-demand rural communities, and towards higher-demand urban centres, and may increase perceptions that communities living near to it experience a lack of direct benefits and/or a disproportionate negative impact. Public consent for transmission network infrastructure projects is precarious and challenges government's ability to meet the required scale of infrastructure to keep pace with increasing electrification and to help realise clean power by 2030 targets.

Communities that live close to new network infrastructure are therefore a critical stakeholder in delivering cheaper, cleaner, secure energy – there is a positive externality for wider society. Community benefits ensure communities can gain from network infrastructure, that delivers a national need, being sited in their vicinity.

The Bill will enable the government to implement a mandatory, centralised approach to providing bill discounts to communities closest to new or



significantly upgraded electricity transmission infrastructure. Regulations made under the Bill measures will set out eligibility for the scheme and the operation of the scheme, including, for example, data sharing powers, how the discount will be applied, the amount of discount that will be provided and the length of time it will be applied for. The Bill will also empower the Secretary to address issues relating to 'hard to reach' customers, including a passthrough requirement and opt-in scheme. Regulations will provide a description of the infrastructure that is within scope of the scheme, alongside enforcement measures and appeal processes.

## **Frequently asked questions**

### **Q. Who is eligible for a discount and what is the discount level?**

- We have a minded to position to offer bill discounts of up to £2,500 over 10 years for those living up to 500m from new and significantly upgraded electricity transmission infrastructure. Further details determining who is eligible will be set out in secondary legislation.

### **Q. What infrastructure is in scope for the bill discounts scheme?**

- We are currently proposing that this scheme applies to new onshore, above ground transmission cables and associated infrastructure (e.g. substations) in Great Britain, and certain major upgrades of existing projects.

### **Q. Some households don't pay directly for an electricity bill. Will they still be able to benefit if they are eligible?**

- We are aware that some eligible households will not have a direct relationship with an electricity supplier, so will not be able to receive a bill discount automatically. This includes households living in eligible properties on commercial electricity supplies. We consider these households 'hard-to-reach'.
- We are designing a separate opt-in mechanism to ensure that these hard-to-reach households are not disadvantaged or excluded from the bill discount scheme.
- These households represent a small minority of eligible households, but we want to ensure all eligible households have an opportunity to benefit.

### **Q. Why is eligibility based on distance rather than impact or visibility of infrastructure?**

- Basing eligibility on distance provides a clear, objective rationale for who receives bill discounts.
- Attempting to base eligibility on impact of infrastructure creates a subjective element to eligibility, which is far harder to deliver and is likely to increase the number of appeals and protests from those not included.

## Extension of the commissioning period for offshore electricity transmission system

Under the current regulatory regime for delivering offshore wind, transmission assets connecting the offshore wind farms to the onshore grid are typically built by an offshore wind developer alongside the rest of the windfarm. Once complete, Ofgem runs a tender to select an Offshore Transmission Owner (“OFTO”), independent of the generator, to own and operate the transmission assets in return for a tender revenue stream. The OFTO pays the generator a transfer value determined by Ofgem for the assets.

The Electricity Act 1989 (“the Act”) requires a licence to be held for engagement in electricity transmission and generation activities. Holders of generation licences are not permitted to also hold a transmission licence (the ‘unbundling rules’). However, the Act allows offshore generators to transmit electricity without an offshore transmission licence during the ‘commissioning period’. This is commonly known as the ‘Generator Commissioning Clause’ (‘GCC’).

Currently the GCC provides an 18-month period for the generator to transmit electricity for the purposes of commissioning and testing transmission assets. This poses a challenge as, over time, offshore windfarms and the transmission assets which connect them to the onshore grid have become larger and more complex compared to when the regulatory regime was first established. At the end of 2023, the average capacity of operational fully commissioned projects was less than 330 MW, while the average for in-construction projects is over 1,100 MW. This increases the risk of technical issues causing delays to commercial negotiations finalising the transfer.

The Bill will enable an extension of the GCC period from 18 to 27 months, which will reduce the number of offshore wind farm projects requiring government interventions to prevent them from shutting down due to non-compliance with the Act.

### Frequently asked questions

#### **Q. Why have you settled on a 9-month extension, to 27 months?**

- The Department issued a call for evidence on the OFTO regime, which closed in February 2024, and responses suggested the GCC period was too short, and should be extended due to the increase in the size and complexity of wind farms. This increased size and complexity had led to an increased risk of developers experiencing technical faults, and meant more time was required for more complex commercial negotiations.

- A 9-month extension to 27 months is the right length to provide more time for the OFTO tendering process, while still ensuring the timely transfer of assets to an independent OFTO. The vast majority of wind farms which required extensions since 2016 have been able to complete the divestment of assets within 27 months.

## Electricity generation on forestry land

The Bill will amend the Forestry Act 1967 to grants powers to the “appropriate forestry authorities” (Forestry Commissioners in England and the Natural Resources Body for Wales), to use and permit the use of forestry land for the generation, transmission, storage and supply of electricity from renewable sources. This will increase the amount of electricity produced from renewable sources and thus contribute towards the government’s energy and climate change targets while benefitting the longer-term funding of the appropriate forestry authorities.

These powers will exist alongside the appropriate forestry authorities’ existing duties and functions in respect of forestry land, which relate primarily to timber production and recreational facilities (amongst others more ancillary).

### Frequently asked questions

#### **Q. Will there be adverse effects to the environment?**

- All developments will be subject to the rigours of the planning process, which will include environmental screening, surveys, and mitigation measures on any potential impacts on landscapes and ecology.

## Reforms to the Highways Act 1980

Delivering a faster and more certain consenting process for transport infrastructure projects builds transport connectivity and works to tackle congestion and overcrowding. The Bill will make various amendments to the Highways Act 1980, with the intention of streamlining and improving the efficiency of delivering road infrastructure schemes, and making sure processes within the Highways Act 1980 regime are fit for purpose and proportionate. These measures include:

- Establishing powers to enable temporary possession of land to better frame land negotiations and reduce time taken to do this.

- Enabling cost recovery for defined statutory consultees and local authorities when providing advice or services relating to orders and schemes, to support their resourcing strategies and encourage quality and timely inputs into the process.
- Introducing statutory deadlines for the Secretary of State decision stage of the process and amending the period for objections to align with other planning regimes to provide certainty to stakeholders.
- Simplify the various ways of handling orders and schemes under the Highways Act by removing the requirement for statutory instruments for certain schemes and orders, and enabling the strategic highway company to initiate the making or unmaking of trunk roads.

### **Frequently asked questions**

#### **Q. In reducing the objection period, are you trying to avoid people having their say?**

- The objection period for orders and schemes under the Highways Act is currently set at a period of not less than 6 weeks. This differs from objection periods in other regimes used to consent transport infrastructure, such as the Planning Act 2008 regime, and is longer in most instances.
- Reducing the objection period can accelerate the delivery of transport projects whilst still providing a reasonable period of time for interested parties to register their views.

#### **Q. Why are you introducing a power to temporarily possess land?**

- Currently in the Highways Act there is no mechanism for the temporary possession and use of land through means of compulsion. Where land is only required on a temporary basis, if access to such land cannot be achieved by agreement with the landowner(s), the highways authority will seek powers of compulsory acquisition to enable it to use the land.
- Powers of compulsory acquisition are disproportionate to the needs of the highways authorities that only need to access the land temporarily. The measure would offer a more proportionate route, aid land negotiations and provide legal protection to landowners that they will regain their land following the carrying out of works.

## **Reforms to the Transport and Works Act 1992**

The reforms will deliver a consenting process to enable the authorisation of new railways or tramways in England and Wales (as well as guided transport schemes and inland waterways) that reduces unnecessary administrative burdens placed on applicants pursuing transport

infrastructure projects under the Transport and Works Act 1992 (TWA92) regime. The Bill will make various technical amendments to the TWA92 to ensure the regime is fit for purpose and proportionate, with the intention of streamlining and improving the efficiency of delivering new transport schemes. These measures include:

- enabling cost recovery for defined statutory consultees and local authorities when providing advice or services relating to orders, to support their resourcing strategies and encourage quality and timely inputs into the process
- introducing statutory deadlines for determination of applications to provide certainty to stakeholders
- providing for the inclusion of additional authorisations to streamline multiple processes
- replacing model clauses with guidance so they can be more easily updated
- providing points of clarification through legislative amendments

### **Frequently asked questions**

#### **Q. Why are you reforming the Transport and Works Act 1992?**

- Reforms to the Transport and Works Act 1992 are taking place because the current consenting process for schemes under this planning regime is considered disproportionate and inadequately tailored to address the complexities of modern-day infrastructure development.
- The capacity to manage a potential for a higher volume of more complex and larger-scale projects in the future will ensure the regime remains fit for purpose to meet the evolving needs of transport infrastructure.

## **Harbour Order fees**

The Marine Management Organisation (MMO) currently charges fees for Harbour Orders in England and for the reserved trust port, Milford Haven. Elsewhere in Wales, and in Scotland, fees are the responsibility of the devolved Ministers. (Northern Ireland has separate arrangements.)

However, these fees are currently charged at flat rates in advance – an approach that does not align with marine licence applications. The current system does not accurately reflect the complexity or time required for each application, especially for works applications and does not allow for enough flexibility in charging, which currently leads to inefficiencies and to inaccurate cost recovery, and slows down application processing.

The Bill will amend the cost recovery process for Harbour Revision Orders so that they can be set more flexibly. This is to be done by amending Schedule 3 to the Harbours Act 1964 so that regulations may provide for fees to be determined by a specified method, which could encompass fixed and hourly elements to become payable in a combination of advance and arrears elements. Further provisions relate to the procedures respectively applicable to England, Wales and Scotland.

This would improve cost recovery, help the MMO plan and manage its resources and deliver faster decision making. This approach better align with government guidance, specifically HMT's Managing Public Money, which recommends that cost recovery should be the standard approach for setting charges for public services.

### **Frequently asked questions**

#### **Q. Won't this just mean ports paying more for a slow service?**

- No. The MMO can and does already levy hourly fees for the more complex marine licence applications and performance on these has been generally better.
- DfT and DEFRA officials will work closely with MMO to ensure that more flexible fee structures do contribute to significantly better performance in future.

## **Electric vehicle (EV) chargepoints**

The government is committed to supporting the transition to electric vehicles and plans to accelerate the rollout of EV charging infrastructure. This policy supports EV uptake and ensures that everyone has access to reliable and convenient public charging, by making it quicker, easier, and cheaper to install EV infrastructure, helping to deliver a more comprehensive and reliable network of chargepoints around England.

The Bill will streamline the approval of street works needed for the installation of EV public charge points by removing the need for licences where the works are capable of being authorised by permits. This is intended to expedite the roll out of EV charging infrastructure. Electric Vehicle chargepoint operators will be given access to permits when installing EV charging infrastructure. the Highways Act 1980 will be amended to prevent HAs from granting permission under section 115E for EV chargepoint installation where this is capable of being authorised by a permit, therefore maximising the time and cost savings EV CPOs face.

### **Frequently asked questions**

**Q. Without a license and regulator, who will oversee the quality of the work carried out by EV chargepoint installers?**

- Under both the permitting and section 50 licensing regimes, the organisation carrying out street works must comply with requirements set out in the New Roads and Street Works Act 1991 and associated statutory guidance (and safety codes). These include a requirement for the undertaker to ensure their apparatus is kept in efficient working condition and gives the highway authority power to carry out inspections of works and reinstatements.

**Q. What difference will changing the system from a permitting to licencing regime make?**

- Local communities currently face a burdensome process when installing a charger, which require licences for street works, with waiting times for approval taking several months on average and costing EV chargepoint operators between £500 and £1,000 per licence.
- Through the Bill, these street works licences for chargers will be replaced by permits, and any need for additional licences requested by some councils will be removed. Permits for all local authorities in England can be applied for online via the DfT's street manager digital service, which also support planning and co-ordination of all road works.
- Permits for works that last 10 days or less will cost between £45 and £130, and take 2-5 days to approve, saving hundreds of pounds and hours in the application process as well as helping new EV infrastructure spread in cities and rural areas where more drivers can charge on their street.

## Part 2: Planning

### Sub-delegation of planning fees

Planning application fees are currently set nationally and are intended to cover the cost to a Local Planning Authority (LPA) of processing and determining a planning application (their 'development management service'). However, planning fees do not fully cover the costs of running the development management service. Over the years there have been calls for planning fees to be set at a level that fully covers the cost of the application service. Although we could continue to increase fees nationally to make up the shortfall, it is unlikely to achieve full cost recovery because of the

varying costs between authorities. There is an estimated annual funding shortfall for LPA development management services of £362 million, based on most recent local government spending data for 2023-24.

The Bill establishes a new power for the Secretary of State to sub-delegate the setting of planning fees to LPAs. It also requires the planning fees must not exceed the cost to LPAs to determine that planning application and that the fee income must be retained for spending on an LPA's relevant planning function. Our changes to planning fees will ensure that LPAs have the resources they need and that they are directly invested in deliver an efficient planning service.

Provisions also include safeguards to prevent against excessive or unjustified fee increases by providing the Secretary of State with the power to intervene and direct an LPA to amend their fees or charges when it is considered appropriate to do so.

### **Frequently asked questions**

#### **Q. Will your proposals for localisation of planning fees lead to higher fees?**

- For some application types, fees may have to increase to cover the costs of the local planning authorities. The Bill includes safeguards to prevent against excessive or unjustified fee increases by providing the Secretary of State with the power to intervene and direct an LPA to amend their fees or charges when it is considered appropriate to do so. This will prevent LPAs setting fee levels above cost-recovery and do not become a barrier to kickstarting development.
- The Bill will also ensure that planning fees cannot exceed the costs to LPAs to determine a planning application and that fee income must be retained for spending on an LPA's relevant planning function – not to cross-subsidise other services.

#### **Q. Won't it be very confusing if each local planning authority charges a different fee?**

- Although each local planning authority may set a different fee for the same type and size of application, for consistency we propose to retain the current fee categories, which will enable direct comparison between local planning authorities to be made.
- We will also be pursuing a fees model that allows for local variation from a national default fee – this approach gives LPAs greater flexibility to fund and deliver an effective service whilst preventing large differences in fees between LPAs.

#### **Q. How will you ensure that any increased fees result in better performance by local planning authorities?**



- By increasing planning fees, it is expected that local planning authorities will have more of the resources they need to determine applications within the required statutory periods. We will continue to monitor the performance of local planning authorities through the Planning Performance Dashboard and quarterly planning statistics. The planning performance regime ensures that local planning authorities who are under-performing are held to account.
- Measures in the Bill will also ensure that fee income must be retained for spending on an LPA's relevant planning function – not to cross-subsidise other services. This will ensure that fees are directly invested into delivering an efficient planning service.

## Planning committee reforms

Planning committees are a critical part of the planning system. In England planning decisions by LPAs are the responsibility of planning committees, although they can delegate decisions to officers.

The Bill will include introducing a national scheme of delegation that will, through regulations, set out which planning functions should be delegated to planning officers for a decision and which should go instead to a planning committee or subcommittee. This measure will ensure that there is greater consistency and certainty across England about who in a local planning authority will be responsible for making planning decisions. We are also taking a power to legislate through Regulations for the size of committees, to support effective debate and avoid sprawling committees.

As a result of this legislation, committee members will be required to undertake mandatory training before they can take planning decisions. The power to require planning committee members to complete training aims to create consistency in training and ensure that key areas of law that are relevant to a planning committee member's decision-making functions are understood to an adequate standard across the country.

### Frequently asked questions

#### **Q. Are these measures undermining local democracy?**

- No. These measures are to ensure the planning process is streamlined and more efficient, whilst retaining local democratic oversight. Having a national scheme of delegation will improve the recognition of sites that have already received democratic approval through the local plan process.

#### **Q. Will this measure remove the voice of local communities in planning decisions?**

- No. The best way for councillors and communities to engage in the development proposed for their areas is through the local plan process, which will be agreed by the council. We think that where controversial development is proposed that has not been planned for, councillors play a key role in representing the voice of their communities.
- We are not changing the consultation rules on planning applications. Representations are considered by the decision maker – whether officer or planning committee.

**Q. Are you taking away planning decisions from councillors because they are unfit to make them?**

- A national scheme of delegation would create more certainty for all stakeholders on how to deal with any planning application. Councillors will have had an instrumental role in the development of local plans, and therefore, we think that the planning process would be expediated for proposals that broadly meet the objectives of that plan. We think that where controversial development is proposed that hasn't been planned for, councillors play a key role in representing the voice of their communities.

**Q. How will mandatory training be implemented?**

- We are currently considering a wide range of implementation options, and we look forward to working with all stakeholders on these options. There are good examples of training across the country, however this is inconsistent, and we are keen to work with local planning authorities to find the best practice which can work nationally.

## **Spatial development strategies**

With the exception of London, most of England is not currently covered by a strategic plan. The current development plans system therefore depends on individual authorities cooperating with one another on their local plans to address cross-boundary issues such as addressing housing need. The government's view is that housing need in England cannot be met without planning for growth on a larger than local scale, and that reform is needed to introduce effective new mechanisms for cross-boundary strategic planning.

The Bill will enable the government to introduce a system of strategic planning across England. The strategic planning tool being rolled out is the spatial development strategy (SDS), and this is closely modelled on the system that has been in place in London for over 20 years.

The Bill places a duty on combined authorities, combined county authorities, upper-tier county councils and unitary authorities to prepare a SDS for their area. The Bill also enables the government to establish “strategic planning boards” to prepare SDSs on behalf of specified groupings of these authorities.

Under an existing legal requirement, local plans must be in general conformity with a SDSs that become operative under these arrangements. London will continue to produce its SDS under the provisions in the Greater London Authority Act 1999, given the unique arrangements of the Greater London Authority.

## **Frequently asked questions**

### **Q. Are you reintroducing regional planning?**

- No, we have learnt from previous experience that the regional model was seen as remote from local communities and the areas to be planned were too large, making plan making slow. We are looking at sub-regional models which strike a balance between providing strategic direction but still being related to the geographies in which people spend most of their lives.

### **Q. What will SDSs actually do/contain?**

- We intend for SDSs to play a vital role in delivering sustainable growth and addressing key spatial issues – including meeting housing needs, delivering strategic infrastructure, growing the economy, and improving climate resilience. Strategic planning will also be important in the delivery of Local Growth Plans and Local Nature Recovery Strategies.

### **Q. These Spatial Development Strategies will take decision making away from local areas, isn't this the opposite to devolution?**

- This is about making decisions at the most appropriate level. Some challenges, like housing supply, can only be effectively tackled across larger geographical areas. The government will be devolving strategic planning to an appropriate level so that the SDS can set the overall direction and strategy for an area.
- Local planning authorities will still produce local plans containing local policies and crucially allocating sites for development. We know local authorities are best placed to understand their communities and local priorities. Equally, communities will continue to be able to prepare neighbourhood plans for their areas.

# **Part 3: Development and nature recovery**

Currently, where development is required to discharge an environmental obligation relating to protected habitats and species there is often little or no strategic coordination as to how these obligations are or should be discharged.

As the system stands, development is often delayed until sufficient mitigation is put in place. The time it takes to secure mitigations can range from a number of months to a number of years where mitigation is challenging to secure – for example, there are areas where nutrient neutrality advice was issued between 2020 and 2022 that still have no operational supply of mitigation.

Assessing the environmental impact of a development requires a high level of technical knowledge and a bespoke assessment is required, even for small developments. Each development must then be linked to specific mitigation measures with development being blocked where such measures are not readily available. While this approach addresses the specific impact of a development, by not taking a holistic view, mitigation measures may not secure the best outcomes for the environment. This approach may also lead to higher than necessary administrative costs, because of multiple transactions and information exchanges, as well as inefficient allocation of limited specialist capacity such as ecologists, whose focus is solely on project level mitigation work rather than the recovery of habitats and species overall.

These delays can slow housing delivery, with accompanying burdens on developers and local authorities. For example, for local authorities these delays can result in challenges in meeting their local housing need. In areas where there are significant delays caused by environmental issues it can result in housing needing to be placed in alternative locations. This can result in increased infrastructure demand being overly concentrated in specific areas.

The Bill establishes the Nature Restoration Fund (NRF), an alternative approach for developers to meet certain environmental obligations relating to protected sites and species. It allows Natural England (or another designated delivery body) to bring forward Environmental Delivery Plans (EDPs), that will set out the strategic action to be taken to address the impact that development has on a protected site or species and, crucially, how these actions go further than the current approach and support nature recovery. Where an EDP is in place and a developer utilises it, the developer would no longer be required to undertake their own assessments, or deliver project-specific interventions, for issues addressed by the EDP.

The government believes this approach will facilitate a more strategic approach to the discharge of environmental obligations and result in improved environmental outcomes being delivered more efficiently. By reducing delays to development, this new approach may also facilitate faster delivery of housing across England.

## Frequently asked questions

### Q. Won't this lead to environmental regression?

- Since these measures were announced in the King's Speech we have stated that we would only act in legislation where we can confirm to Parliament that the steps we are taking will deliver positive environmental outcomes.
- On Bill introduction the Minister confirmed via a statement under section 20(3) of the Environment Act that this Bill would not have the effect of reducing the level of environmental protection of existing environmental law.
- We are clear in our desire to deliver a win-win for nature and for the economy and are committed to exploring how taking a more strategic approach can secure improved outcomes for the environment.

### Q. The previous government attempted to weaken the Habitats Regulations and scrap nutrient neutrality rules. How does this approach differ?

- This approach will not reduce overall levels of environmental protection. It will do the opposite, by enabling development to go beyond maintaining an unacceptable environmental status quo and make a positive contribution to nature recovery.
- By moving away from piecemeal interventions to a more strategic approach, we can deliver more for nature, not less.

### Q. We already have District Level Licensing and nutrient neutrality schemes. What more will the new system offer and how will it be easier for developers?

- Existing approaches are delivering on interventions to mitigate for development, but are complex and inefficient, failing to fix the underlying issues, only maintaining the status quo and operating at only a project specific mitigation scale. We need to do better, both to enable nature recovery and streamline the process for development and planning decision-makers.
- As District Level Licencing for Great Crested Newts has proved, taking a strategic approach is often more efficient and reduces the proportion of expenditure directed towards surveying or complicated calculations. The strategic approach is therefore also more effective, enabling us to go further than mitigation and deliver improvements for nature. However the existing legal framework is not designed to support strategic approaches and complex legal agreements and payments are needed.
- Where an EDP is in place, our approach will enable developers to fulfil their existing environmental obligations in a different way. By making a straightforward and simple payment, without complex legal agreements,

to pass the responsibility of sourcing and delivering mitigations and improvements onto Natural England. In order to secure the certainty needed for this approach to work, it has been necessary to implement this new system through legislation

### **Q. Who will ensure that the environmental obligation is delivered?**

- EDPs will be prepared by experts in Natural England before being approved and made by the Secretary of State. The Secretary of State will only be able to give the go ahead to an EDP where they are satisfied that doing so will deliver an overall improvement compared with the current approach. EDPs will include clear criteria for success to ensure this overall improvement is delivered alongside robust monitoring and reporting requirements. If an EDP is shown to be underperforming, the EDP will be expected to deliver additional conservation measures to ensure the environmental outcome is secured.
- It is essential that Natural England will be resourced sufficiently to carry out their role as the delivery body. The budget allocated £14 million for the Nature Restoration Fund in the next financial year, but its steady state operation will be on a full cost recovery basis.
- We are confident that the backstop measures for EDPs ensure certainty that the conservation measures proposed under an EDP will outweigh the negative effects of development.

## **Part 4. Development corporations**

Boosting housing supply requires not only reform of the planning system, but also a renewed focus on building large-scale new communities and New Towns across England. Development Corporations are statutory bodies established for the purpose of urban development and regeneration. They are important vehicles for delivering large-scale and complex regeneration and development projects.

This government will legislate to strengthen development corporations to make it easier for central and local government to deliver large-scale new communities. Through the Bill the government intends to create a clearer, more flexible, and robust framework for the operation of development corporations to unlock more housing across the country, coordinating this with infrastructure and transport for sustained economic growth.

The Bill will:

- Enable greater flexibility for development corporations in terms of the variety, extent and types of the geographical areas over which they can operate.

- Ensure development corporations have due regard to sustainable development and climate change mitigation and adaptation.
- Update and standardise the types of infrastructure development corporations can deliver, including heat networks.
- Improve collaboration between development corporations and local transport authorities, through a new duty to cooperate, which will ensure that new towns are seamlessly integrated into the wider spatial plan for the area. Where appropriate, the Bill will ensure that development corporations are able to exercise transport planning functions to achieve this goal.

### **Frequently asked questions**

#### **Q. Are Development Corporations being given too much power without sufficient oversight and accountability?**

- Development Corporations are necessary for delivering large-scale, complex developments, for which significant powers for planning, land assembly, transport, and infrastructure are required.
- Decisions to establish Development Corporations and the powers each will have will be made via regulations, are subject to statutory consultation, and their oversight will be carefully considered.

#### **Q. Why are development corporations taking on transport powers?**

- Transport infrastructure and its timely delivery is essential to delivering large scale property developments.
- Our preferred approach is for development corporations to work together with local transport authorities. Cooperation is essential to unlock growth through provision of transport infrastructure.
- Transfer of transport powers is ultimately a backstop measure. Before that, Secretary of State will be able to direct local transport authorities where cooperation isn't forthcoming.
- Decisions to direct or transfer transport powers will be taken on a case-by-case basis and only applied when collaboration is not effective and necessary transport infrastructure is not being delivered.

## **Part 5: Compulsory purchase**

### **Compulsory Purchase Order reforms**

The government recognises the importance of making effective use of land and is keen for authorities to make greater use of their compulsory purchase powers to support the delivery of housing, growth and regeneration of their areas. However, complex land purchasing processes along with landowners' unrealistic expectations on compensation can delay the assembly of land for housing and infrastructure by compulsory purchase. This can make the building of homes, transport links and schools more costly and slows down the delivery of critical infrastructure.

The government wants to reform the compulsory purchase process and land compensation rules to enable more effective land assembly that will speed-up and lower the costs of the delivery of housing and infrastructure in the public interest.

The Bill will improve the CPO process and land compensation rules to enable more effective land assembly through public sector-led schemes. This includes allowing statutory notices to be delivered electronically, simplifying information required to be included in newspaper notices, more delegation of decisions, quicker vesting of land/properties, and changes to the loss payments regime. A more streamlined and efficient process will also enable authorities to make greater use of their compulsory purchase powers, with associated cost savings realised through faster acquisition decisions.

The Bill also extends an existing power to remove value attributed to the prospect of planning permissions ('hope value') by direction under section 15A of the Acquisition of Land Act 1981 ('the 1981 Act') to town/parish and community councils where they are using CPO powers to facilitate affordable or social housing provision. It will also be achieved by ensuring directions removing hope value apply to assessment of all open market value where it forms part of a compensation claim.

## Frequently asked questions

### **Q. Will the reforms to the compulsory purchase land compensation rules deny landowners their fair share of compensation?**

- The reforms will allow decisions on directions to remove hope value to be taken by inspectors or, where there are no objections, acquiring authorities, instead of the Secretary of State. This will speed-up decisions and ensure we deliver more of the houses, schools, hospitals and other vital infrastructure that people in this country need.
- A direction to remove hope value issued by an inspector will not prevent landowners from claiming compensation for full development value for any extant planning permission on their land not relating to the CPO scheme.
- The direction power is limited to certain CPO powers facilitating affordable housing, which could be part of a mixed tenure scheme), education or health development. The government considers public



sector acquiring authorities, in taking forward these schemes, are most likely to be able to justify the payment of compensation below market value is in the public interest. This is proportionate and sensible, and ensures we are in line with other advanced market economies like Germany, France and the Netherlands.

- Regardless of whether there is a direction for land to be included in a CPO, its acquisition must be necessary for the delivery of a scheme for which there is a compelling case in the public interest.
- The reforms reinforce the principle that landowners should not receive excessive compensation where compulsory purchase powers are used to assemble land and deliver schemes in the public interest.

### **Q. What is the government doing to support local authorities to use their compulsory purchase powers?**

- To assist local authorities in using their CPO powers, this government has published updated, detailed guidance on the compulsory purchase process alongside a factsheet explaining the hope value direction power.
- There are also plain-English booklets on the CPO process aimed at claimants which are available on the government's website.
- The government also keeps up to date on its website an online register of CPO decisions issued by the Ministry of Housing, Communities and Local Government which gives local authorities more confidence on which CPO powers should be used for their individual projects.
- Homes England also provides online training courses on compulsory purchase for local authorities.



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