



Public Document Pack

Melksham Town Council

Town Hall, Melksham, Wiltshire, SN12 6ES

Tel: (01225) 704187

Town Clerk Tracy Predeth BA(Hons) MPA, FLSCC

To: Councillor S Rabey (Chair)
Councillor A Griffin (Vice-Chair)
Councillor P Alford
Councillor P Aves
Councillor G Cooke
Councillor G Ellis
Councillor J Oatley
Councillor C Stokes

18 June 2024

Dear Councillors

In accordance with the Local Government Act (LGA) 1972, Sch 12, paras 10 (2)(b) you are invited to attend the **Economic Development and Planning Committee** meeting of Melksham Town Council. The meeting will be held at the Town Hall on **Tuesday 25th June 2024** commencing at **7.00 pm**.

A period of public participation will take place in accordance with Standing Order 3(e) prior to the formal opening of the meeting. The Press and Public are welcome to attend this meeting in person, alternatively the public and press may join the meeting via Zoom.

In accordance with the Council's commitment to being open and transparent; all Town Council meetings are recorded and broadcast live. The right to do so was established under the Openness of Local Government Bodies Regulations.

Yours sincerely

T Predeth

Mrs Tracy Predeth BA(Hons), MPA, FSLCC
Town Clerk and RFO

Melksham Town Council
Economic Development and Planning Committee
Tuesday 25 June 2024
At 7.00 pm at the Town Hall

In the exercise of Council functions. Members are reminded that the Council has a general duty to consider Crime & Disorder, Health & Safety, Human Rights and the need to conserve biodiversity. The Council also has a duty to tackle discrimination, provide equality of opportunity for all and foster good relations in the course of developing policies and delivery services under the public sector Equality Duty and Equality 2010.

Virtual Meeting Access:

Please follow the joining instructions below for the virtual Zoom meeting

<https://us02web.zoom.us/j/83669876198?pwd=WlAvY1ZsYVNyUIM3VktgajFvOHhtdz09>

Join Zoom Meeting

Meeting ID: 836 6987 6198 **Passcode:** 481965

Participants will be directly let in the meeting by clicking on the above link. There is no waiting room

AGENDA

1. Apologies

To receive apologies for absence.

2. Declarations of Interest

To receive any Declarations of Interest in respect of items on this agenda as required by the Code of Conduct adopted by the Council.

Members are reminded that, in accordance with the Council's Code of Conduct, they are required to declare any disclosable pecuniary interest or other registrable interests which have not already been declared in the Council's Register of Interests. Members may however, also decide, in the interests of clarity and transparency, to declare at this point in the meeting, any such disclosable pecuniary interests which they have already declared on the Register, as well as any other registrable or other interests.

3. Public Participation

Members of the public are invited to attend the meeting and address the council.

Members of the public are requested to send their public question to locum@melksham-tc.gov by noon on the working day before the meeting. This will make it more likely that we will be able to answer your question on the night.

4. Minutes (Pages 1 - 4)

To approve the Minutes of the Economic Development and Planning Committee meeting held on 4th June 2024.

5. Planning Considerations

Members to note that when responding to planning applications consideration should be given to the Melksham Joint Neighbourhood Plan, the Wiltshire Core Strategy and the National Planning Policy Framework (NPPF).

6. Planning Applications

To comment on the following planning applications

6.1 PL/2024/05338

[PL/2024/05338](#) - Consent under Tree Preservation Orders
Address: Oakwood House, 7 Spa Road, Melksham, SN12 7NP
Proposal: Oak tree (T2 of TPO 2024/00019) - reduce by 3m
Respond by: 02/07/2024

For information only. No decision is needed. Notification of application received Monday 10th. Notification of withdrawal received Monday 17th.

See also items 6.3 & 6.7 below.

7. Planning Decisions

To note the following planning decisions

7.1 PL/2024/03318

[PL/2024/03318](#) - Householder Application
Address: 71 Sandridge Road, Melksham, SN12 7BL
Proposal: New drop kerb for vehicular access
Decision Date: 28-05-2024 Decision: Approve with Conditions
MTC Decision: Supports.

7.2 PL/2024/03868

[PL/2024/03868](#) - Full Planning Permission

Address: McDonald's, Beanacre Road, Melksham, Wiltshire, SN12 8RP.

Proposal: Refurbishment of patio area to include new block paving and furniture. Minor changes to elevations with the introduction of new aluminium cladding and associated works.

Decision Date: 05-06-2024 Decision: Approve with Conditions

MTC decision: Support

7.3 PL/2024/04426 (Pages 5 - 22)

[PL/2024/04426](#) - Proposed Works to Trees in a Conservation Area

Address: OAKWOOD HOUSE, 7 SPA ROAD, MELKSHAM, SN12 7NP

Proposal: Beech tree - fell. Oak tree - 2m crown reduction

Decision Date: 06-06-2024 Decision: TCA - TPO Raised

MTC decision: Oppose and ask for application to be called in.

7.4 PL/2024/02352

[PL/2024/02352](#) - Householder Application

Address: 32 Forest Road, Melksham, SN12 7AA.

Proposal: The current front garden of the property will be changed into driveway parking, which is block paved with retained planting and lawn with a dropped kerb onto the highway. The existing stone from walls will be reused.

Decision Date: 07-06-2024 Decision: Approve with Conditions

MTC decision: Supports.

7.5 PL/2024/03376

[PL/2024/03376](#) - Householder Application

Address: 14, Sherwood avenue, Melksham, SN12 7HJ.

Proposal: Single storey side extension

Decision Date: 10-06-2024 Decision: Approve with Conditions

MTC Decision: Support.

7.6 PL/2024/03975

[PL/2024/03975](#) - Proposed Works to Trees in a Conservation Area

Address: CROWN HOUSE, MARKET PLACE, MELKSHAM

Proposal: G1 - Prune Yew, Hornbeam and Willow trees back by up to 1.5m to boundary wall, to remove all overhang onto car park.

Decision Date: 10-06-2024 Decision: No Objection

MTC Decision: Support, subject to working not being undertaken in nesting season

7.7 PL/2024/05338

[PL/2024/05338](#) - Works to a Protected Tree

Address: OAKWOOD HOUSE, 7 SPA ROAD, MELKSHAM, SN12 7NP

Proposal: Oak tree (T2 of TPO 2024/00019) - reduce by 3m

Applicant Name: Mr Robert Chedd Case Officer: Kate Tate
Decision Date: 12-06-2024 Decision: Withdrawn by Applicant

8. Application under the Licensing Act 2003 (Pages 23 - 46)

Notification of an application for a premise licence has been received from Wiltshire Council. Written representations for or against the application are requested by no later than 9th July 2024.

9. Proposed Traffic Regulation Order (Pages 47 - 56)

For discussion.

10. Housing Land Supply and Housing Delivery Test Briefing Note No. 24-13 (Pages 57 - 64)

To note.

11. Neighbourhood Plan

To note. Plan is now in Reg 14 Consultant.

12. Parish Steward

To consider jobs to be undertaken by the Parish Steward.

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Melksham Town Council

Minutes of the Economic Development and Planning Committee meeting held on Tuesday 4th June 2024

PRESENT: Councillor S Rabey (Chair)
Councillor A Griffin (Vice-Chair)
Councillor P Aves
Councillor G Ellis
Councillor C Stokes

IN ATTENDANCE:

OFFICERS: Hugh Davies Head of Operations

PUBLIC PARTICIPATION: One member of the public was present virtually.

1/24 Apologies

Apologies were received from Councillor Cooke.

2/24 Declarations of Interest

There were no declarations of interest.

3/24 Minutes

The minutes of 14th May 2024, having previously been circulated, were approved as a correct record and signed by Councillor Rabey.

4/24 Planning Applications

5/24 PL/2024/04046

It was proposed by Councillor Stokes, seconded by Councillor Rabey and

UNANIMOUSLY RESOLVED to support the application.

6/24 PL/2024/04426

Councillors were disappointed by the lack of information in the application. A view was expressed that trees should be preserved when possible. Councillor Ellis read out a comment from Councillor Hubbard

It was proposed by Councillor Rabey, seconded by Councillor Griffin and

UNANIMOUSLY RESOLVED to oppose the application and ask Councillor Hubbard to call it in.

7/24 PL/2024/04061

It was proposed by Councillor Griffin, seconded by Councillor Rabey and

UNANIMOUSLY RESOLVED to support the application.

8/24 PL/2024/04530

It was proposed by Councillor Ellis, seconded by Councillor Stokes and

UNANIMOUSLY RESOLVED to support the application

9/24 PL/2024/04270

It was proposed by Councillor Ellis, seconded by Councillor Stokes and

UNANIMOUSLY RESOLVED to support the application

10/24 PL/2024/04416

It was proposed by Councillor Griffin, seconded by Councillor Stokes and

UNANIMOUSLY RESOLVED to support the application.

11/24 Planning Decisions

12/24 PL/2024/02123

The decision was noted.

13/24 PL/2024/03180

The decision was noted.

14/24 PL/2024/03055

The decision was noted.

15/24 Notice of Appeal

The appeal was noted.

16/24 Strategic Planning Committee

The item was noted.

17/24 Clackers Brook Restoration

The item was noted.

18/24 Parish Steward

The following items were requested.

- Clearing the nettles by the tennis court behind the cricket pavilion.
- Old Bath Road up towards the underpass looking scruffy
- Road signs on Station Approach. Clean on one sign but covered with moss on the other.

Councillors asked Head of Operations to relay their thanks to the Amenities Team for their recent efforts.

Councillors asked for a social media campaign asking residents to help keep their local areas tidy.

Meeting Closed at: 7.21 pm

Signed:

Dated:

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Owner/Occupier
5 Spa Road
Melksham
Wilts
SN12 7NP

Development Services
Wiltshire Council
County Hall
Bythesea Road
Trowbridge
Wiltshire BA14 8JN

Tel: 0300 456 0114

06 June 2024

planningtrees@wiltshire.gov.uk

IMPORTANT - THIS COMMUNICATION MAY AFFECT YOUR PROPERTY

Dear Sir/Madam

Wiltshire Council – OAKWOOD HOUSE, 7 SPA ROAD, MELKSHAM, SN12 7NP
Tree Preservation Order –TPO/2024/00019

Under the terms of the Town & Country Planning (Trees) Regulations 2012, this is a formal notice to let you know that the Council made the above Tree Preservation Order which took effect, on a provisional basis, on **06 June 2024**.

I am writing to you because the requirement states that we must notify the owner and occupier of any land adjoining the land on which the trees are situated, or other interested party.

A copy of the Order is enclosed. In simple terms, it prohibits anyone from cutting down, topping or lopping any of the trees described in the First Schedule and shown on the map without the Council's consent.

Some explanatory guidance on Tree Preservation Orders is given in the leaflet, Protected Trees: A Guide to Tree Preservation Procedures, produced by the Department for Communities and Local Government, and is available on the Wiltshire Council website: <http://www.wiltshire.gov.uk/planning-trees-hedges> . If you would like a printed copy of the guidance notes please contact the planning office on 0300 456 0114.

The reason the Council has made this Order: **To preserve the character and high amenity value the trees provide to the local area..**

The Council will consider whether the Order should be confirmed within 6 months from the date of being made, that is to say, whether it should take effect formally. Before this decision is made, the people affected by the Order have a right to make objections or other representations about any of the trees, groups of trees or woodlands covered by the Order.

If you would like to make any objections or other comments, please make sure we receive them in writing by **04 July 2024**. Your comments must comply with Part 2, Section 6 of the Town and Country Planning (Tree Preservation Order) (England) Regulations 2012, a copy of which is printed overleaf. Send your comments to The Arboricultural Officer. All valid objections or representations are carefully considered before a decision on whether to confirm the Order is made.

The Council will write to you again when that decision has been made. In the meantime, if you would like any further information or have any questions about this letter, please do not hesitate to contact me.

Yours faithfully

Kate Tate

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

**PART 2 OF THE TOWN AND COUNTRY PLANNING (TREE PRESERVATION ORDER) (ENGLAND)
REGULATIONS 2012**

Objections and representations

6(1) Subject to paragraph (2), objections and representations –

(a) shall be made in writing and -

- (i) delivered to the authority not later than the date specified by them under regulation 5(2)(c); or
- (ii) sent to the authority in a properly addressed and pre-paid letter posted at such time that, in the ordinary course of post, it would be delivered to them not later than that date;

(b) shall specify the particular trees, groups of trees or woodlands (as the case may be) in respect of which the objections or representations are made; and

(c) in the case of an objection, shall state the reasons for the objection.

6(2) The authority may treat as duly made objections and representations which do not comply with the requirements of paragraph (1) if, in the particular case, they are satisfied that compliance with those requirements could not reasonably have been expected.

Melksham Town Council

06 June 2024

Development Services
Wiltshire Council
County Hall
Bythesea Road
Trowbridge
Wiltshire BA14 8JN

Tel: 0300 456 0114

planningtrees@wiltshire.gov.uk

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Owner/Occupier
The Coach House
7A Spa Road
Melksham
Wilts
SN12 7NP

Development Services
Wiltshire Council
County Hall
Bythesea Road
Trowbridge
Wiltshire BA14 8JN

Tel: 0300 456 0114

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Mr Smith
Oakwood House
7 Spa Road
Melksham
SN12 7NP

Development Services
Wiltshire Council
County Hall
Bythesea Road
Trowbridge
Wiltshire BA14 8JN

Tel: 0300 456 0114

06 June 2024

planningtrees@wiltshire.gov.uk

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Owner/Occupier
Oak House
4 Oakwood Drive
Melksham
Wilts
SN12 7NP

Development Services
Wiltshire Council
County Hall
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TOWN AND COUNTRY PLANNING ACT 1990

Wiltshire Council – OAKWOOD HOUSE, 7 SPA ROAD, MELKSHAM, SN12 7NP

Provisional Tree Preservation Order TPO/2024/00019

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

Citation

This Order may be cited as **Oakwood House, 7 Spa Road, Melksham, SN12 &NP**

Tree Preservation Order: **TPO/2024/00019**

Interpretation

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

Effect

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

Application to trees to be planted pursuant to a condition

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

Dated this 06 day of June 2024

Kate Tate

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

CONFIRMATION OF ORDER (without modifications)

This Order was confirmed by the Wiltshire Council without modifications on the

..... day of

.....
Authorised by the Council to sign in that behalf

CONFIRMATION OF ORDER (with modifications)

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

on theday of

.....
Authorised by the Council to sign in that behalf

DECISION NOT TO CONFIRM ORDER

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

..... day of

.....
Authorised by the Council to sign in that behalf

VARIATION OF ORDER

This Order was varied by the Wiltshire Council on the

..... day of

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

..

Authorised by the Council to sign in that behalf

REVOCATION OF ORDER

This Order was revoked by the Wiltshire Council on the
..... day of

.....
Authorised by the Council to sign in that behalf

SCHEDULE

SPECIFICATION OF TREES

Wiltshire Council – OAKWOOD HOUSE, 7 SPA ROAD, MELKSHAM, SN12 7NP
Tree Preservation Order TPO/2024/00019

TREES SPECIFIED INDIVIDUALLY

(encircled in green on the map)

<i>Reference on map</i>	<i>Description</i>	<i>Situation*</i>
T1	Copper Beech	OAKWOOD HOUSE, 7 SPA ROAD, MELKSHAM, SN12 7NP
T2	Oak	OAKWOOD HOUSE, 7 SPA ROAD, MELKSHAM, SN12 7NP

TREES SPECIFIED BY REFERENCE TO AN AREA

(within a dotted black line on the map)

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

GROUP OF TREES

(within a broken black line on the map)

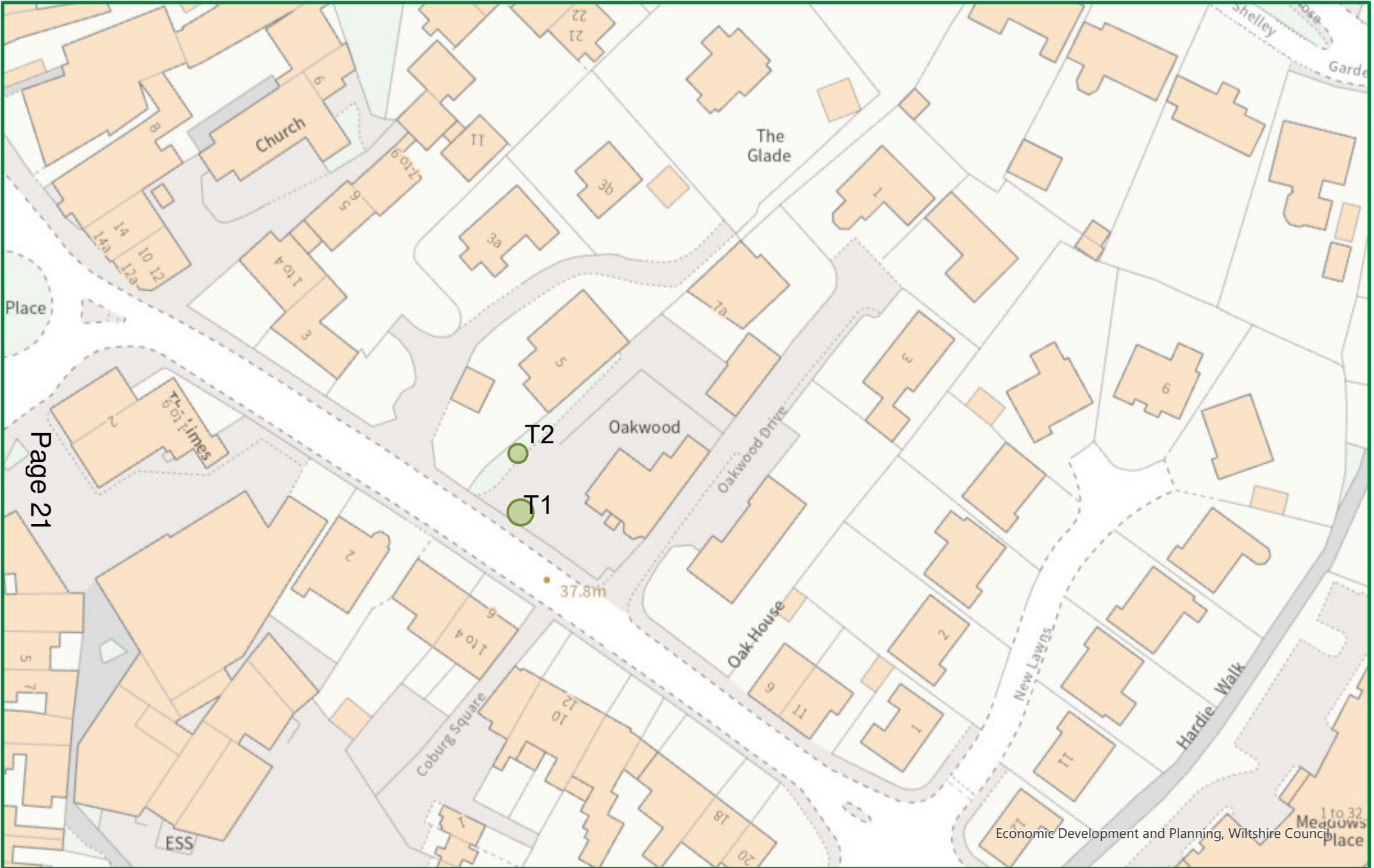
<i>Reference on map</i>	<i>Description</i>	<i>Situation*</i>

WOODLANDS

(within a continuous black line on the map)

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

*complete if necessary to specify more precisely the position of the trees.



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Application for a premises licence to be granted under the Licensing Act 2003

Please read the following instructions first

Before completing this form please read the guidance notes at the end of the form. If you are completing this form by hand please write legibly in block capitals. In all cases ensure that your answers are inside the boxes and written in black ink. Use additional sheets if necessary.

You may wish to keep a copy of the completed form for your records.

I/We Milk Town Brewing Company Ltd

(Insert name(s) of applicant)

apply for a premises licence under section 17 of the Licensing Act 2003 for the premises described in Part 1 below (the premises) and I/we are making this application to you as the relevant licensing authority in accordance with section 12 of the Licensing Act 2003

Part 1 – Premises details

Postal address of premises or, if none, ordnance survey map reference or description			
13 Avonside Enterprise Park New Broughton Rd			
Post town	Melksham	Postcode	SN12 8BS

Telephone number at premises (if any)	01225234064
Non-domestic rateable value of premises	£ 3100

Part 2 - Applicant details

Please state whether you are applying for a premises licence as **appropriate** **Please tick as**

a)	an individual or individuals *		please complete section (A)
b)	a person other than an individual *		
	i as a limited company/limited liability partnership	✓	please complete section (B)
	ii as a partnership (other than limited liability)		please complete section (B)
	iii as an unincorporated association or		please complete section (B)

	iv	other (for example a statutory corporation)		please complete section (B)
c)		a recognised club		please complete section (B)
d)		a charity		please complete section (B)
e)		the proprietor of an educational establishment		please complete section (B)
f)		a health service body		please complete section (B)
g)		a person who is registered under Part 2 of the Care Standards Act 2000 (c14) in respect of an independent hospital in Wales		please complete section (B)
ga)		a person who is registered under Chapter 2 of Part 1 of the Health and Social Care Act 2008 (within the meaning of that Part) in an independent hospital in England		please complete section (B)
h)		the chief officer of police of a police force in England and Wales		please complete section (B)

* If you are applying as a person described in (a) or (b) please confirm (by ticking yes to one box below):

- I am carrying on or proposing to carry on a business which involves the use of the premises for licensable activities; or ☐
- I am making the application pursuant to a statutory function or ☐
- a function discharged by virtue of Her Majesty's prerogative ☐

(A) Individual applicants (fill in as applicable)

Mr	Mrs	Miss	Ms	Other Title (for example, Rev)	
Surname			First names		
Date of birth		I am 18 years old or over		Please tick yes	
Nationality					
Current residential address if different from premises address					
Post town				Postcode	
Daytime contact telephone number					
E-mail address (optional)					

Where applicable (if demonstrating a right to work via the Home Office online right to work checking service), the 'share code' provided to the applicant by that service (please see note 15 for information)

Second individual applicant (if applicable)

Mr	Mrs	Miss	Ms	Other Title (for example, Rev)	
Surname			First names		
Date of birth or over		I am 18 years old		Please tick yes	
Nationality					
Current residential address if different from premises address					
Post town				Postcode	
Daytime contact telephone number					
E-mail address (optional)					
Where applicable (if demonstrating a right to work via the Home Office online right to work checking service), the 'share code' provided to the applicant by that service: (please see note 15 for information)					

(B) Other applicants

Please provide name and registered address of applicant in full. Where appropriate please give any registered number. In the case of a partnership or other joint venture (other than a body corporate), please give the name and address of each party concerned.

Name	Milk Town Brewing Company Ltd
Address	13 Avonside Enterprise Park New Broughton Rd Melksham SN12 8BS
Registered number (where applicable)	15768017
Description of applicant (for example, partnership, company, unincorporated association etc.)	Company
Telephone number (if any)	01225234604
E-mail address (optional)	Office@milktown.co.uk

Part 3 Operating Schedule

When do you want the premises licence to start?

DD	MM	YYYY
0	1	0 8 2 0 2 4

If you wish the licence to be valid only for a limited period, when do you want it to end?

DD	MM	YYYY

Please give a general description of the premises (please read guidance note 1)

Small unit on old dairy site housing a micro brewery and taproom. The unit stands on it's own within the site surrounded by parking. The taproom is approx 13 sq meters indoors with limited seating. There is an out door area that covers 50sq meters. These areas will be used for the consumption of alcohol. The taproom will also act as a shop for off sales and appropriation of website orders.

The rest of the unit will be used for the manufacture of beer.

If 5,000 or more people are expected to attend the premises at any one time, please state the number expected to attend.

What licensable activities do you intend to carry on from the premises?

(please see sections 1 and 14 and Schedules 1 and 2 to the Licensing Act 2003)

Provision of regulated entertainment (please read guidance note 2)		Please tick all that apply
a)	plays (if ticking yes, fill in box A)	
b)	films (if ticking yes, fill in box B)	
c)	indoor sporting events (if ticking yes, fill in box C)	
d)	boxing or wrestling entertainment (if ticking yes, fill in box D)	
e)	live music (if ticking yes, fill in box E)	
f)	recorded music (if ticking yes, fill in box F)	
g)	performances of dance (if ticking yes, fill in box G)	
h)	anything of a similar description to that falling within (e), (f) or (g) (if ticking yes, fill in box H)	

<u>Provision of late night refreshment</u> (if ticking yes, fill in box I)	
<u>Supply of alcohol</u> (if ticking yes, fill in box J)	✓

In all cases complete boxes K, L and M

A

Plays Standard days and timings (please read guidance note 7)			Will the performance of a play take place indoors or outdoors or both – please tick (please read guidance note 3)	Indoors	
				Outdoors	
Day	Start	Finish		Both	
Mon			Please give further details here (please read guidance note 4)		
Tue					
Wed			State any seasonal variations for performing plays (please read guidance note 5)		
Thur					
Fri			Non standard timings. Where you intend to use the premises for the performance of plays at different times to those listed in the column on the left, please list (please read guidance note 6)		
Sat					
Sun					

B

Films Standard days and timings (please read guidance note 7)			Will the exhibition of films take place indoors or outdoors or both – please tick (please read guidance note 3)	Indoors	
				Outdoors	
				Both	
Day	Start	Finish			
Mon			Please give further details here (please read guidance note 4)		
Tue					
Wed			State any seasonal variations for the exhibition of films (please read guidance note 5)		
Thur					
Fri			Non standard timings. Where you intend to use the premises for the exhibition of films at different times to those listed in the column on the left, please list (please read guidance note 6)		
Sat					
Sun					

C

Indoor sporting events Standard days and timings (please read guidance note 7)			<u>Please give further details</u> (please read guidance note 4)
Day	Start	Finish	
Mon			
Tue			<u>State any seasonal variations for indoor sporting events</u> (please read guidance note 5)
Wed			
Thur			<u>Non standard timings. Where you intend to use the premises for indoor sporting events at different times to those listed in the column on the left, please list</u> (please read guidance note 6)
Fri			
Sat			
Sun			

D

Boxing or wrestling entertainments Standard days and timings (please read guidance note 7)			Will the boxing or wrestling entertainment take place indoors or outdoors or both – please tick (please read guidance note 3)	Indoors	
				Outdoors	
				Both	
Day	Start	Finish			
Mon			<u>Please give further details here</u> (please read guidance note 4)		
Tue					
Wed			<u>State any seasonal variations for boxing or wrestling entertainment</u> (please read guidance note 5)		
Thur					
Fri			<u>Non standard timings. Where you intend to use the premises for boxing or wrestling entertainment at different times to those listed in the column on the left, please list</u> (please read guidance note 6)		
Sat					
Sun					

E

Live music Standard days and timings (please read guidance note 7)			Will the performance of live music take place indoors or outdoors or both – please tick (please read guidance note 3)	Indoors	
				Outdoors	
				Both	
Day	Start	Finish			
Mon			Please give further details here (please read guidance note 4)		
Tue					
Wed			State any seasonal variations for the performance of live music (please read guidance note 5)		
Thur					
Fri			Non standard timings. Where you intend to use the premises for the performance of live music at different times to those listed in the column on the left, please list (please read guidance note 6)		
Sat					
Sun					

F

Recorded music Standard days and timings (please read guidance note 7)			<u>Will the playing of recorded music take place indoors or outdoors or both – please tick</u> (please read guidance note 3)	Indoors	
				Outdoors	
				Both	
Day	Start	Finish			
Mon			<u>Please give further details here</u> (please read guidance note 4)		
Tue					
Wed			<u>State any seasonal variations for the playing of recorded music</u> (please read guidance note 5)		
Thur					
Fri			<u>Non standard timings. Where you intend to use the premises for the playing of recorded music at different times to those listed in the column on the left, please list</u> (please read guidance note 6)		
Sat					
Sun					

G

Performances of dance Standard days and timings (please read guidance note 7)			Will the performance of dance take place indoors or outdoors or both – please tick (please read guidance note 3)	Indoors	
				Outdoors	
				Both	
Day	Start	Finish			
Mon			Please give further details here (please read guidance note 4)		
Tue					
Wed			State any seasonal variations for the performance of dance (please read guidance note 5)		
Thur					
Fri			Non standard timings. Where you intend to use the premises for the performance of dance at different times to those listed in the column on the left, please list (please read guidance note 6)		
Sat					
Sun					

H

Anything of a similar description to that falling within (e), (f) or (g) Standard days and timings (please read guidance note 7)			Please give a description of the type of entertainment you will be providing		
Day	Start	Finish	<u>Will this entertainment take place indoors or outdoors or both – please tick</u> (please read guidance note 3)	Indoors	
Mon				Outdoors	
				Both	
Tue			<u>Please give further details here</u> (please read guidance note 4)		
Wed					
Thur			<u>State any seasonal variations for entertainment of a similar description to that falling within (e), (f) or (g)</u> (please read guidance note 5)		
Fri					
Sat			<u>Non standard timings. Where you intend to use the premises for the entertainment of a similar description to that falling within (e), (f) or (g) at different times to those listed in the column on the left, please list</u> (please read guidance note 6)		
Sun					

I

Late night refreshment Standard days and timings (please read guidance note 7)			Will the provision of late night refreshment take place indoors or outdoors or both – please tick (please read guidance note 3)	Indoors	
				Outdoors	
				Both	
Day	Start	Finish			
Mon			<u>Please give further details here</u> (please read guidance note 4)		
Tue					
Wed			<u>State any seasonal variations for the provision of late night refreshment</u> (please read guidance note 5)		
Thur					
Fri			<u>Non standard timings. Where you intend to use the premises for the provision of late night refreshment at different times, to those listed in the column on the left, please list</u> (please read guidance note 6)		
Sat					
Sun					

J

Supply of alcohol Standard days and timings (please read guidance note 7)			Will the supply of alcohol be for consumption – please tick (please read guidance note 8)	On the premises	
				Off the premises	
Day	Start	Finish		Both	✓
Mon	08:00	22:00	State any seasonal variations for the supply of alcohol (please read guidance note 5)		
Tue	08:00	22:00			
Wed	08:00	22:00			
Thur	08:00	22:00	Non standard timings. Where you intend to use the premises for the supply of alcohol at different times to those listed in the column on the left, please list (please read guidance note 6)		
Fri	08:00	22:00			
Sat	08:00	22:00			
Sun	08:00	22:00			

State the name and details of the individual whom you wish to specify on the licence as designated premises supervisor (Please see declaration about the entitlement to work in the checklist at the end of the form):

Name Michelle Jane Sidwick	
Date of birth [REDACTED]	
Address [REDACTED]	
Postcode	[REDACTED]
Personal licence number (if known) 08/00005/LAPER	
Issuing licensing authority (if known) Wiltshire	

K

Please highlight any adult entertainment or services, activities, other entertainment or matters ancillary to the use of the premises that may give rise to concern in respect of children (please read guidance note 9).

N/A

L

Hours premises are open to the public
Standard days and timings (please read guidance note 7)

Day	Start	Finish
Mon	08:00	22:00
Tue	08:00	22:00
Wed	08:00	22:00
Thur	08:00	22:00
Fri	08:00	22:00
Sat	08:00	22:00
Sun	08:00	22:00

State any seasonal variations (please read guidance note 5)

Non standard timings. Where you intend the premises to be open to the public at different times from those listed in the column on the left, please list (please read guidance note 6)

M

Describe the steps you intend to take to promote the four licensing objectives:

a) General – all four licensing objectives (b, c, d and e) (please read guidance note 10)

The venue will be run in a responsible manner and the bar is designed for the discerning drinker whose focus is on quality rather than quantity.

b) The prevention of crime and disorder

Appropriate CCTV equipment will be installed to obtain images of people entering the building through the front and rear entrances.
No person other than the police, licensing authority, premises licensee or authorized person will have access to CCTV recordings.
A minimum of 2 notices indicating that CCTV is in operation will be displayed at the premises.
All personnel serving alcohol must be authorized to sell alcohol by the DPS or a person who works at the premises that is a holder of a personal license.

c) Public safety

Re-usable plastic glasses will be used in and outside of the premises.
There will be adequate staff on site.
As the premises are next to the river Avon a warning sign will be installed e.g. Deep water no swimming.

d) The prevention of public nuisance

Suitable signage will be displayed at the point of exit advising customers to leave the premises quietly.
Deliveries to the premises shall only be made during normal working hours.
Bins shall not be emptied outside the premises in late evening, night or early morning.

e) The protection of children from harm

A challenge 25 policy will be in place.
Children will not be allowed into the premises unless they are accompanied by an adult.

Checklist:

Please tick to indicate agreement


•	I have made or enclosed payment of the fee.	✓
•	I have enclosed the plan of the premises.	✓
•	I have sent copies of this application and the plan to responsible authorities and others where applicable.	✓
•	I have enclosed the consent form completed by the individual I wish to be designated premises supervisor, if applicable.	✓
•	I understand that I must now advertise my application.	✓
•	I understand that if I do not comply with the above requirements my application will be rejected.	✓
•	[Applicable to all individual applicants, including those in a partnership which is not a limited liability partnership, but not companies or limited liability partnerships] I have included documents demonstrating my entitlement to work in the United Kingdom or my share code issued by the Home Office online right to work checking service (please read note 15).	

It is an offence, under Section 158 of the Licensing Act 2003, to make a false statement in or in connection with this application. Those who make a false statement may be liable on summary conviction to a fine of any amount.

It is an offence under Section 24b of the Immigration Act 1971 for a person to work when they know, or have reasonable cause to believe, that they are disqualified from doing so by reason of their immigration status. Those who employ an adult without leave or who is subject to conditions as to employment will be liable to a civil penalty under section 15 of the Immigration, Asylum and Nationality Act 2006 and pursuant to Section 21 of the same act, will be committing an offence where they do so in the knowledge, or with reasonable cause to believe, that the employee is disqualified.

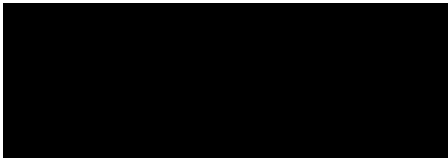




Part 4 – Signatures (please read guidance note 11)

Signature of applicant or applicant's solicitor or other duly authorised agent (see guidance note 12). **If signing on behalf of the applicant, please state in what capacity.**

Declaration	<ul style="list-style-type: none">• [Applicable to individual applicants only, including those in a partnership which is not a limited liability partnership] I understand I am not entitled to be issued with a licence if I do not have the entitlement to live and work in the UK (or if I am subject to a condition preventing me from doing work relating to the carrying on of a licensable activity) and that my licence will become invalid if I cease to be entitled to live and work in the UK (please read guidance note 15).• The DPS named in this application form is entitled to work in the UK (and is not subject to conditions preventing him or her from doing work relating to a licensable activity) and I have seen a copy of his or her proof of entitlement to work, or have conducted an online right to work check using the Home Office online right to work checking service which confirmed their right to work (please see note 15)
Signature	
Date	11/06/2024
Capacity	Director

For joint applications, signature of 2nd applicant or 2nd applicant's solicitor or other authorised agent (please read guidance note 13). **If signing on behalf of the applicant, please state in what capacity.**

Signature	
Date	
Capacity	

Contact name (where not previously given) and postal address for correspondence associated with this application (please read guidance note 14)			
			
Post town		Postcode	
Telephone number (if any)			
If you would prefer us to correspond with you by e-mail, your e-mail address (optional)			
			

Notes for Guidance

1. Describe the premises, for example the type of premises, its general situation and layout and any other information which could be relevant to the licensing objectives. Where your application includes off-supplies of alcohol and you intend to provide a place for consumption of these off-supplies, you must include a description of where the place will be and its proximity to the premises.
2. In terms of specific regulated entertainments please note that:
 - Plays: no licence is required for performances between 08:00 and 23.00 on any day, provided that the audience does not exceed 500.
 - Films: no licence is required for 'not-for-profit' film exhibition held in community premises between 08.00 and 23.00 on any day provided that the audience does not exceed 500 and the organiser (a) gets consent to the screening from a person who is responsible for the premises; and (b) ensures that each such screening abides by age classification ratings.
 - Indoor sporting events: no licence is required for performances between 08.00 and 23.00 on any day, provided that the audience does not exceed 1000.
 - Boxing or Wrestling Entertainment: no licence is required for a contest, exhibition or display of Greco-Roman wrestling, or freestyle wrestling between 08.00 and 23.00 on any day, provided that the audience does not exceed 1000. Combined fighting sports – defined as a contest, exhibition or display which combines boxing or wrestling with one or more martial arts – are licensable as a boxing or wrestling entertainment rather than an indoor sporting event.
 - Live music: no licence permission is required for:
 - a performance of unamplified live music between 08.00 and 23.00 on any day, on any premises.
 - a performance of amplified live music between 08.00 and 23.00 on any day on premises authorised to sell alcohol for consumption on those premises, provided that the audience does not exceed 500.
 - a performance of amplified live music between 08.00 and 23.00 on any day, in a workplace that is not licensed to sell alcohol on those premises, provided that the audience does not exceed 500.
 - a performance of amplified live music between 08.00 and 23.00 on any day, in a church hall, village hall, community hall, or other similar community premises, that is not licensed by a premises licence to sell alcohol, provided that (a) the audience does not exceed 500, and (b) the organiser gets consent for the performance from a person who is responsible for the premises.
 - a performance of amplified live music between 08.00 and 23.00 on any day, at the non-residential premises of (i) a local authority, or (ii) a school, or (iii) a hospital, provided that (a) the audience does not exceed 500, and (b) the organiser gets consent for the performance on the relevant premises from: (i) the local authority concerned, or (ii) the school or (iii) the health care provider for the hospital.

- Recorded Music: no licence permission is required for:
 - any playing of recorded music between 08.00 and 23.00 on any day on premises authorised to sell alcohol for consumption on those premises, provided that the audience does not exceed 500.
 - any playing of recorded music between 08.00 and 23.00 on any day, in a church hall, village hall, community hall, or other similar community premises, that is not licensed by a premises licence to sell alcohol, provided that (a) the audience does not exceed 500, and (b) the organiser gets consent for the performance from a person who is responsible for the premises.
 - any playing of recorded music between 08.00 and 23.00 on any day, at the non-residential premises of (i) a local authority, or (ii) a school, or (iii) a hospital, provided that (a) the audience does not exceed 500, and (b) the organiser gets consent for the performance on the relevant premises from: (i) the local authority concerned, or (ii) the school proprietor or (iii) the health care provider for the hospital.
 - Dance: no licence is required for performances between 08.00 and 23.00 on any day, provided that the audience does not exceed 500. However, a performance which amounts to adult entertainment remains licensable.
 - Cross activity exemptions: no licence is required between 08.00 and 23.00 on any day, with no limit on audience size for:
 - any entertainment taking place on the premises of the local authority where the entertainment is provided by or on behalf of the local authority;
 - any entertainment taking place on the hospital premises of the health care provider where the entertainment is provided by or on behalf of the health care provider;
 - any entertainment taking place on the premises of the school where the entertainment is provided by or on behalf of the school proprietor; and
 - any entertainment (excluding films and a boxing or wrestling entertainment) taking place at a travelling circus, provided that (a) it takes place within a moveable structure that accommodates the audience, and (b) that the travelling circus has not been located on the same site for more than 28 consecutive days.
3. Where taking place in a building or other structure please tick as appropriate (indoors may include a tent).
 4. For example the type of activity to be authorised, if not already stated, and give relevant further details, for example (but not exclusively) whether or not music will be amplified or unamplified.
 5. For example (but not exclusively), where the activity will occur on additional days during the summer months.
 6. For example (but not exclusively), where you wish the activity to go on longer on a particular day e.g. Christmas Eve.
 7. Please give timings in 24 hour clock (e.g. 16.00) and only give details for the days of the week when you intend the premises to be used for the activity.
 8. If you wish people to be able to consume alcohol on the premises, please tick 'on the premises'. If you wish people to be able to purchase alcohol to

consume away from the premises, please tick 'off the premises'. If you wish people to be able to do both, please tick 'both'.

9. Please give information about anything intended to occur at the premises or ancillary to the use of the premises which may give rise to concern in respect of children, regardless of whether you intend children to have access to the premises, for example (but not exclusively) nudity or semi-nudity, films for restricted age groups or the presence of gaming machines.
10. Please list here steps you will take to promote all four licensing objectives together.
11. The application form must be signed.
12. An applicant's agent (for example solicitor) may sign the form on their behalf provided that they have actual authority to do so.
13. Where there is more than one applicant, each of the applicants or their respective agent must sign the application form.
14. This is the address which we shall use to correspond with you about this application.
15. Entitlement to work/immigration status for individual applicants and applications from partnerships which are not limited liability partnerships:

A licence may not be issued to an individual or an individual in a partnership which is not a limited liability partnership who is resident in the UK who:

- does not have the right to live and work in the UK; or
- is subject to a condition preventing him or her from doing work relating to the carrying on of a licensable activity.

Any licence issued in respect of an application made on or after 6 April 2017 will become invalid if the holder ceases to be entitled to work in the UK.

Applicants must demonstrate that they have the right to work in the UK and are not subject to a condition preventing them from doing work relating to the carrying on of a licensable activity.

They do this in one of two ways:

- 1) by providing with this application, copies or scanned copies of the documents which an applicant has provided, to demonstrate their entitlement to work in the UK (which do not need to be certified) as per information published on gov.uk and in guidance.
- 2) by providing their 'share code' to enable the licensing authority to carry out a check using the Home Office online right to work checking service (see below).

Home Office online right to work checking service.

As an alternative to providing a copy of original documents, applicants may demonstrate their right to work by allowing the licensing authority to carry out a check with the Home Office online right to work checking service.

To demonstrate their right to work via the Home Office online right to work checking service, applicants should include in this application their share code (provided to them upon accessing the service at <https://www.gov.uk/prove-right-to-work>) which, along with the applicant's date of birth, will allow the licensing authority to carry out the check.

In order to establish the applicant's right to work, the check will need to indicate that the applicant is allowed to work in the United Kingdom and is not subject to a condition preventing them from doing work relating to the carrying on of a licensable activity.

An online check will not be possible in all circumstances because not all applicants will have an immigration status that can be shared digitally. The Home Office online right to work checking service sets out what information and/or documentation applicants will need in order to access the service. Applicants who are unable to obtain a share code from the service should submit copies of documents as set out above.

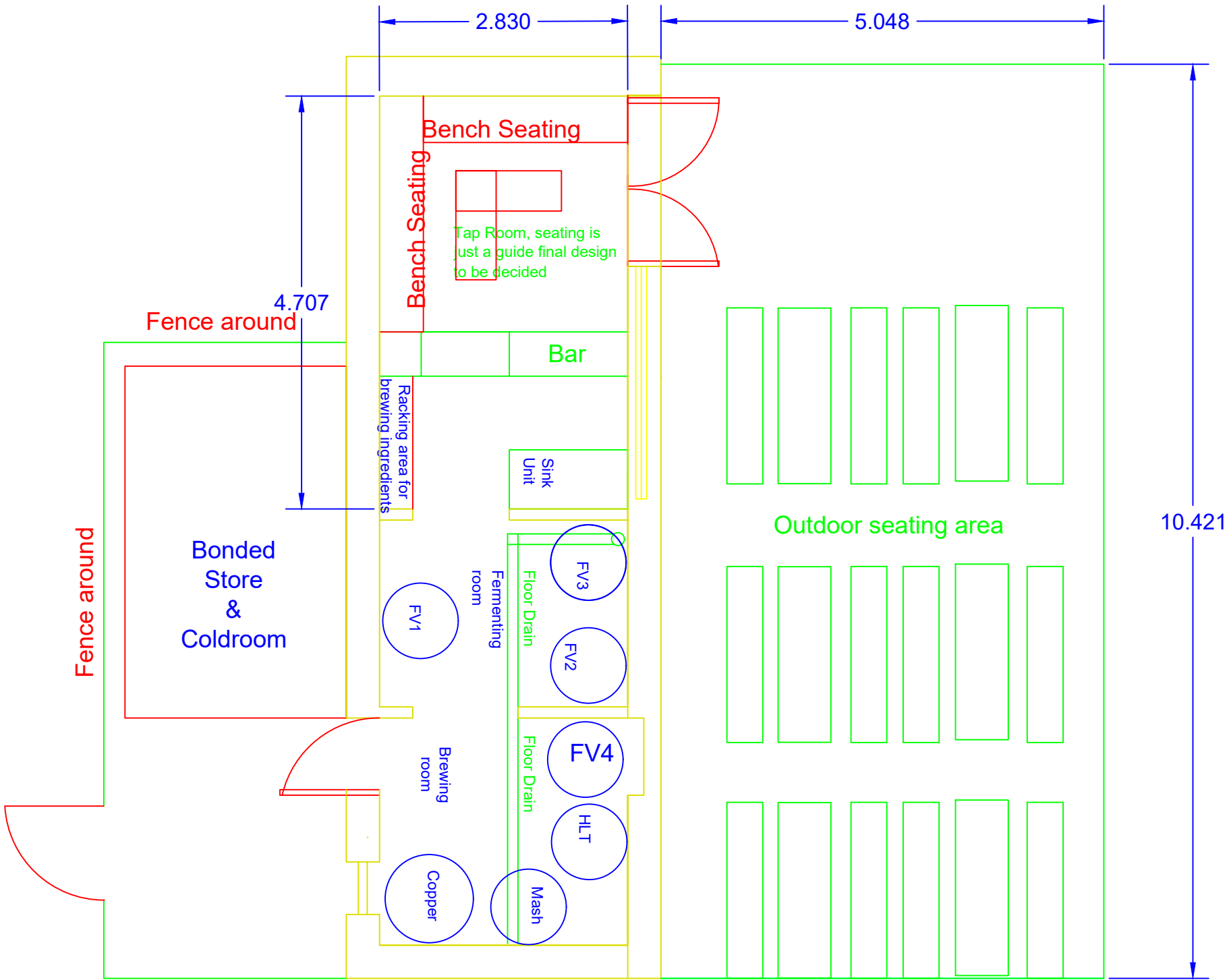
Your right to work will be checked as part of your licensing application and this could involve us checking your immigration status with the Home Office. We may otherwise share information with the Home Office. Your licence application will not be determined until you have complied with this guidance.

Data Protection: *Wiltshire Council will use this information for the purposes of The Licensing Act 2003 and related purposes. Any member of the public may examine the application form on request. Further information can be found at <http://www.wiltshire.gov.uk/community-safety-privacy-notice>*

You are providing your information to Wiltshire Council, contact details publicprotectionnorth@wiltshire.gov.uk. The Council's Data Protection Officer can be contacted via InformationGovernance@wiltshire.gov.uk. Your information is collected for the purpose of processing your licence application as required to fulfil the council's duties under the legislation, statutory or contractual requirement or obligation.

Legislation Context

Licensing Act 2003 for the processing of licensing applications and the prevention of fraud. The information may be shared with police, fire service and teams within Wiltshire Council, as statutory consultees, the Home Office to ascertain the right to work and HM Revenue and Customs, at their request, to identify potential fraud.



WILTSHIRE COUNCIL

ROAD TRAFFIC REGULATION ACT 1984

THE COUNTY OF WILTSHIRE (VARIOUS ROADS, HUNTERS WOOD, MELKSHAM) (20MPH SPEED LIMIT ZONE) ORDER 2024

The Council of the County of Wiltshire in exercise of its powers under Section 84 of the Road Traffic Regulation Act 1984 (hereinafter referred to as “the Act”) as amended and of all other enabling powers and after consultation with the Chief Officer of Police in accordance with Part III of Schedule 9 to the Act hereby makes the following Order:-

1. The lengths of road specified in the Schedule to this Order shall be deemed to be within a 20mph zone as indicated by the sign shown in diagram 674 of Schedule 10 to the Traffic Signs Regulations and General Directions 2016.
2. No person shall drive any vehicle at a speed exceeding 20mph on the lengths of road specified in the Schedule to this Order.
3. No speed limit imposed by this Order applies to vehicles falling within Regulation 3(4) of the Road Traffic Exemptions (Special Forces) (Variation and Amendment) Regulations 2011 when used in accordance with Regulation 3(5) of those Regulations.
4. This Order shall come into operation on xxxxxxxx 2024 and may be cited as The County of Wiltshire (Various Roads, Hunters Wood, Melksham) (20mph Speed Limit Zone) Order 2024.

SCHEDULE

Lengths of Roads in The Town of Melksham Subject to A 20mph Speed Limit

<u>Road</u>	<u>Description</u>
Angelica Avenue	The complete length
Anise Avenue	The complete length
Basil Drive	The complete length
Bay Gardens	The complete length
Camomile Place	The complete length
Chervil Avenue	The complete length

<u>Road</u>	<u>Description</u>
Cicely Grove	The complete length
Fennel Place	The complete length
Lovage Lane	The complete length
Marjoram Close	The complete length
Mint Grove	The complete length
Nasturtium Grove	The complete length
Oregano Close	The complete length
Tarragon Close	The complete length

THE COMMON SEAL of
WILTSHIRE COUNCIL
was hereunto affixed this
xx day of xxxxxxxx 2024
in the presence of:-

WILTSHIRE COUNCIL
ROAD TRAFFIC REGULATION ACT 1984
THE COUNTY OF WILTSHIRE (VARIOUS ROADS, MELKSHAM AND MELKSHAM WITHOUT) (40MPH SPEED LIMIT) ORDER 2024

The Council of the County of Wiltshire in exercise of its powers under Section 84 and Part IV of Schedule 9 of the Road Traffic Regulation Act 1984 (hereinafter referred to as “the Act”) as amended and of all other enabling powers and after consultation with the Chief Officer of Police in accordance with Part III of Schedule 9 to the Act hereby makes the following Order: -

1. The County of Wiltshire (Various Roads, Melksham and Melksham Without) (40mph Speed Limit) Order 2016 is hereby revoked.
2. No person shall drive any vehicle at a speed exceeding 40 miles per hour on the length of road specified in the Schedule to this Order.
3. No speed limit imposed by this Order applies to vehicles falling within Regulation 3(4) of the Road Traffic Exemptions (Special Forces) (Variation and Amendment) Regulations 2011 when used in accordance with Regulation 3(5) of those Regulations.
4. This Order shall come into operation on xxxxxxxx 2024 and may be cited as The County of Wiltshire (Various Roads, Melksham and Melksham Without) (40mph Speed Limit) Order 2024.

SCHEDULE

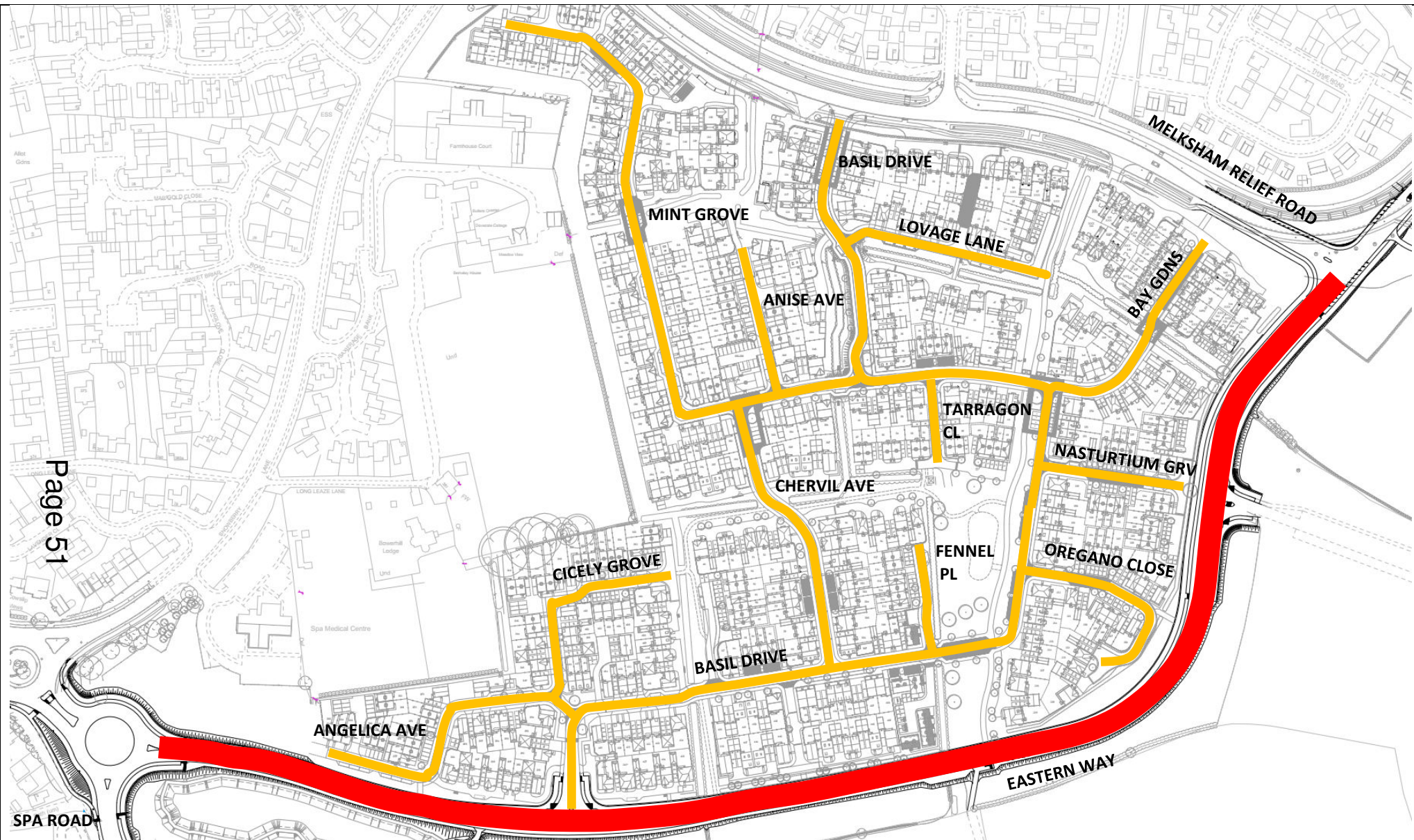
Length of Road in The Town of Melksham and the Parish of Melksham Without
Subject to 40mph Speed Limit

<u>Road</u>	<u>Description</u>
A3102 Sandridge Road	From a point approximately 190 metres east of its junction with Churchill Avenue to a point approximately 680 metres east of its junction with C165 New Road
Eastern Way	From a point 7 metres east of its roundabout junction with Spa Road in a north easterly direction to its roundabout junction with A3102 Sandridge Road

Melksham Relief Road

From a point approximately 40 metres
south east of its roundabout junction with
Snowberry Lane to its junction with
Eastern Way

THE COMMON SEAL of
WILTSHIRE COUNCIL
was hereunto affixed this
xx day of xxxxxxx 2024
in the presence of:-



INDICATIVE MAP: SHOWING THE EXTENT OF A 40 MPH SPEED LIMIT FOR A THE LENGTH OF ROCKET ROAD IN MELKSHAM AND A 20 MPH ZONE FOR THE FOLLOWING ROADS. ANGELICA AVE, ANISE AVE, BASIL DRIVE, BAY GARDENS, CAMOMILE PLACE, CHERVIL AVE, CICELY GROVE, FENNEL PLACE, LOVAGE LANE, MARJORAM CLOSE, MINT GROVE, NASTURTIIUM GROVE, OREGANO CLOSE, TARRAGON CLOSE

LEGEND



40 MPH SPEED LIMIT



20 MPH ZONE

Wiltshire Council

Wiltshire Council, County Hall, Bythesea Road, Trowbridge, Wiltshire BA14 8JN
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WILTSHIRE COUNCIL

ROAD TRAFFIC REGULATION ACT 1984

1. **THE COUNTY OF WILTSHIRE (VARIOUS ROADS, HUNTERS WOOD, MELKSHAM) (20MPH SPEED LIMIT ZONE) ORDER 2024**
2. **THE COUNTY OF WILTSHIRE (VARIOUS ROADS, MELKSHAM AND MELKSHAM WITHOUT) (40MPH SPEED LIMIT) ORDER 2024**

**Statement of Wiltshire Council's reasons for proposing
to make the above Orders**

In the interests of highway safety.

Order 1

The development land south of Eastern Way, known as Hunters Wood, is a fairly large residential area which has been designed to meet the criteria for a 20mph speed limit zone with sufficient features included to be self-enforcing.

Order 2

To regulate the speed along a new length of Eastern Way connecting to Spa Road and provide safe access to the Hunters Wood development. The new length of road has residential frontage development on one side but there are no direct driveway accesses to the road serving properties, with vehicular access limited to two junctions. It has a fully segregated 'shared use' path for pedestrians and cyclists along the length of its north side, with formal controlled or refuge island facilities to assist crossing movements. It meets the guidance for an urban road design speed of 40mph.

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WILTSHIRE COUNCIL

ROAD TRAFFIC REGULATION ACT 1984

1. **THE COUNTY OF WILTSHIRE (VARIOUS ROADS, HUNTERS WOOD, MELKSHAM) (20MPH SPEED LIMIT ZONE) ORDER 2024**
2. **THE COUNTY OF WILTSHIRE (VARIOUS ROADS, MELKSHAM AND MELKSHAM WITHOUT) (40MPH SPEED LIMIT) ORDER 2024**

NOTICE IS HEREBY GIVEN THAT Wiltshire Council proposes to make the above Orders under the Road Traffic Regulation Act 1984 the effect of which will be as follows:

Order 1

To introduce a **20mph speed limit zone** on the following lengths of road:

Angelica Avenue, Anise Avenue, Basil Drive, Bay Gardens, Camomile Place, Chervil Avenue, Cicely Grove, Fennel Place, Lovage Lane, Marjoram Close, Mint Grove, Nasturtium Grove, Oregano Close, Tarragon Close – the complete lengths

Order 2

To revoke The County of Wiltshire (Various Roads, Melksham and Melksham Without) (40mph Speed Limit) Order 2016 and re-enact it in the above Order 2 for administrative purposes only and to introduce a **40mph speed limit** on **Eastern Way** – from a point 7 metres east of its roundabout junction with Spa Road in a north easterly direction to its junction with Melksham Relief Road (road leading to Snowberry Lane).

Copies of the draft Orders, plan and Statement of the Council's Reasons for proposing to make the Orders may be inspected at the offices of Wiltshire Council, County Hall, Bythesea Road, Trowbridge during normal office hours. Details of the proposed scheme may be seen Melksham Library, Melksham Community Campus, Market Place, Melksham between the hours of 9.30am – 7pm Monday and Thursday and 9.30am – 5pm Tuesday, Friday and Saturday until 1st July 2024. Documents can also be viewed online at <https://www.wiltshire.gov.uk/troconsultations>

Comments on the proposal together with the reasons for which they are made should be sent in writing to reach the Sustainable Transport Group, by email to TrafficOrderConsultations@wiltshire.gov.uk or via the website by 1st July 2024 quoting reference HKB/TRO/MELK.

Sustainable Transport Group, County Hall, Bythesea Road TROWBRIDGE BA14 8JN

7th June 2024

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Housing Land Supply and Housing Delivery Test Briefing Note No. 24-13

Service: Planning
Further Enquiries to: Nic Thomas, Director - Planning
Email: nic.thomas@wiltshire.gov.uk
Date Prepared: 12 June 2024

BRIEFING NOTE ON HOUSING LAND SUPPLY AND HOUSING DELIVERY TEST

Summary

We have now completed the update to Wiltshire's housing land supply position. The current position is a **4.2 years** supply using a base date of 1 April 2023. This will be used to inform decision-making of planning applications and appeals.

This is the first Housing Land Supply Statement to be published since the update to the National Planning Policy Framework (NPPF) was issued on 19 December 2023. This made changes to how housing land supply should be assessed for councils that have made sufficient progress in developing their Local Plan. An update on how the revised NPPF impacts on the council's planning function is provided in [Briefing Note 24-01](#).

These changes mean that for a period of two years from the date that the NPPF was updated, local planning authorities such as Wiltshire that have an emerging local plan that has reached Regulation 19 stage, will only be required to demonstrate a four-year requirement, rather than a five-year requirement.

In addition, recent housing delivery in Wiltshire remains strong, with the latest Housing Delivery Test results (from 2022) indicating the council has met **106%** of its housing targets over the past three years.

This briefing note provides information on both these Government measures and what the implications are for decision making.

1. Introduction

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

- (i) Five-year / four-year housing land supply (see below)

(ii) Housing Delivery Test

1.2 The main difference between the two is that:

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

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

2. What is the housing land supply requirement ?

2.1 The latest NPPF (December 2023) states that:

Paragraph 76

"Local planning authorities are not required to identify and update annually a supply of specific deliverable sites sufficient to provide a minimum of five years' worth of housing for decision making purposes if the following criteria are met:

- a) their adopted plan is less than five years old; and*
- b) that adopted plan identified at least a five-year supply of specific, deliverable sites at the time that its examination concluded."*

Paragraph 77

"In all other circumstances, local planning authorities should identify and update annually a supply of specific deliverable sites sufficient to provide either a minimum of five years' worth of housing, or a minimum of four years' worth of housing if the provisions in paragraph 226 apply¹ the supply should be demonstrated against either the housing requirement set out in adopted strategic policies, or against the local housing need where the strategic policies are more than five years old (unless they have been reviewed and do not require updating).

Where there has been significant under delivery of housing over the previous three years², the supply of specific deliverable sites should in addition include a buffer of 20% (moved forward from later in the plan period)."

2.2 As the Wiltshire Core Strategy (adopted January 2015) is more than five years old, the provisions in 'Paragraph 76' do not apply in Wiltshire, the council is a 'Paragraph 77'

¹ Where the council has an emerging local plan that has either been submitted for examination or has reached Regulation 18 or Regulation 19 (Town and Country Planning (Local Planning) (England) Regulations 2012) stage, including both a policies map and proposed allocations towards meeting housing need. This concession applies until December 2025.

² Where the Housing Delivery Test results indicate delivery below 85%.

authority. The council carried out a Regulation 19 consultation on its Local Plan during autumn 2023. This included a policies map and proposed allocations to meet the housing need identified in the Local Plan. As such, the council is only required to meet a four-year housing land supply against the five-year requirement. The requirement to meet a four-year housing land supply only runs for two years until 18 December 2025, at which time the requirement will revert back to the council needing to demonstrate a five-year housing land supply.

- 2.3 As the Wiltshire Core Strategy (adopted January 2015) is more than five years old, the housing requirement to be used in the five-year housing land supply calculation is Wiltshire's local housing need based on the Government's standard method³. The local housing need is based on future household growth and an adjustment to take account of housing affordability in the local authority. It is recalculated every year based on the latest data, which is applicable at the base date. The standard methodology operates on a local authority basis and does not disperse the local housing need figure to a smaller geographic level.
- 2.4 The annual update for Wiltshire has now been completed and the results of the assessment, using a base date of 1 April 2023, are set out in the 2023 Housing Land Supply Statement (HLSS). This is available on our website via this [link](#). Key points:
- The council can demonstrate a four-year housing land supply. The current position indicates there is a **4.2 years** supply.
 - The deliverable supply has decreased since the previous version due to a number of factors, including a significantly higher number of completions than in previous years, and the effect of the changes to nutrient neutrality by statutory bodies and approach adopted in response by the council.

3. How is the housing land supply calculated?

- 3.1 Housing land supply is calculated using a base date from which calculations are made to avoid double counting.
- 3.2 We have now updated the housing land supply calculation using a base date of 1 April 2023. Using this base date, an explanation is provided below:

Starting point for calculation at base date of 1 April 2023:

Local housing need (1 April 2023) = **1,952** homes per annum

No buffer needs to be applied to the housing requirement as the council has passed the latest Housing Delivery Test (see section 5 below)

4-year requirement = **7,808 homes**

5-year requirement = **9,760 homes**

³ Planning Practice Guidance (DLUHC, July 2019) - <https://www.gov.uk/guidance/housing-and-economic-development-needs-assessments>

What can be included in supply?

- (i) Number of homes on small sites (less than 10 homes) with planning permission or resolution to grant at 1 April 2023 = **1,371 homes** outstanding of which **1,160 homes** were considered to be deliverable within five years (the reduced number takes into account a delivery rate that is based on historic data on non-implementation and delivery timescales).
- (ii) Number of homes on large sites (10 or more homes) with full planning permission at 1 April 2023 = **4,444 homes** outstanding of which **3,741 homes** were considered deliverable within five years (the reduced number reflects delivery timescales).
- (iii) For other large sites with either outline planning permission; resolution to grant planning permission; or allocated⁴ at 1 April 2023: the number of homes where there is clear evidence of delivery over a five year period from 1 April 2023 to 31 March 2028 = **10,399** homes outstanding, of which **1,920 homes** were considered deliverable within five years.
- (iv) Windfall allowance: number of homes expected to be completed on new 'windfall' sites (which do not have planning permission as at 1 April 2023) over a five-year period from 1 April 2023 to 31 March 2028 = **1,372 homes**

Therefore, in total **8,193 homes** can be included in the deliverable supply.

- 3.3 (i) and (ii) are relatively straightforward statistical exercises, which involve an understanding of delivery timescales for individual sites.
- 3.4 (iv) is also a statistical exercise that requires understanding of past delivery trends and the potential for development opportunities to come forward in the future. As these are matters which vary year-on-year, the allowance is reviewed and refreshed as part of each annual update. The position includes an allowance for delivery on brownfield sites and small greenfield sites.
- 3.5 (iii) is more complex, and clear evidence must be provided for each site to meet the requirements of paragraph 77 of the NPPF, which requires that sites are deliverable over the five-year period being assessed. This means that for large sites, which take time to deliver, we may only be able to include the first few phases of development in the five-year land supply.
- 3.5 So, while on the face of it there is a substantial pool of large sites, for **17,586 homes** in total, and a higher level of supply could be expected, the timescales within which these can be delivered is key. An assessment of the deliverability of these sites has indicated that only **47 %** of these are capable of delivery during the five-year period 1 April 2023 to 31 March 2028. Factors determining housing delivery are often outside our control, as the

⁴ Wiltshire Core Strategy, Chippenham Site Allocations Plan, Wiltshire Housing Site Allocations Plan, and allocations in Neighbourhood Plans which do not yet have planning permission.

development industry ultimately determines how and when sites come forward, despite planning permissions being granted and sites allocated within the development plan.

- 3.6 It is important for credible judgements to be made in undertaking these assessments because they are subject to scrutiny at appeal by appellants, third parties and the appointed Planning Inspector.

4. What are the implications of having a four-year housing land supply?

- 4.1 The implications for not having a five-year housing land supply and decision making were set out in previous briefing notes, specifically Briefing Notes No. 20-20 (June 2020), No. 20-37 (December 2020), No. 22-09 (April 2022), and No. 23-15 (May 2023). These indicated that the presumption in favour of sustainable development applied when determining planning applications.
- 4.2 Following the December 2023 changes to the NPPF, the council is now only required to provide a four-year housing land supply to prevent the presumption in favour of sustainable development applying when determining planning applications. This was set out in Briefing Note 24-01 (January 2024) which superseded the council's approach set out in the earlier Briefing Notes specified in paragraph 4.1.
- 4.3 As these figures exceed the four-year requirement, the planning balance is now 'level'. This indicates that there is now a lower threshold in place for being able to justify the refusal of planning applications. Pragmatically, this means that fewer 'speculative' residential planning applications are likely to be granted.

5. What is the Housing Delivery Test and consequences?

- 5.1 It measures net homes delivery (i.e. net homes built) in a local authority area, such as Wiltshire, against the homes required using local authority completions statistics and planning data.
- 5.2 The results are published for each local authority area by the Secretary of State annually, see [Housing Delivery Test \(www.gov.uk\)](https://www.gov.uk/housing-delivery-test)
- 5.3 As set out in the NPPF the Housing Delivery Test will apply the day following publication of the results, at which point they supersede previously published results. The most up to date result, at the time of writing, is for 2022.
- 5.4 Since the inception of the Housing Delivery Test the published results for Wiltshire are:

2018	139% (years measured 2015/16 - 2017/18)
2019	149% (years measured 2016/17 - 2018/19)
2020	140% (years measured 2017/18 - 2019/20)
2021	141% (years measured 2018/19 - 2020/21)
2022	106% (years measured 2019/20 - 2021/22)
- 5.5 The three consequences of failing the Housing Delivery Test (HDT) are set out in paragraph 79 of the NPPF, as follows:

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

The presumption in favour of sustainable development (paragraph 11d, NPPF), as explained above, should be applied to decisions where the HDT indicates delivery has fallen below 75% of the housing requirement.

2. 20% buffer (HDT below 85%)

The five-year land supply must include an additional buffer of 20% where the HDT indicates that delivery was below 85% of the housing requirement.

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

The authority should prepare an action plan in line with national planning guidance, to assess the causes of under-delivery and identify actions to increase delivery in future years.

- 5.6 Wiltshire has consistently performed well against the HDT and has passed the test in the latest results. As a result, none of the consequences set out above apply in Wiltshire.

6. What can we do to maintain housing land supply?

- 6.1 The changes to the NPPF relating to the four-year housing land supply are time-limited - the concession under paragraph 226 only lasts until December 2025. It is therefore very important that the council gains the support of local communities to secure the adoption of its emerging Local Plan as soon as possible as this will provide a much longer period of 'protection'.
- 6.2 The council will look to restore a five-year housing land supply through the Local Plan, which should be in place prior to December 2025, and permitting appropriate housing developments in the meantime. The Plan looks to allocate additional housing land, some of which can be delivered within five years, and therefore contribute towards meeting a five-year housing land supply.
- 6.3 The council's housing land supply figure can only be retained during the concessionary period if suitable planning applications for housing development continue to be granted. If the council refuses too many planning applications, housing supply will fall below four years and the 'tilted' balance in favour of approval will once again apply.
- 6.4 Since the base date of 1 April 2023, consents have continued to be granted permission on suitable sites. While these do not currently contribute to the housing land supply because they were permitted after the base date of 1 April 2023, they will help to increase the housing land supply in the future. New permissions help replenish the housing land supply as it is reduced due to housing completions, planning permissions lapsing, and delays in delivery on key sites. Table 4 of the HLSS contains a list of large new sites (10 or more dwellings) that have been permitted since the base date up to the date of publication.

- 6.5 Work can now commence on the preparation of the next HLSS using a base date of 1 April 2024. These statements take time to prepare, particularly for authorities the size of Wiltshire, and typically take around 9-12 months from the base date to publication.

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