



# Public Document Pack

## Melksham Town Council

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Town Clerk and RFO Linda Roberts BA(Hons) PGCAP, FHEA,  
FLSCC

Dear Councillor

### **Economic Development and Planning Committee - Tuesday 14 November 2023**

I am now able to enclose, for consideration at next Tuesday 14 November 2023 meeting of the Economic Development and Planning Committee, the following reports that were unavailable when the agenda was printed.

#### **8. Local Plan Consultation (Pages 1 - 56)**

Full Council at the meeting on 30 October 2023 made the following resolution.

UNANIMOUSLY RESOLVED to allocate no more than £1000 to pay for technical support from Vaughan Thompson of Place Studios and to delegate responsibility to Economic Development and Planning to submit Melksham Town Council's response.

To note and for discussion.

Yours sincerely

Mrs L A Roberts BA(Hons), PGCAP, FHEA, FSLCC  
Town Clerk and RFO

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## Wilts Local Plan

### Economic

- [Policy 64: Additional employment land](#)
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### Social

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- [Policy 77: Rural exceptions sites](#)
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- [Policy 79: First homes exception sites](#)
- [Policy 80: Self and custom build housing](#)
- [Policy 81: Community facilities](#)
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- [Policy 83: Health and wellbeing](#)
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### Environment

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- [Policy 86: Renewable energy installations](#)
- [Policy 87: Embodied carbon](#)
- [Policy 88: Biodiversity and geodiversity](#)
- [Policy 89: Biodiversity net gain](#)
- [Policy 90: Trees, hedgerows, and woodland](#)
- [Policy 91: Conserving and enhancing Wiltshire's landscapes](#)
- [Policy 92: Conserving and enhancing dark Skies](#)
- [Policy 93: Green and blue infrastructure](#)
- [Policy 94: Wiltshire's canals](#)
- [Policy 95: Flood risk](#)
- [Policy 96: Water resources](#)
- [Policy 97: Contaminated land](#)
- [Policy 98: Ensuring high quality design and place shaping](#)
- [Policy 99: Ensuring the conservation and enhancement of the historic environment](#)
- [Policy 100: The Stonehenge, Avebury and associated sites World Heritage Site](#)
- [Policy 101: Air quality](#)

## JMNP2

Policy 1: Sustainable Design and Construction

Policy 2: Local Renewable and Low Carbon Energy

Policy 3: Flood Risk and Natural Flood Management

Policy 4: Ultra Low Emission Vehicle Charging

Housing and Infrastructure

Policy 5: Pre-application Community Engagement

Policy 6: Housing in Defined Settlements

Allocations of Land for Housing

Policy 7.1: Land at Cooper Tires

Policy 7.2: Land at the Former Melksham Library Site Policy 7.3: Land at Whitley Farm, Whitley

Policy 7.4: Land at Middle Farm Plot A

Policy 7.5: Land at Middle Farm Plot B

Policy 8: Infrastructure Phasing and Priorities

Policy 9: Town Centre

Policy 10: Employment Sites

Policy 11: Sustainable Transport and Active Travel

Community Well-being and Nature

Policy 12: Green Infrastructure

Policy 13: Biodiversity

Policy 14: Open Spaces

Policy 15: Community Facilities

Policy 16: Local Green Spaces

Natural and Built Environment

Policy 17: Trees and Hedgerows

Policy 18: Landscape Character

Policy 19: Green Wedges

Policy 20: Locally Distinctive, High Quality Design

Policy 21: Local Heritage

Delivery			
WLP Policy	Relevant JMNP Policy	Notes	No Objection / Object
Policy 64 Additional employment land	Policy 10 Employment Sites	<p>Employment Policy is broadly in conformity with JMNP1 P10 <i>Potential reference to WLP 65 and 66 Criteria?</i></p> <p>Clause D Clause should clarify including impact on viability of existing allocated/retained Principal Employment Land (is alluded to in RJ)</p> <p>Allocation of Cooper Tires is likely to include employment. Coordination needed with employment allocation east of Melksham. (Subject to other comments) Should include ensuring no impact on viability of JMNP2 employment allocations.</p>	No objection
Policy 65 Existing employment land	Link to policy 10	<p>No issues with policy or criteria. Concern that 5 hectare employment allocation may undermine optimum viability of existing principal sites including Avonside, which is not fully occupied and potential for employment at Cooper Tires. Addressed in allocation response Planning for Melksham.</p>	No objection
Policy 67 Sequential test and retail impact assessment	Policy 9 link	<p>No in principle conflicts with JMNP1 and 2 Check consistency in post R14</p> <p>Potential complexity for delivering main TC uses inclusion at Cooper Tires. But should not undermine.</p> <p>No Justine evidence to expand Town Centre boundary.</p>	No objection

<p>Policy 68 Managing town centres</p>	<p>Policy 8 Town Centre</p>	<p>No in principle conflict with JMNP1 or 2 subject detailed comments below. General conformity with revised JMNP2 P9</p> <p>Hierarchy;</p> <p>Approach in conformity with NPPF</p> <p>Melksham is defined as a market town. Logical TC designation Lack of clarity about implications of transitional town centre status. Where is the methodology or criteria? What difference does this make to managing development through the Local Plan? If no method or consequence it should not be included.</p> <p>Boundaries TC &amp; PSA</p> <p>Approach in conformity with NPPF.</p> <p>Methodology</p> <p>Application at Melksham Does TC agree with methodology? Does TC agree with judgement</p> <p>Management of uses; Class E has stripped real power from plan led management. Policy is long and seeking to apply controls around the periphery. This is cumbersome but probably the only effective approach.</p> <p>Other Policies in the Development Plan This should make direct reference to Neighbourhood Plan and adopted TC Strategies</p> <p>Town Centre Strategies. “...Town centre strategies within the Plan may provide more detail in relation to the kinds of uses that are accepted within different areas of the town centre...”</p>	<p>Object Criteria ref town centre strategies and transitional Market towns not defined or effective. Policy is not sound.</p>
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		<p>Clause is weak and has no expectation other than as information. This is not in conformity with the status given to the Melksham TCMP report and does not support its role,</p> <p>It should be tightened to expect demonstration of positive response to adopted local TC strategies or master plans. If within or part of made NDP guidance will be supplemental to policies and used to guide decisions.</p>	
Policy 69 Tourism and related development	No equivalent policy		No objection
Policy 70 Sustainable Transport	Policy 11 Sustainable Transport and Active Travel	<p>Policy 11 is wide ranging and focus on railway station.</p> <p>It cross-suits with aspects of WLP transport policies 70-75</p> <p>LPR policy doesn't really say more than state aims and WC actions.</p> <p>Is it actually a policy?</p> <p>Lack of direct mention of air quality</p> <p>Cross cut reference to Health and wellbeing policy / indicators</p> <p>Question why no mention of Transport hierarchy in planning for sustainable transport.</p> <p>By omitting aspects of local plan objectives the policy effectiveness is questioned.</p> <p>Potential for Review JMNP2 R14 policy to align.</p> <p>NB Proportionate transport strategies and infrastructure;</p> <p>No mention of "Broad Locations for Growth" NB Rather have BLG deleted as unsound.</p>	<p>Object</p> <p>Policy is not effective and does not address key aspects of growth referenced in the WLP , environment outcomes or local transport strategy.</p>

		<p>But if retained these should be specifically identified as will warrant specific priority.</p> <p>Potential reference to Local transport strategies required; ie hook into Priority for People?</p>	
<a href="#">Policy 71: Transport and new development</a>	No equivalent policy	Consistent with principles of safe and sustainable transport	No objection
<b>Policy 72</b> Development impacts on the primary and major road networks	Policy 11	<p>No direct impact on JMNP policy.</p> <p>Seems to be a traffic management policy</p>	No objection
<b>Policy 73</b> Transport: demand management	Policy 11	<p>Lack of alignment with JMNP policy 11. WLP Policy does not reference the requirement for travel plans which is a requirement of current JMNP1 policy 11.</p> <p>Has the strategic requirement altered? Is there now a lack of conformity emerging between transport related developer submission requirements?</p> <p>LPR policy appears rambling and more of a statement of priorities, although non objectionable.</p>	Object Policy is not effective and should set requirement trigger for travel plans.
<a href="#">Policy 74: Movement of goods</a>	No equivalent policy		No objection
<b>Policy 75</b> Strategic transport network	No equivalent policy	<p>Cross reference with Melksham Railway Stn supported</p> <p>Ref to A350 improvements... “....to support development growth....”</p> <p>Planning for Melksham Placeshaping Principle 3 defines the outcomes of the A350 by pass as improving the</p>	<p>Object</p> <p>The policy conflicts with the purpose of the A350 by pass scheme at</p>



		<p>efficiency of the transport network and other social, environmental and lead to economic benefits for the town. NB These should be the Neighbourhood Area.</p> <p>There was not a stated direct connection between the delivery of the by pass and the accommodation of growth.</p> <p>The purpose and link between the A350 by pass and growth should be clarified.</p> <p>If the business case illustrates the link then it should be a direct infrastructure requirement prior to delivery of eastern area allocations (and further growth)</p>	<p>Melsham within “planning for Melksham” document</p> <p>There is confusion, insufficient clarity and evidence of the role of the A350 improvements in supporting growth at Melksham.</p> <p>The policy is not effective and is unsound.</p>
<b>Social</b>			
<b>Policy 76 Providing affordable homes.</b>	Policy 6: Housing in Defined Settlements (rev)	<p>WLP policy broadly aligns with JMNP2 rev policy 6.</p> <p>NB Policy 6 R14 draft references local plan. This may need to be reviewed to reflect CS policy or successor policies.</p> <p>WLP Affordable housing split different. No conflict as direct ref to local housing evidence set out in JMNP2 policy 6.</p> <p>Accessible homes level does not align with more detailed breakdown in WLP Policy 77. This may need to be refined to align or evidence needed to warrant different standards.</p> <p>WLP should define all settlements that P76 applies to.</p>	No objection

		<p>JMNP2 may consider defining/revising rural settlement boundaries where WLP has not eg Berryfield.</p> <p>First Homes discount of 40% is higher than WLP Policy. This may attract objection.</p>	
Policy 77 Rural exceptions sites	No equivalent policy	<p>The objective and criteria in WLP policy 77 address nationally accepted practice and policy with regard to Rural Exceptions sites. These may be promoted as exceptions adjacent to Shaw and Whitley, Beanacre and Berryfield.</p> <p>JMNP2 does not reference RE sites directly. This may be considered as an addendum to Policy 6.</p>	No objection
Policy 78 Meeting Wiltshire's housing needs	Overlap policy 6	<p>Comprehensive policy covering house typology, space standards, accessible homes, homes for older people and vulnerable people.</p> <p>Detailed issues; House typologies in Melksham HNA covered in policy 6.</p> <p>Are we satisfied that all forms of specialist housing for older people should be just in Melksham? We may wish to consider that for the JMNP2 area, S&amp;W should be defined as a possible location (Middle Farm) for potential age restricted /supported living, which may align with local HNA.</p>	No objection
Policy 79 First homes exception sites	No equivalent policy	<p>Detailed and new exceptions policy area.</p> <p>Consider post R14 refinement to JMNP policy 6 to reference and WLP.</p>	No objection

Policy 80 Self and custom build housing	No equivalent policy	Detailed and new policy area. Consider post R14 refinement to JMNP policy 6 to reference and WLP. Potential for additional JMNP2 evidence from WC Self build register.	No objection
Policy 81 Community facilities	Policy 15: Community Facilities	WLP criteria are different than P15. It may be worth aligning P15 criteria with WLP P81 or referencing <i>them</i> , but <i>retaining the policy to link to facilities map/list</i> .  <i>However P81 does not contain a clause to demonstrate new need. This risks competing facilities within a settlement and potential loss of viability for both.</i>	Object  Policy is not effective as may enable competing facilities, over-provision an unviability.  Add criteria to demonstrate community need and support.  Current policy is not effective and unsound.
Policy 82 Housing in the Countryside	No equivalent policy	National criteria compliant	No objection
Policy 83 Health and wellbeing	No equivalent policy.	HIA should be required on employment development land of 5 hectares or more. This captures the Melksham allocation.	Objection  Trigger should be revised to five hectares or more.
<a href="#">Policy 84: Open space and play facilities</a>	Policy 14: Open Spaces Policy 16: Local Green Space	This policy references the Wiltshire Open Space Assessment. The study provides an up-to-date and robust evidence base; auditing the provision (quantity, quality and accessibility) of open space; setting standards for provision; identifying any	No objection

		<p>surpluses or deficiencies; and recommended planning policy and developer contributions.</p> <p>The standards will be used to assess proposals for open spaces during the Plan period, recognising the need for improving the quality of existing open spaces in addition to requirements for new provision.</p> <p>There are shortfalls in the supply (ha) of open space against the standards in four types of open space typology: Allotments, Amenity Green Space, Play Space (Children and Youth). There is also a gap in the provision of ANGSt Standard: At least one accessible 20 hectare site within two kilometres of home.</p> <p>This policy could usefully refer to the provision of open space by major development that reflects the identified deficiencies in of the local area in the open space assessment.</p> <p>The policy in JMNP2 could also usefully refer to this evidence base document.</p>	
Policy 85 Sustainable construction and low carbon energy	Policy 1 Sustainable Design and Construction  / Allocations	<p>An aspirational policy that follows in the footsteps of other Local Plan policies that are now examined.</p> <p>Policy 1 of the JMNP was revised to reflect these exemplar policies and the emerging WLP but in a way that is less prescriptive / more aspirational (proportionate to a NP).</p>	No objection
Policy 86 Renewable energy	Local Renewable and Low Carbon Energy	This policy is comprehensive going into greater detail than the JMNP 2 policy 2 which is a slight update to the JMNP1 policy 2 to include reference to energy storage.	No objection

<u>Policy 87:</u> <u>Embodied carbon</u>	Policy 1 Sustainable Design and Construction	An update to the Core Strategy that addresses the need to tackle Climate Change.	No objection
<u>Policy 88:</u> <u>Biodiversity and geodiversity</u>	Policy 13: Biodiversity	Policy is considered effective. Reference to nature recovery is supported.	Support
<u>Policy 89:</u> <u>Biodiversity net gain</u>	Policy 13: Biodiversity	This policy seeks double the Minimum 10% Biodiversity Net Gain (BNG) required by the Environment Act but there is no explanation for how the figure of 20% is arrived at for BNG in this policy.  Nature Recovery is a key part of this policy.	Support
<u>Policy 90: Trees, hedgerows, and woodland</u>	Policy 17: Trees and Hedgerows	The target for tree canopy coverage is lower than recommended by the Urban Forestry and Woodland Advisory Committee Network and referenced in the JMNP.  There are no standards for tree replacement, or buffers to woodland.	Object  The policy does not contain tree planting triggers or criteria that will ensure major development makes a proportionate contribution to meeting WC targets. It is ineffective and unsound.
<u>Policy 91:</u> <u>Conserving and enhancing Wiltshire's landscapes</u>	Policy 18: Landscape Character  Policy 19: Green Wedges	JMNP includes a map which references the Special Landscape Area (a saved local plan policy). This designation will no longer be saved, WC instead recognises the National Planning Policy Framework's landscape character approach to determining landscape value and will require applicants to assess the value of their sites at the local level through the use of the	Object The failure to identify strategic countryside gaps does not have regard to sites assessment evidence and

		<p>Landscape Institutes Technical Guidance Note TGN 02-21: 'Assessing landscape value outside national designations.'</p> <p>This is the policy that the JMNP policy 19: Green Wedges links to directly. In the supporting text there is mention of other relevant assessment and studies that may inform development proposals including NP (which are listed after Parish Plans – are they still produced?!) which are 'approved the Council'. If the NP is 'made' and includes relevant material then it will have the same status as material prepared for WC and the Local Plan evidence base.</p> <p>Para 5.156 also refers to the “erosion of the separate identity of settlements and their coalescence, character, visual and functional amenity can degrade their setting to the detriment of the character of the rural countryside”. This is of direct relevance to the JMNP and would suggest that part 3 of the policy : <b>3. conserving and enhancing the locally distinctive character of settlements and their landscape settings</b></p> <p>Could include direct reference to the need to avoid coalescence.</p> <p><b>Strategic Countryside Gaps</b></p> <p>Supporting text para 5.1.6 references the erosion of the separate identity of settlements and their coalescence.</p> <p>The Wiltshire “Site Landscape Appraisals 2023” , landscape mitigation in the form of strategic countryside gaps are identified to protect the separate identity of outlying rural villages (in the hinterland of the town).</p>	<p>undermines the effectiveness of the policy.</p>
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		The current policy fails to identify strategic countryside gaps and is not fully effective. Where identified gaps straddle neighbourhood area boundaries NDP's cannot address the risk. There should be strategic countryside gaps identified in the local plan.	
<u>Policy 92: Conserving and enhancing dark Skies</u>		No policy included on this specific topic in the NP, however there are no targets for reducing light pollution except areas designated dark sky areas – this could be broadened out to include the rural areas of the JMNP and GI assets such as the K&A canal.	Support
Environment			
Policy 93 Green and blue infrastructure	Policy 11: Sustainable and Active Travel Policy 16: Local Green spaces Policy 17: Trees and Hedgerows Policy 18: Landscape Character Policy 20: Locally distinctive High Quality Design Policy 19: Green Wedges	<p><i>No direct equivalent JMNP policy. Cross-cut with made and proposed new JMNP sustainable transport community and environment policies.</i></p> <p><i>Should GBI development requirements be limited to major developments (more than 10 dwellings)? Given the requirements, it seems reasonable. However, should ALL development be expected to provide contribution to GBI.</i></p> <p><i>Settlement Frameworks. These do not yet exist. There is intention to produce them. The policy should say "any future adopted....."</i></p> <p><i>Should this be a discretionary devolution to NDPs/TC's PCs? It would seem reasonable that local knowledge should be harnessed.</i></p>	No objection in principle
Policy 94 Wiltshire's canals and the boating community	Priority Statement 3: Wilts & Berks Canal Restoration	<p>Agreement of safeguarded route Alignment with plan in JMNP2?</p> <p>NB Financial contributions. Is it intended that financial contributions</p>	No objection

		from development will fund W&B canal link project? I didn't think so Suggest policy should make clear that any proposal must be supported by a robust business case and any associated planning consents for enabling development.	
<b>Policy 95 Flood risk</b>	Policy 3: Flood Risk and Natural Flood Management	<p>WLP policy conforms with and references national policy and best practice in the process of selecting suitable sites for development. JMNP2 does not cause conflict with WLP P95.</p> <p>Policy 3 may be straightened by cross reference to WLP policy 95 in relation to new development and then reference local circumstances.</p> <p>WLP P95 raises significant constraint issues for Cooper Tires as WLP has selected greenfield sites in Flood zone 1. Sequential testing and or exceptions testing will need to support it's future development where at least the land is within Z2 and 3.</p>	No objection
<b>Policy 96 Water resources</b>	No directly equivalent policy	<p>Identification of Source Protection Zone, Safeguard Zone or Water Protection Zone and buffers within JMNP area to assess against allocations.</p> <p>IDP:</p>	No objection
<b>Policy 97 Contaminated land</b>	No equivalent policy	<p>Cooper Tires site Allocation. Contamination likely to be one of the biggest viability challenges. Allocation supporting text/policy criteria may directly ref WLP policy and SPD guidance in setting qualitative criteria. NB Placeholder allocation acknowledged contamination</p>	No objection
<b>Policy 98 Ensuring High</b>	Policy 20: Locally	No fundamental lack of conformity between JMNP2 and WLP design	Object



<p>Quality Design and Place Shaping</p>	<p>Distinctive, High Quality Design</p>	<p>objectives. However, the policy is poorly drafted. See below.</p> <p>WLP P98 is monumental and hugely complex, placing an almost impossible agenda of design criteria plus cross referencing with yet more design guides eg Manual for Streets.</p> <p>It pays no regard to the Wilts Design Guide. Its 12 criteria do not relate to the clear design steps in the WDG. It does not ref the National Design Guide or expect applicants to demonstrate regard to adopted NP guidance. These should form the backbone of this policy which should and can be MUCH shorter.</p> <p>As drafted the policy lacks conformity with national guidance</p>	<p>Object The policy does not reference or synchronise with national design guidance, the Wilts Design Guide or adopted NDP area guides.</p> <p>It is confusing and overly complex.</p> <p>In failing to have direct regard to national policy or guidance it is not justified. It does not require applicants to refer to adopted guidance and is not effective as drafted. It is unsound.</p>
<p>Policy 99 Ensuring the Conservation and Enhancement of the Historic Environment</p>	<p>Policy 21: Local Heritage</p>	<p>No in principle conflict or lack of conformity.</p> <p>WLP policy 99 provides a more comprehensive policy protection of designated assets and Andrea's and criteria including impact assessment) for associated development. JMNP2 P21 may be supplemented by direct ref to this policy and criteria.</p> <p>WLP P99 references non designated assets and criteria for their consideration and conservation. These differ slightly from those in P99. Alignment should be achieved through coordination between policies.</p>	<p>No objection</p>

		However, the NDHA list is locally distinct and justifies P21.	
Policy 101 Air quality	No equivalent policy	<p>Wiltshire Air Quality Action Plan.</p> <p>How does this affect Melksham?</p> <p>What are the air quality implications of traffic congestion? NB Melksham not identified as one of the six community action areas (with AQMZ)</p> <p>How will + 1200 homes affect objectives of Action Plan / Air quality n Melksham</p> <p>Has this been assessed as part of Allocations?</p>	No objection



## Working Notes

### Policy 64 Additional employment land

Proposals for employment development (within use classes B2, B8 or E(g)(i-iii)) will be supported on unallocated sites within or adjacent to Principal Settlements, Market Towns, Local Service Centres and Large and Small Villages where they are appropriate to the role and function of the settlement.

Employment development proposals elsewhere will be supported that:

- i. are for farming; or
- ii. diversify and support an existing rural based business; or.
- iii. are considered essential to the wider strategic interest of the economic development of Wiltshire, as determined by the council.

Proposals will only be supported where they:

- a. are appropriate in scale with their location, do not adversely affect the operation of nearby uses or unacceptably harm residential amenity;
- b. do not lead to unacceptable impacts on the historic environment;
- c. do not represent unacceptable harm to landscape character or visual intrusion;
- d. would not undermine the delivery of strategic employment allocations;
- e. lead to no unacceptable impacts on the local transport network; and
- f. are supported by adequate infrastructure, including broadband.

Proposals for additional national and regional logistics development adjacent to M4 Junction 17 will be supported subject to:

- the impacts being assessed in accordance with Department for Transport advice; <sup>23</sup>
- development proposals not prejudicing the delivery of other planned growth; and
- the funding and delivery mechanism of any required improvements/alterations to M4 Junction 17 and the surrounding Transport Network having been agreed and secured.

### JMNP1 Policy 10: Employment Sites

JMNP2

***Proposals for the retention, intensified and reuse of previously developed employment land will be supported in principle, particularly where they will provide space for start-up and small businesses, bringing a range of new employment opportunities.***

***Proposals will be expected to generate the same number, or more, permanent full time equivalent jobs as the existing or former use.***

*Potential reference to WLP 65 and 66 Criteria?*

Employment Policy is broadly in conformity with JMNP1 P10

No direct impacts on JMNP2 P10

Clause D

Clause should clarify including impact on viability of existing allocated/retained Principal Employment Land (is alluded to in RJ)

Allocation of Cooper Tires is likely to include employment. Coordination needed with employment allocation east of Melksham. (Subject to other comments)

Should include ensuring no impact on viability of JMNP2 employment allocations

## Policy 65 Existing employment land

Proposals for renewal and intensification of employment uses, particularly on Principal Employment Areas, will be supported. All land in employment use should be retained for employment purposes to safeguard their contribution to the Wiltshire economy and the role and function of individual settlements.

Proposals involving the loss of employment land (B2, B8, E(g)(i-iii)) must demonstrate:

i. where the proposal would lead to a material loss of employment land, provision should be made for its replacement with employment land of similar size and quality nearby, unless it can be demonstrated that there is no longer a requirement for employment land in that location; ii. the site is no longer suited to current or future business needs (evidenced as being unsold/ unlet for five years or evidence of future unacceptable harm to residential amenity or the wider environment); or iii. reuse of the site for alternative uses is the only means to relocate and retain an existing business or its significant expansion; or wider significant economic, environmental and social benefits to a settlement outweigh the loss of employment land.

To meet criteria ii. above, applicants must also demonstrate genuine and sustained attempts to sell or let a site on reasonable terms for employment uses but have been unsuccessful. Planning applications should demonstrate that the site has been recently, comprehensively, marketed for employment use for at least 12 months.

Where proposals involve introducing new uses on sites adjacent to employment uses, they must be compatible with the continued operation of the employment use.

Related JMNP1

Related JMNP2

No direct policy mirror as JMNP seeks to protect employment sites and encourage existing site re-use.

Policy in general conformity with JMNP1 P10 (or does not conflict)

Cooper Tires; relationship of policy criteria with allocation and related loss of employment to be clarified. ie application of criteria?

## Policy 67 Sequential test and retail impact assessment

**Proposals for Main Town Centre Uses on sites which lie outside of the defined Town Centres (as defined on the Policies Map) must be accompanied by a sequential test. This requires applications for Main Town Centre uses to be located primarily in town centres and secondarily at edge of centre locations. Only in cases where suitable sites are not available, should out of centre sites be considered. In all circumstances, applicants are required to demonstrate flexibility in terms of the scale and format of their proposed development and in the consideration of alternative sites. In relation to edge and out of centre proposals, preference will be given to accessible sites that are well connected to nearby town centres.**

**All proposals for retail or leisure uses over 200 sqm gross on sites outside of defined town centres are to be accompanied by a retail impact assessment, which will assess:**

**i. the impact of the proposal on public and private sector investment within centres in the catchment area of the proposal; and ii. the impact of the proposal on town centre vitality or viability, including: local consumer choice and trade in the town centre and wider area; and a cumulative assessment of the proposal together with committed and recently completed developments, plus developments under construction.**

Related JMNP1 Policy Link to P9

Related JMNP2

Impact

Policy combines sequential test and retail impact assessment.

Sequential test applied to out of centre proposals for main tc uses

RIA relates to edge and out. A lower threshold of 200m applied ref govt guidance

No in principle conflicts with JMNP1 and 2

Check consistency in post R14

Potential complexity for main TC uses inclusion at Cooper Tires?

## Policy 68 Managing town centres

### Town Centre Hierarchy

- **Principal Settlements – Chippenham, Salisbury, Trowbridge**
- **Market Towns – Amesbury, Bradford on Avon, Calne, Corsham, Devizes, Malmesbury, Melksham, Marlborough, Royal Wootton Bassett, Tidworth, Warminster, Westbury**
- **Local Service Centres – Cricklade, Downton, Ludgershall, Market Lavington, Mere, Pewsey, Tisbury, Wilton.**

### Town Centre Boundaries

**Town centre boundaries have been defined for the centres identified by the town centre hierarchy, as illustrated by the Policies Map.**

**Proposals for uses falling into Use Class E or the definition of Main Town Centre Uses will be supported within town centre boundaries, where they maintain and enhance the vitality and viability of the town centre, provided they do not conflict with other policies of the Development Plan.**

**Proposals for the conversion of ground floor uses falling within Class E to residential development within town centre boundaries will not be supported unless identified by other policies of the Development Plan.**

**Proposals for the change of use of existing upper floors to residential will be supported, except in circumstances where their use would be detrimental to the amenity of neighbouring activities, or would have a negative impact upon the successful running of the ground floor commercial unit, or the living conditions of future users and occupiers. The assessment of this impact should be carried out in line with the assessment of maintaining and enhancing vitality and viability.**

**The use of land for markets will be supported.**

### Primary Shopping Areas

**Primary Shopping Areas have been defined within town centre boundaries, as identified by the Policies Map.**

Primary shopping areas are the priority locations for new and existing shopping facilities and other active ground floor uses. Proposals should retain and enhance active frontages within primary shopping areas to support the wider attractiveness of the town centre. Specifically, proposals for physical development works, where the change of use doesn't require planning permission, should maintain and enhance the vitality and viability of the town centre, avoiding harm to the attractiveness of the primary shopping areas through the loss of an active frontage.

Protection of character and appearance will be particularly important in town centres which are also subject to conservation area designations.

Generally, the following uses will be supported within Primary Shopping Areas:

- shops, food and beverage outlets
- financial and professional services
- other main town centre and Use Class E uses which promote active ground floor uses and draw footfall

Provided that:

- i. proposals retain or improve active frontages and active ground floor uses;
- ii. proposals do not conflict with other policies of the Plan.

Town centre strategies within the Plan may provide more detail with relation to the kinds of uses that are accepted within different areas of the town centre.

Related JMNP1 Policy 9 Town Centre

Related JMNP2 Policy 9 Town Centre

*Development proposals within the town centre and primary shopping areas (see Figure 10) will be supported provided:*

- a. proposals have regard to Local Plan Policy 68 and demonstrate how they will make a proportionate and positive contribution to achieving the priority aims of the Melksham Town Centre master plan Report 2023;*
- b. the proposal is in keeping with the scale and character of the centre of this Market Town and, where appropriate, preserves or enhances the Conservation Area;*
- c. access to public transport, walking and cycle routes and car parking is considered and addressed;*
- d. where appropriate, a positive contribution is made to conserving and enhancing the appearance and quality of town centre frontages;*
- e. development proposals at edge of centre locations which are inter-connected with the Commercial Area will, additional to the above, be required to evidence that there are no suitable and viable sites or buildings within the defined Commercial Area; conform with Local Plan policy 68 (Sequential Testing and Retail Impact Assessment)*
- f. where required, planning applications for development or change of use of ground floor frontages within the defined town centre primary shopping area (see Figure 7) where they retain or enhance the continuity of active ground floor shop front uses; and, a positive contribution is made to conserving and enhancing the appearance and quality of town centre frontages;*

***g. greater use is made of upper floors of town centre premises, including for offices, small businesses and residential use with independent access, will be supported where they sustain or enhance the vitality of the host building use and Melksham town centre.***

***Development proposals for Main Town Centre Uses **at edge of centre locations which are inter-connected and** outside of the defined town centre will be required to demonstrate that there are no suitable and viable sites or buildings within the defined town centre, in conformity with Core Strategy Policy 38 or Local Plan Policy 67 upon its adoption***

No in principle conflict with JMNP1 or 2 subject detailed comments below.

General conformity with revised JMNP2 P9

Hierarchy;

Melksham is defined as a Market town. Logical TC designation

What is a transitional town centre?

What difference does this make to managing development?

Boundaries TC & PSA

Does TC agree with methodology?

Does TC agree with judgement

Management of uses;

Class E has stripped real power from plan led management.

Policy is long and seeking to apply controls around the periphery.

Other Policies in the Development Plan

This should make direct reference to Neighbourhood Plan and adopted TC Strategies

Town Centre Strategies.

Clause is weak. Should be tightened to expect demonstration of positive response to adopted local TC strategies or master plans.

## Policy 69 Tourism and related development

**Tourism and related development will be supported where it can be demonstrated that the proposal will result in economic, social and environmental benefits for the local area and: 1. is within a Principal Settlements and Market Town; or 2. outside the Principal Settlements and Market Towns, tourist and related development should be located in, or close to Local Service Centres or Large and Small Villages and, where practicable, be located in existing or replacement buildings.**

**All proposals for tourism and related development, including the intensification of existing tourist facilities must demonstrate that they will:**

- **not have a detrimental impact on landscape, heritage assets, biodiversity and the amenity of local residents;**
- **avoid unacceptable traffic generation and promote active and sustainable travel options;**



- not lead to adverse impacts such as light, noise and odour impacts, particularly in rural or isolated locations. Assessments may be required to address the potential for adverse effects associated with new development;
- be capable of accessing local services and a local employee base;
- not significantly impact the vitality of town centres; and
- not replace permanent dwellings, and be restricted to either short-term holiday uses or enable the on-site retention of key staff where necessary.

Comment

JMNP1 & 2 does not contain Tourism policy.

No conflicts with other policies

No objection to strategic approach

## Policy 70 Sustainable Transport

The council will seek to help people travel shorter distances and use sustainable modes in order to reduce transport carbon emissions, whilst recognising the need to keep the economy moving, and support the safe and efficient movement of people and goods within and through Wiltshire. This includes in rural areas where it is recognised that sustainable transport options are limited.

This will be achieved by:

- planning significant developments in locations that are or can be made accessible by sustainable transport modes, including walking and cycling facilities;
- promoting walking, cycling and public transport to be the natural first choice for shorter and single journeys in urban areas;
- promoting appropriate demand management measures that reflect local circumstances and objectives working with partners;
- working with partners and others to deliver electric vehicle charging and other alternative fuel infrastructure;
- influencing the routing of freight within and through the county to ensure appropriate use of the Strategic and Primary Road Network;
- assessing and, where necessary, mitigating the impact of developments on transport users, local communities and the environment; and
- developing proportionate transport strategies for the Principal Settlements and Market Towns. These will be supported and implemented through private and public funding opportunities, including developer contributions, as well as joint working with partners and other stakeholders.

JMNP1 Policy 11 Sustainable Transport and Active Travel  
JMNP2 Policy 11

**All developments must be planned in line with the Sustainable Transport Hierarchy. Applications for major development must demonstrate through an effective Travel Plan how sustainable transport modes are maximised and that safe and suitable movement can be achieved for all people.**  
**As a key element in the local sustainable transport network, proposals that would achieve further improvements to the accessibility and quality of the links between the wider town and Melksham railway station will be supported.**  
**Improvements to the quality of the public realm around the station will also be supported.**

JMNP1 and 2

Policy 11 is wide ranging and focus on railway station.  
It cross-suits with aspects of WLP transport policies 70-75  
No in principle lack of conformity.

LPR policy doesn't really say more than state aims and WC actions.  
Is it actually a policy?

Lack of direct mention of air quality  
Cross cut reference to Health and wellbeing policy / indicators  
Question why no mention of Transport hierarchy in planning for sustainable transport

Potential for Review JMNP2 R14 policy to align.

NB Proportionate transport strategies and infrastructure;  
No mention of "Broad Locations for Growth"  
Rather have BLG deleted as unsound. But if retained these should be specifically identified as will warrant specific priority.

Potential reference to Local transport strategies required ; ie hook into Priority for People?

## Policy 71

### Transport and new development

In urban areas, new development will be supported where users can access a choice of sustainable transport modes and opportunities are provided to make improvements. In rural areas, it will be recognised that access to sustainable transport options will be limited but opportunities should be taken to allow people to travel by a choice of transport options.

When considering the transport implications of a development, the following will need to be taken into consideration:

- a. visually impaired and other disabled people
- b. pedestrians
- c. cyclists/scooting
- d. public transport
- e. goods and service vehicles, and emergency vehicles
- f. micromobility vehicles
- g. powered two-wheelers
- h. car clubs, car sharing, taxis
- i. private car
- j. freight

Development proposals must be capable of being served by suitable and safe access to the highway network.

Where required as part of the normal functioning of the proposed development, fit for purpose and safe loading/unloading facilities must be provided.

Where appropriate, developer contributions will be sought towards sustainable transport improvements, and travel plans will be required to promote the use of sustainable transport alternatives and more sustainable freight movements. Electric vehicle infrastructure will be required in accordance with national or local standards as relevant.

Where necessary, development should provide appropriate mitigating measures to offset any adverse impacts on the transport network at both the construction and operational stages.

## Policy 72 Development impacts on the primary and major road networks

**Proposals for new development should not be accessed directly from the national primary route network or major road network outside built-up areas in order to effectively manage traffic flow and reduce the risk to highway safety, unless an over-riding need can be demonstrated and the impacts can be safely mitigated.**

JMNP1 Policy 11  
JMNP2

No direct relationship.  
No in principle objection to the policy

Policy seems to be a traffic management policy

NB Potential more detailed consideration of access points and speed limits on the A roads within JMNP2 area.

## Policy 73 Transport: demand management

Demand management measures that reflect local circumstances and objectives will be required to ensure an integrated transport network and encourage the use of sustainable modes. These measures include:

i. car parking management – managing the car parking stock through the implementation of appropriate supply, maintenance, charges, enforcement measures and electric vehicle infrastructure. These measures include:

- a. public car parking charges
- b. private non-residential parking standards
- c. managing publicly available private non-residential parking
- d. residential and workplace parking standards
- e. electric vehicle charge point infrastructure
- f. school travel plans
- g. residents parking

ii. traffic management measures;

- iv. smarter choices measures – such as travel plans, personalised travel planning, car sharing and information and marketing campaigns to influence people's travel behaviour towards more sustainable travel options; and
- v. infrastructure, such as cycle paths and cycle parking, to promote the use of active travel modes.

Further details on how the measures outlined above should be utilised are outlined in the Wiltshire Local Transport Plan (LTP) including the LTP Car Parking Strategy, Local Cycling and Walking Infrastructure Plans (LCWIPs) and LTP Smarter Choices Strategy. Further details on how the measures outlined above should be utilised are outlined in the Wiltshire LTP including the LTP Car Parking Strategy, Local Cycling and Walking Infrastructure Plans (LCWIPs) and LTP Smarter Choices Strategy.

JMNP 1

JMNP2 Policy 11

LPR Policy does not reference the requirement for travel plans which is a requirement of current JMNP1 policy 11. Has the strategic requirement altered? Is there now a lack of conformity emerging between transport related developer submission requirements?

LPR policy appears rambling and more of a statement of priorities, although non objectionable.

## Policy 75 Strategic transport network

The strategic transport network is shown on Figure 3.2 and includes:

1. the national primary route network and major road network (including the strategic road network) 2. the strategic advisory freight route network 3. the rail network 4. the strategic bus network

During the Plan period the strategic transport network along the A350, A36 and A303 corridors will be maintained, managed and improved to support development growth at Chippenham, Melksham, Salisbury, Trowbridge, Westbury and Warminster. To that end, the National Highways Strategic M4 to South Coast Study and A303 Stonehenge improvement are especially relevant.

The development and/or improvement of the following railway stations will be promoted and supported:

a. Corsham railway station b. Devizes railway station c. Melksham railway station d. Royal Wootton Bassett railway station e. Westbury railway station

The land required for these station improvements and other realistic proposals on the strategic transport network which support the objectives and policies in the Local Plan will be protected from inappropriate development.

Other potential rail improvements will be considered throughout the Plan period in association with relevant partners.

JMNP 1

JMNP2

Cross reference with Melksham Railway Stn supported

Ref to A350 improvements... “...to support development growth....”

I understood the A350 by pass (or other improvements) was primarily to overcome congestion on the strategic route with tangential economic, environmental and social benefits (to Melksham). But there was not a direct connection between the delivery of the by pass and the accommodation of growth.

The purpose and link between the A350 by pass and growth should be clarified.

If the business case illustrates the link then it should be a direct infrastructure requirement prior to delivery of eastern area allocations (and further growth)

## SOCIAL

### Policy 76 Providing affordable homes.

**Affordable housing provision of at least 40% (net) will be required, as follows:**

- i. **on sites of ten or more dwellings or 0.5ha or more (lower threshold applies) in areas that are not designated as rural areas; or**
- ii. **on sites of five or more dwellings or 0.5ha or more (lower threshold applies) in Designated Rural Areas, as shown in Figure 5.1 and identified on the Policies Map.**

**Only in exceptional circumstances, where it can be proven that on-site delivery is not possible, will a commuted sum be sought.**

**The provision of affordable housing may vary on a site-by-site basis taking into account evidence of local need, mix of affordable housing proposed and, where appropriate, the viability of the development and where this would not lead to unsustainable development. All affordable housing will be subject to an appropriate legal agreement with the council.**

**This level of provision should be delivered with nil public subsidy, unless otherwise agreed by the council.**

### Tenure

**The tenure mix is 65% Affordable Housing for Rent 10% Shared Ownership and 25% First Homes.**

**Tenure will be reviewed and negotiated on a site-by-site basis to reflect the nature of the development and local needs as set out in Policy 78 (Meeting Wiltshire's housing needs).**

### On site distribution and standards

**Affordable housing units will be distributed across the whole site in small clusters and their appearance and parking designed to a high quality, so as to be indistinguishable from other development. In determining the level of integration that can be achieved, consideration will be given to the**

**practicalities of management and maintenance associated with the proposal whilst still ensuring affordability, particularly in developments of flats.**

JMNP 1

JMNP2. Policy 6: Housing in Defined Settlements (rev)

***Proposals for sustainable housing development within the settlements of the Neighbourhood Area will be supported where they accord with the Settlement Boundary provisions of Wiltshire Local Plan Policy 1 and adopted site allocations.***

***New housing will be supported where proposals demonstrate how housing types and tenures have responded positively to meeting local needs, informed by the Melksham Neighbourhood Plan Area Housing Needs Assessment (2023).***

***In Melksham Town, new housing will prioritise delivering a balanced mix, of two, three and four bedroom dwellings and bungalows.***

***In Shaw and Whitley, new housing will increase the proportion of smaller two and three bedroom dwellings, to address a shortfall in their availability.***

***To meet the needs of an increasing population of older and disabled people, 50% of new housing will meet accessible home standards.***

***Proposals for age restricted housing, extra-care communities and nursing homes will be supported only in the most sustainable locations, closely linked to local services and public transport.***

***At least 40% of new housing will be provided as affordable housing tenures in conformity with Wiltshire Local Plan policy 76.***

***To address particular local issues of affordability and demand for affordable homes for first time buyers and local households on below average incomes, about 55% of affordable housing should be provided as discounted market affordable housing products, including shared ownership and First Homes products.***

***25% of all affordable housing provision will be First Homes housing, provided at a 40% discount to address local issues of affordability, identified in the Melksham Neighbourhood Plan Area Housing Needs Assessment (2023).***

Potential additional Rural Exception & First Home Exception clause?

Comment

In principle no objection.

WLP policy broadly aligns with JMNP2 rev policy 6.

NB Policy 6 R14 draft references local plan. This may need to be reviewed to reflect CS policy or successor policies.

WLP Affordable housing split different. No conflict as direct ref to local housing evidence set out in JMNP2 policy 6.

Accessible homes level does not align with more detailed breakdown in WLP Policy 77. This may need to be refined to align or evidence needed to warrant different standards.

First Homes discount of 40% is higher than WLP Policy

### Policy 77 Rural exceptions sites

**At settlements defined as Local Service Centres and Large Villages, housing development outside but adjoining settlement boundaries or, for Small Villages and those not identified within the settlement strategy, adjoining the built area, housing will be supported where its primary purpose is to provide affordable homes to meet the local needs of a settlement, provided:**

- the proposal consists of 20 dwellings or fewer and will be no greater than 5% of the size of the settlement;
- the type, size and tenure reflect identified local needs as evidenced on Wiltshire Council's housing registers<sup>32</sup> and/or through a local housing needs survey;
- the housing provided will remain in perpetuity to meet defined local needs, initially and on subsequent change of occupant secured by an appropriate legal agreement.

### Cross-subsidy

**Proposals at Local Service Centres, Large and Small Villages which include some market housing will be supported where it is necessary to enable development and can be demonstrated that the site would be unviable, as an exception site that meets the above criteria, without cross-subsidy. In these circumstances:**

- The majority of the development is for affordable housing and up to 33% of the housing is market housing.
- It has been demonstrated through detailed financial appraisal that the scale of the market housing component is essential for the successful delivery of the development and is based on reasonable land values as an exception site.
- No additional subsidy for the scheme and its affordable housing delivery is required.

JMNP 1

JMNP 2

No equivalent JMNP policy

No objection.

The objective and criteria in WLP policy 77 address nationally accepted practice and policy with regard to Rural Exceptions sites. These may be promoted as exceptions adjacent to Shaw and Whitley, Beanacre and Berryfield.

JMNP2 does not reference RE sites directly. This may be considered as an addendum to Policy 6.

## Policy 78 Meeting Wiltshire's housing needs

New housing both market and affordable should:

- be well designed to address local housing need incorporating a range of different types, tenures and sizes of homes to create mixed and balanced communities;
- meet the Nationally Described Space Standard (NDSS) and be built to building regulations M4(2) standard; and
- provide for a minimum of 7% of all housing on sites expected to be built to building regulations M4(3) standard.

Housing size and type, including any distinction between flats and houses, will be expected to reflect that of the demonstrable need for the community within which a site is located.

The Wiltshire Local Housing Needs Assessment identifies the housing needs of Wiltshire. Any variation to this will need to be justified through the production of new, sound evidence from either an updated Local Housing Needs Assessment or other credible evidence sources.

In relation to affordable housing, other sources of credible evidence include the council's housing register and local needs surveys.

The provision, in suitable locations, of new housing to meet the specific needs of vulnerable and older people is supported in all circumstances.

### Older People

Housing schemes should assist older people to live securely and independently within their communities. Residential development must ensure that layout, form and orientation consider adaptability to change as an integral part of design at the outset, in a way that integrates all households into the community.

When this is no longer possible, there are a range of models providing specialist accommodation for older people, ensuring people can continue to enjoy living in their local area with the level of care they require provided.

Developers will be required to demonstrate how their proposals respond to the needs of an ageing population in accordance with the council's most up to date information on the need for older person's accommodation.

In Principal Settlements and Market Towns specialist accommodation for older people such as extra care housing, nursing care homes and dementia care homes should be considered.

Proposals for extra-care accommodation to be sold or let on the open market are not considered exempt from the need to provide affordable housing.

### Vulnerable People



**Provision of homes and accommodation for vulnerable people will be supported, including but not limited to:**

- i. people with learning disabilities and autism**
- ii. young at risk and care leavers**
  - iii. people with mental health issues**
  - iv. homeless people and rough sleepers**

**Such accommodation should be provided in the Principal Settlements and Market Towns where there is an identified need, and good access to services and facilities.**

**Sites in Principal Settlements and Market Towns should incorporate housing suitable for vulnerable people. Housing should be either clustered together in groups of no more than 6 houses or distributed evenly across the site.**

**In exceptional circumstances, the provision of specialist accommodation outside but adjacent to the Principal Settlements and Market Towns will be considered, provided that:**

- i. a genuine, and evidenced, need is justified;**
- ii. environmental, landscape and heritage assets and their settings considerations can be suitably addressed;**
- iii. facilities and services are accessible from the site; and**
- iv. its scale and type is appropriate to the nature of the settlement and will respect the character and setting of that settlement.**

JMNP1

JMNP2

Some overlap with JMNP policy 6

NB Accessible housing levels. See policy 76 comments

Comprehensive policy covering house typology, space standards, accessible homes, homes for older people and vulnerable people.

No in principle cause for objection.

Detailed issues;

House typologies in Melksham HNA covered in policy 6.

Are we satisfied that all forms of specialist housing for older people should be just in Melksham?

## **Policy 79 First homes exception sites**

Development proposals for First Homes Exception Schemes will be supported, provided:

- 1. the proposal is within or adjoining the existing settlement;**
- 2. the proposal is proportionate in size to the existing settlement, in terms of the number of existing dwellings, but should be no larger than one hectare in size or exceed 5% of the size of the existing settlement; and in combination with other First Homes development at a settlement does not exceed this threshold;**
- 3. the site is not within areas designated as Green Belt, Area of Outstanding Natural Beauty or in a designated rural area;**
- 4. the proposal does not result in unacceptable harm to areas or assets of designated importance or constrained by wider environmental considerations - e.g. areas at risk of flooding, heritage assets and their setting.**

### **Cross-subsidy/Market Housing**

All development proposals on First Homes Exception Sites must primarily be led by the provision of First Homes. The inclusion of other forms of affordable housing and/or open market housing will only be considered where it can be demonstrated that such housing would meet a defined local need, and in the case of open market housing that the site would be unviable as an exception site without cross-subsidy, via a detailed viability assessment.

JMNP1 and 2

No direct policy link

Detailed and new exceptions policy area.

No objection

Consider post R14 refinement to JMNP policy 6 to reference and WLP.

### Policy 80 Self and custom build housing

**On sites of 20 or more dwellings, 5% should be made available as serviced plots for self and custom build. Plots should be marketed for sale for a period of 12 months per plot and any plots subsequently developed for self-build and custom build must be completed within 3 years of purchase by a self-builder.**

JMNP1 and 2

No direct policy link

Detailed and new policy area.

No objection

Consider post R14 refinement to JMNP policy 6 to reference and WLP.

Potential for additional JMNP2 evidence from WC Self build register.

NB Link to Strategic Allocations criteria

### Policy 81 Community facilities

#### Development of new community facilities

**Development of new community facilities within and adjoining settlement boundaries and at Small Villages will generally be supported where it is demonstrated that the development will:**

- i. **contribute towards making the settlement more sustainable;**
- ii. **be appropriate to its landscape and environment setting;**
- iii. **be well related to an existing settlement<sup>34</sup>; and**
- iv. **lead to no highway safety issues or adverse impacts on the local transport network.**

#### Redevelopment of community facilities

**Proposals that require planning permission which leads to the loss of a community facility<sup>35</sup> will only be supported where it can be demonstrated that the site/building is no longer required or no longer economically viable for an equivalent or alternative community use.**

**Where it is demonstrated that it is not possible to provide an equivalent or alternative community facility use, a mixed use which still retains a substantial proportion of community facility provision, will be supported.**

**In order for the loss of a community facility which has a primary function to deliver a public service (such as healthcare, education, sports buildings and places of worship) to be supported, it must be demonstrated that equivalent or better local services are available, or that the service is no longer required.**

In order for the loss of a public house, local shop or other rural community facility which primarily functions as a commercial enterprise to be supported, a comprehensive marketing plan will be required that demonstrates all reasonable attempts have been taken to secure the continued use. This marketing plan will:

- v. be undertaken for at least six months;
- vi. ii. be open and flexible with respect to accommodating alternative community uses; iii. establish appropriate prices, reflecting local market values, for the sale or lease of the site/building, which reflects the current or new community use, condition of the premises and the location of the site; iv. clearly record and report all marketing undertaken and details of respondents, in a manner capable of verification; v. provide details of advertisement undertaken including dates of publication and periods of advertisement; vi. demonstrate that the lease of the site without restrictive rent review and tenancy conditions, or other restrictions which would prejudice the reuse as a community facility, have been offered; and vii. demonstrate contact with previously interested parties, whose interest may have been discouraged by onerous conditions previously set out.

JMNP1

JMNP2 Policy 15: Community Facilities

***1. Development proposals that involve the loss, in whole or part, of a community facility (as identified in Figure 14a, b & c, and detailed in the Community Facilities Report<sup>19</sup>) must demonstrate that:***

***a. adequate alternative provision exists or will be provided in an equally accessible or more accessible location, including by walking and cycling, within the catchment area of the facility; or***  
***b. it would not be economically viable, feasible or practicable to retain the building or site for use as a community facility; redevelopment for non-community use will only be considered as a last resort and where all other options have been exhausted.***

***2. Proposals for new community facilities in the Plan area will be supported where the applicant can demonstrate the need and benefits of the proposed facility, or where replacement or enhanced facilities are proposed as mitigation against the loss of any community facilities within the Plan area.***

***3. New or replacement community facilities should be located where there is a choice of travel options and should be accessible to all members of the community.***

Comment

There is no in principle conflict or lack of conformity between WLP policy 81 and JMNP PP15. However, WLP criteria are. Different than P15. It may be worth aligning P15 criteria with WLP P81 or referencing them, but retaining the policy to link to facilities map/list.

*However P81 does not contain a clause to demonstrate new need. This risks competing facilities within a settlement and potential loss of viability for both.*

## Policy 82 Housing in the Countryside

Proposals for housing development outside of the defined settlement boundaries and outside of the built areas of Small Villages, on land that is not allocated in the development plan or subject to an exceptions policy will not be supported, unless it meets one of the following criteria:

1. The proposal would deliver onsite housing to accommodate employees that are essential for the viable operation of a rural business<sup>36</sup>. In such circumstances, applicants will be expected to submit clear evidence to show:
  - the functional need for permanent onsite accommodation, including an assessment of alternative options at nearby settlements and/or as part of existing onsite accommodation;
  - that the enterprise will remain financially viable for the foreseeable future, to justify the development of permanent accommodation.
2. The proposal would enable a viable and sensitive alternative use of a heritage asset in a manner which secures its protection and longevity, and retains the characteristics for which it is valued as a heritage asset.
3. The proposal is for the conversion or re-use of a disused building in the countryside. In such circumstances, evidence will be required to show that the building is structurally sound and capable of conversion without major rebuilding, and that the development would enhance the character of the original building<sup>37</sup> and its setting.
4. When the development would entail the replacement or subdivision of an existing residential dwelling, provided that the scale and design of the development is appropriate, having regard to the local landscape and design context. In all cases, it must be demonstrated that safe and suitable access to the site is achievable for all users; that appropriate opportunities to promote sustainable transport modes have been considered; and that any adverse impacts on the transport network can be acceptably mitigated.

JMNP 1 and 2

There is no equivalent policy

Policy criteria reiterate standard criteria to manage isolated separate dwellings in the countryside.  
No objection.

No extraordinary circumstances foreseen for JMNP2 area.

## Policy 83 Health and wellbeing

Proposals should demonstrate that development will contribute positively to health and wellbeing by enabling and promoting healthy lifestyles and minimising any negative health and wellbeing impacts.

### Health Impact Assessment (HIA)

For the following forms of developments, a Health Impact Assessment should be carried out to inform proposals:

1. residential development where:
  - i. the number of homes to be provided is 150 or more; or
  - ii. the site area is 5ha or more.
2. other development (not involving housing) where:
  - i. the area of development exceeds 1ha ; or
  - ii. employment development exceeds 5ha.

### Healthy food Environment

The council will seek to enhance local food growing opportunities by requiring new residential developments to either have access to, or be accessible to green and blue infrastructure, including community gardens, community orchards and/or allotments.

JMNP 1 and 2

No equivalent policy.  
No conflict

HIA should be required on employment development land of 5 hectares or more. This captures the Melksham allocation.

There seems to be no criteria, thresholds or trigger point stated to require the precise specification of orchards or allotments. Although there are for green space generally. I'm not sure how this requirement will be robust. Maybe it should be encourage?

WLP Policy	Relevant JMNP Policy	Notes	Support / Object
Policy 64 Additional employment land	Policy 10 Employment Sites	<p><i>Potential reference to WLP 65 and 66 Criteria?</i></p> <p>Employment Policy is broadly in conformity with JMNP1 P10</p> <p>Clause D Clause should clarify including impact on viability of existing allocated/retained Principal Employment Land (is alluded to in RJ)</p> <p>Allocation of Cooper Tires is likely to include em-loyment. Coordination needed with employment allocation east of Melksham. (Subject to other comments) Should include ensuring no impact on viability of JMNP2 employment allocations</p>	No objection
Policy 65 Existing employment land	Link to policy 10		No objection
Policy 67 Sequential test and retail impact assessment	Policy 9 link	<p>No in principle conflicts with JMNP1 and 2 Check consistency in post R14</p> <p>Potential complexity for main TC uses inclusion at Cooper Tires?</p>	No objection
Policy 68 Managing town centres	Policy 8 Town Centre	<p>No in principle conflict with JMNP1 or 2 subject detailed comments below. General conformity with revised JMNP2 P9</p> <p>Hierarchy;</p>	No objection

		<p>Melksham is defined as a Market town. Logical TC designation What is a transitional town centre? What difference does this make to managing development?</p> <p>Boundaries TC &amp; PSA Does TC agree with methodology? Does TC agree with judgement</p> <p>Management of uses; Class E has stripped real power from plan led management. Policy is long and seeking to apply controls around the periphery.</p> <p>Other Policies in the Development Plan This should make direct reference to Neighbourhood Plan and adopted TC Strategies</p> <p>Town Centre Strategies. Clause is weak. Should be tightened to expect demonstration of positive response to adopted local TC strategies or master plans.</p>	
Policy 69 Tourism and related development	No equivalent policy		No objection
Policy 70 Sustainable Transport	Policy 11 Sustainable Transport and Active Travel	<p>Policy 11 is wide ranging and focus on railway station. It cross-suits with aspects of WLP transport policies 70-75</p> <p>LPR policy doesn't really say more than state aims and WC actions. Is it actually a policy?</p> <p>Lack of direct mention of air quality Cross cut reference to Health and wellbeing policy / indicators Question why no mention of Transport hierarchy in planning for sustainable transport</p>	No objection in principle

		<p>Potential for Review JMNP2 R14 policy to align.</p> <p>NB Proportionate transport strategies and infrastructure; No mention of “Broad Locations for Growth” Rather have BLG deleted as unsound. But if retained these should be specifically identified as will warrant specific priority.</p> <p>Potential reference to Local transport strategies required ; ie hook into Priority for People?</p>	
<a href="#">Policy 71: Transport and new development</a>			
<b>Policy 72</b> Development impacts on the primary and major road networks	Policy 11	Seems to be a traffic management policy	No objection
<b>Policy 73</b> Transport: demand management	Policy 11	<p>LPR Policy does not reference the requirement for travel plans which is a requirement of current JMNP1 policy 11.</p> <p>Has the strategic requirement altered? Is there now a lack of conformity emerging between transport related developer submission requirements?</p> <p>LPR policy appears rambling and more of a statement of priorities, although non objectionable.</p>	Object
<a href="#">Policy 74: Movement of goods</a>	No equivalent policy		No objection
<b>Policy 75</b> Strategic	No equivalent policy	Cross reference with Melksham Railway Stn supported	No objection

transport network		<p>Ref to A350 improvements... “....to support development growth....”</p> <p>I understood the A350 by pass (or other improvements was primarily to overcome congestion on the strategic route with tangential economic, environmental and social benefits (to Melksham). But there was not a direct connection between the delivery of the by pass and the accommodation of growth.</p> <p>The purpose and link between the A350 by pass and growth should be clarified. If the business case illustrates the link then it should be a direct infrastructure requirement prior to delivery of eastern area allocations (and further growth)</p>	in principle
Social			
Policy 76 Providing affordable homes.	Policy 6: Housing in Defined Settlements (rev)	<p>WLP policy broadly aligns with JMNP2 rev policy 6.</p> <p>NB Policy 6 R14 draft references local plan. This may need to be reviewed to reflect CS policy or successor policies.</p> <p>WLP Affordable housing split different. No conflict as direct ref to local housing evidence set out in JMNP2 policy 6.</p> <p>Accessible homes level does not align with more detailed breakdown in WLP Policy 77. This may need to be refined to align or evidence needed to warrant different standards.</p> <p>First Homes discount of 40% is higher than WLP Policy. May attract objection.</p>	No objection
Policy 77 Rural exceptions sites	No equivalent policy	The objective and criteria in WLP policy 77 address nationally accepted practice and policy with regard to Rural Exceptions sites. These may be promoted as exceptions adjacent to Shaw and Whitley, Beanacre and Berryfield.	No objection



		JMNP2 does not reference RE sites directly. This may be considered as an addendum to Policy 6.	
Policy 78 Meeting Wiltshire's housing needs	Overlap policy 6	<p>Comprehensive policy covering house typology, space standards, accessible homes, homes for older people and vulnerable people.</p> <p>Detailed issues; House typologies in Melksham HNA covered in policy 6. Are we satisfied that all forms of specialist housing for older people should be just in Melksham?</p>	No objection
Policy 79 First homes exception sites	No equivalent policy	Detailed and new exceptions policy area. Consider post R14 refinement to JMNP policy 6 to reference and WLP.	No objection
Policy 80 Self and custom build housing	No equivalent policy	<p>Detailed and new policy area. Consider post R14 refinement to JMNP policy 6 to reference and WLP. Potential for additional JMNP2 evidence from WC Self build register.</p>	No objection
Policy 81 Community facilities	Policy 15: Community Facilities	<p>WLP criteria are. Different than P15. It may be worth aligning P15 criteria with WLP P81 or referencing <i>them, but retaining the policy to link to facilities map/list.</i></p> <p><i>However P81 does not contain a clause to demonstrate new need. This risks competing facilities within a settlement and potential loss of viability for both.</i></p>	No objection
Policy 82 Housing in the Countryside	No equivalent policy		No objection

Policy 83 Health and wellbein	No equivalent policy.	HIA should be required on employment development land of 5 hectares or more. This captures the Melksham allocation.	No objection
<a href="#">Policy 84: Open space and play facilities</a>	Policy 14: Open Spaces Policy 16: Local Green Space	<p>This policy references the Wiltshire Open Space Assessment. The study provides an up-to-date and robust evidence base; auditing the provision (quantity, quality and accessibility) of open space; setting standards for provision; identifying any surpluses or deficiencies; and recommended planning policy and developer contributions. The standards will be used to assess proposals for open spaces during the Plan period, recognising the need for improving the quality of existing open spaces in addition to requirements for new provision.</p> <p>There are shortfalls in the supply (ha) of open space against the standards in four types of open space typology: Allotments, Amenity Green Space, Play Space (Children and Youth). There is also a gap in the provision of ANGSt Standard: At least one accessible 20 hectare site within two kilometres of home.</p> <p>This policy could usefully refer to the provision of open space by major development that reflects the identified deficiencies in of the local area in the open space assessment.</p> <p>The policy in JMNP2 could also usefully refer to this evidence base document.</p>	Support
Policy 85 Sustainable construction and low carbon energy	Policy 1 Sustainable Design and Construction  / Allocations	<p>An aspirational policy that follows in the footsteps of other Local Plan policies that are now examined.</p> <p>Policy 1 of the JMNP was revised to reflect these exemplar polices and the emerging WLP but in a way that is less prescriptive / more aspirational (proportionate to a NP).</p>	Support

Policy 86 Renewable energy	Local Renewable and Low Carbon Energy	This policy is comprehensive going into greater detail that the JMNP 2 policy 2 which is a slight update to the JMNP1 policy 2 to include reference to energy storage.	Support
<u>Policy 87: Embodied carbon</u>	Policy 1 Sustainable Design and Construction	An update to the Core Strategy that addresses the need to tackle Climate Change.	Support
<u>Policy 88: Biodiversity and geodiversity</u>	Policy 13: Biodiversity	Support reference to Nature Recovery but this could be expanded rather than added as part of a noted feature that could be included to facilitate increased biodiversity in the built environment.	Support
<u>Policy 89: Biodiversity net gain</u>	Policy 13: Biodiversity	This policy seeks double the Minimum 10% Biodiversity Net Gain (BNG) required by the Environment Act but there is no explanation for how the figure of 20% is arrived at for BNG in this policy.  Nature Recovery is a key part of this policy.	Support
<u>Policy 90: Trees, hedgerows, and woodland</u>	Policy 17: Trees and Hedgerows	The target for tree canopy coverage is lower than recommended by the Urban Forestry and Woodland Advisory Committee Network and referenced in the JMNP.  There are no standards for tree replacement, or buffers to woodland.	Support
<u>Policy 91: Conserving and enhancing Wiltshire's landscapes</u>	Policy 18: Landscape Character  Policy 19: Green Wedges	JMNP includes a map which references the Special Landscape Area (a saved local plan policy). This designation will no longer be saved, WC instead recognises the National Planning Policy Framework's landscape character approach to determining landscape value and will require applicants to assess the value of their sites at the local level through the use of the Landscape Institutes Technical Guidance Note TGN 02-21: 'Assessing landscape value outside national designations.'	Support

		<p>This is the policy that the JMNP policy 19: Green Wedges links to directly. In the supporting text there is mention of other relevant assessment and studies that may inform development proposals including NP (which are listed after Parish Plans – are they still produced?! ) which are ‘approved the Council’. If the NP is ‘made’ and includes relevant material then it will have the same status as material prepared for WC and the Local Plan evidence base.</p> <p>Para 5.156 also refers to the “erosion of the separate identity of settlements and their coalescence, character, visual and functional amenity can degrade their setting to the detriment of the character of the rural countryside”. This is of direct relevance to the JMNP and would suggest that part 3 of the policy : <b>3. conserving and enhancing the locally distinctive character of settlements and their landscape settings</b></p> <p>Could include direct reference to the need to avoid coalescence.</p>	
Policy 92: <u>Conserving and enhancing dark Skies</u>		No policy included on this specific topic in the NP, however there are no targets for reducing light pollution except areas designated dark sky areas – this could be broadened out to include the rural areas of the JMNP and GI assets such as the K&A canal.	Support
Environment			
Policy 93 Green and blue infrastructure	Policy 11: Sustainable and Active Travel Policy 16: Local Green spaces Policy 17: Trees and Hedgerows Policy 18: Landscape Character	<p><i>No direct equivalent JMNP policy. Cross-cut with made and proposed new JMNP sustainable transport community and environment policies.</i></p> <p><i>Should GBI development requirements be limited to major developments (more than 10 dwellings)?</i></p> <p><i>Given the requirements, it seems reasonable. However, should ALL</i></p>	<i>No objection in principle</i>

	<p>Policy 20: Locally distinctive High Quality Design</p> <p>Policy 19: Green Wedges</p>	<p><i>development be expected to provide contribution to GBI.</i></p> <p><i>Settlement Frameworks. These do not yet exist. There is intention to produce them. The policy should say “any future adopted.....”</i></p> <p><i>Should this be a discretionary devolution to NDPs/TC’s PCs? It would seem reasonable that local knowledge should be harnessed.</i></p>	
<p>Policy 94 Wiltshire's canals and the boating community</p>	<p>Priority Statement 3: Wilts &amp; Berks Canal Restoration</p>	<p>Agreement of safeguarded route Alignment with plan in JMNP2?</p> <p>NB Financial contributions. Is it intended that financial contributions from development will fund W&amp;B canal link project? I didn’t think so Suggest policy should make clear that any proposal must be supported by a robust business case and any associated planning consents for enabling development.</p>	<p>No objection</p>
<p>Policy 95 Flood risk</p>	<p>Policy 3: Flood Risk and Natural Flood Management</p>	<p>WLP policy conforms with and references national policy and best practice in the process of selecting suitable sites for development. JMNP2 does not cause conflict with WLP P95.</p> <p>Policy 3 may be straightened by cross reference to WLP policy 95 in relation to new development and then reference local circumstances.</p> <p>WLP P95 raises significant constraint issues for Cooper Tires as WLP has selected greenfield sites in Flood zone 1. Sequential testing and or exceptions testing will need to support it’s future development where at least the land is within Z2 and 3.</p>	<p>No objection</p>

Policy 96 Water resources	No directly equivalent policy	Identification of Source Protection Zone, Safeguard Zone or Water Protection Zone and buffers within JMNP area to assess against allocations. IDP:	No objection
Policy 97 Contaminated land	No equivalent policy	Cooper Tires site Allocation. Contamination likely to be one of the biggest viability challenges. Allocation supporting text/policy criteria may directly ref WLP policy and SPD guidance in setting qualitative criteria. NB Placeholder allocation acknowledged contamination	No objection
Policy 98 Ensuring High Quality Design and Place Shaping	Policy 20: Locally Distinctive, High Quality Design	No fundamental lack of conformity between JMNP2 and WLP design policies. JMNP2 should reference the Wilts Design Guide.  However, the policy is poorly drafted. See below WLP P98 is monumental and hugely complex, placing an almost impossible agenda of design criteria plus cross referencing with yet more design guides eg Manual for Streets.  It pays no regard to the Wilts Design Guide. Its 12 criteria do not relate to the clear design steps in the WDG. It does not ref the National Design Guide or expect applicants to demonstrate regard to adopted NP guidance. These should form the backbone of this policy which should and can be MUCH shorter.	No objection in principle
Policy 99 Ensuring the Conservation and Enhancement of the Historic Environment	Policy 21: Local Heritage	No in principle conflict or lack of conformity. WLP policy 99 provides a more comprehensive policy protection of designated assets and Andrea's and criteria including impact assessment) for associated development. JMNP2 P21 may be supplemented by direct ref to this policy and criteria.	No objection

		WLP P99 references Non designated assets and criteria for their consideration and conservation. These differ slightly from those in P99. Alignment should be achieved through coordination between policies. However, the NDHA list is locally distinct and justifies P21.	
Policy 101 Air quality	No equivalent policy	Wiltshire Air Quality Action Plan. How does this affect Melksham? What are the air quality implications of traffic congestion? NB Melksham not identified as one of the six community action areas (with AQMZ) How will + 1200 homes affect objectives of Action Plan / Air quality n Melksham Has this been assessed as part of Allocations?	No objection

## Environment

### Policy 93 Green and blue infrastructure

**Development shall make provision for the retention and enhancement of Wiltshire's green and blue infrastructure network and shall ensure that suitable links to the network are provided and maintained.  
(Map?)**

**Proposals for major development will be required to:**

- 1. retain and enhance the integrity, quantity, quality and connectivity of existing on site green and blue infrastructure;**
- 2. identify and incorporate opportunities for the creation and extension of the green and blue; infrastructure network, ensuring new and existing green and blue infrastructure is well integrated, enhancing strategic connectivity whilst maximising wildlife and ecosystem services;**
- 3. put measures in place to ensure appropriate long-term management, maintenance and funding of any green and blue infrastructure directly related to the development;**
- 4. identify and provide opportunities to enhance and improve linkages between the natural and historic landscapes of Wiltshire;**

**5. retain and enhance existing public rights of way, maximising accessibility and opportunities for new connections. Existing and new routes shall be integrated into the wider GBI network providing convenient and attractive links throughout the development and surrounding area.**

**Where damage or loss of existing green or blue infrastructure is unavoidable, only the minimum necessary shall be removed. Any loss must be mitigated through the creation of new or replacement green and/or blue infrastructure equal to or above its current value and quality, that maintains the integrity and functionality of the green and blue infrastructure network.**

**Green and blue infrastructure projects and initiatives that contribute to the delivery of a high quality and highly valued multi-functional green and blue infrastructure network in accordance with the Wiltshire Green and Blue Infrastructure Strategy and GBI Settlement Frameworks will be supported. Developer contributions to support such initiatives will be required where appropriate.**

JMNP 1

Policy 11: Sustainable and Active Travel

Policy 16: Local Green spaces

Policy 17: Trees and Hedgerows

Policy 18: Landscape Character

Policy 20: Locally distinctive High Quality Design

JMNP 2

*Policy 19: Green Wedges*

*No direct equivalent JMNP policy. Cross-cut with made and proposed new JMNP sustainable transport community and environment policies.*

*No objection to policy in principle*

*Should GBI development requirements be limited to major developments (more than 10 dwellings)? Given the requirements, it seems reasonable. However, should ALL development be expected to provide contribution to GBI.*

*Settlement Frameworks. These do not yet exist. There is intention to produce them. The policy should say "any future adopted....."*

*Should this be a discretionary devolution to NDPs/TC's PCs? It would seem reasonable that local knowledge should be harnessed.*

## **Policy 94 Wiltshire's canals and the boating community**

**The restoration, reconstruction and as necessary, creation of a new link between the Kennet and Avon Canal (at Semington) and River Avon (at Melksham) to facilitate the re-opening of the Wilts and Berks and Thames and**



**Severn canals as navigable waterways will be supported. The alignments (and diversions where applicable) of the Wilts and Berks, including the new link section, North Wilts Branch and Thames and Severn Canals, as identified on the Policies Map, will be safeguarded.**

**These alignments will be safeguarded by:**

- 1. not permitting development likely to destroy the canal alignment or its associated structures;**
- 2. ensuring that where the canal is affected by development, the alignment is protected or a suitable alternative alignment is provided for canal construction and associated structures;**
- 3. where undefined, the width of a safeguarded canal route must allow for the provision of associated cuttings and/or embankment requirements and the provision of green and blue infrastructure assets consisting of native flora.**

**Proposals for the reinstatement or creation of canal along these safeguarded alignments, or any alternative alignments, will need to demonstrate that the cultural, historic and natural environment will be protected and enhanced, with no overall adverse effect, and that potential impacts on ecology, landscape, flood risk, water resources (abstraction) and water quality have been fully assessed and taken into account. Proposals for the reinstatement of discrete sections of the canal will also need to demonstrate that the potential environmental impacts of restoration projects as a whole have been assessed and taken into account as part of any planning application. Canal restoration/creation should ensure integration into the wider green and blue infrastructure (GBI) network, demonstrated as part of a green and blue infrastructure audit submitted as part of a planning application, to facilitate the formulation of strategic GBI corridors.**

**Proposals will be permitted that are designed to develop Wiltshire's canals recreational and nature conservation potential, in particular, the use of canals for walking and cycling.**

**The needs of boat users, including all necessary facilities, should respect the canal's character, setting, biodiversity and historic value. Facilities should not detract from the navigation of a canal and/or pedestrian and cycle movement alongside a canal where applicable. Wherever possible, proposals for facilities for boat users should be well related to existing infrastructure, maximising the potential for their redevelopment, improvement or modest extension.**

**Financial contributions may be sought towards the improvement or restoration of Wiltshire's canal network and towpaths and appropriate mitigation.**

**Planning applications for residential moorings will take into account potential impacts on landscape, biodiversity features and local residential amenity alongside all other relevant planning considerations, including any Canal and River Trust guidance.**

JMNP1

JMNP2

Priority Statement 3: Wilts & Berks Canal Restoration

The Town and Parish Council continue to support the safeguarding of the future route for the restoration of the Wilts & Berks canal and its connection to the Kennet & Avon canal and the national canal network.

The opening of a fully restored waterway will provide significant economic, environmental and social benefits to Melksham Both Councils will continue to engage openly and constructively with the canal restoration project sponsors towards the aim of resolving a viable and acceptable scheme.

No objection to WLP policy  
Agreement of safeguarded route  
Alignment with plan in JMNP2?

NB Financial contributions. Is it intended that financial contributions from development will fund W&B canal link project? I didn't think so

Suggest policy should make clear that any proposal must be supported by a robust business case and any associated planning consents for enabling development.

## Policy 95 Flood risk

The council will follow a sequential approach to flood risk management, in line with national policy and guidance. All development proposals will be required to consider the effect of the proposed development on flood risk from all sources, both on and offsite, commensurate with the scale and impact of the development. Where required, a Site-Specific Flood Risk Assessment, Surface Water Drainage Strategy and Groundwater Assessment should be conducted. This must take account of all flood risk sources and cumulative effects and should incorporate suitable flood risk measures to account for site conditions.

All new development, including where appropriate retrofitting proposals, will include measures to reduce the rate of rainwater run-off and incorporate sustainable drainage systems (SuDS). All major development should achieve a 20% betterment on greenfield runoff rates whereby runoff is managed as close to the source as possible, in line with the surface water discharge hierarchy:

- rainwater re-use (rainwater harvesting/greywater recycling)
- an adequate soakaway or other infiltration system (viability testing required) hybrid solution of infiltration and discharging to a surface water body
- to a surface water body (e.g., an ordinary watercourse)
- to a surface water sewer, highway drain, or other drainage system (add justification for no discharge to highway)
- to a combined sewer

As part of drainage strategies, the council, in accordance with national policy guidance, will discourage culverting or the building over of watercourses wherever practicable. In addition, opportunities should be taken to secure the removal of existing culverting and the retention of all existing land drainage features.

The drainage strategy must ensure that flood risk is addressed to flood depths for a 1 in 100-year storm event plus climate change in line with Environment Agency guidance. The drainage strategy must demonstrate that development proposals will remain safe during a flood event throughout its lifetime and consider access, egress and emergency exit routes. The Drainage Strategy must recognise and demonstrate opportunities for SuDS to provide other multiple benefits.

The drainage strategy should be informed by the council's Green and Blue Infrastructure Strategy, the Climate Change Adaptation Plan, and the Wiltshire Design Guide as these all provide guidance on SuDS by incorporating the synergistic benefits and a nature-based approach, dealing with runoff onsite where possible and avoiding methods such as culverting which alters the natural formation of watercourses.

## JMNP 1

JMNP 2

### ***Policy 3: Flood Risk and Natural Flood Management***

***Particularly in the South Brook catchment area, natural flood management works to conserve and enhance the ecological flood storage value of the water environment, including watercourse corridors and catchments, are supported.***

***Where development proposals are in areas with known surface water flooding issues, they should include appropriate mitigation and construction methods, including where appropriate, contributions towards wider catchment projects.***

***All development should demonstrate how flood risk is mitigated. This may include provision of Sustainable Drainage Systems (SuDs), where appropriate as part of the Natural Flood Management approach and wider Green Infrastructure networking.***

### ***Cooper Tires Allocation Supporting Text Flood Risk and Contamination***

***4.8.27 Significant parts of the site are within Flood Risk Zones 2 and 3. The master plan must address flood risk and water management in conformity with national and local planning policies, as well as JMNP Policy 3 (Flood Risk and Natural Flood Management).***

WLP policy conforms with and references national policy and best practice in the process of selecting suitable sites for development. JMNP2 does not cause conflict with WLP P95. However, Policy 3 may be straightened by cross reference to WLP policy 95 in relation to new development and then reference local circumstances.

WLP P95 raises significant constraint issues for Cooper Tires as WLP has selected greenfield sites in Flood zone 1. Sequential testing and or exceptions testing will need to support it's future development where at least the land is within Z2 and 3.

### ***Policy 96 Water resources***

***Development must not prejudice the delivery of actions and targets within relevant River Basin or Catchment Flood Management Plans and should contribute towards their delivery where possible.***

Since 2021, Wiltshire has been classified as a water stressed area<sup>72</sup>. Accordingly, the council requires that:

- I. new residential development should have a predicted mains water consumption of no more than 85 litres per person per day;
- II. non-household development should achieve a score of three credits within the water (Wat 01 Water Consumption) issue category for the BREEAM New Construction Standard, achieving 40% reduction compared to baseline standards;
- III. all new development should incorporate water saving opportunities into their design, such as grey water recycling and rainwater harvesting.

Developers will be expected to demonstrate how water efficiency has been taken into account during the design of their proposals. Development proposals within a Source Protection Zone, Safeguard Zone or Water Protection Zone must assess any risk to groundwater resources and groundwater quality and demonstrate that these would be protected throughout the construction and operational phases of development.

Development will only be supported where adequate foul drainage, sewerage and sewage treatment facilities are available or where suitable arrangements are made for their provision. Development should not be permitted in areas within buffer zones or safeguarded areas, set out by utility companies unless impacts can be satisfactorily mitigated.

JMNP 1

JMNP2

No directly equivalent policy

No objection in principle

Identification of Source Protection Zone, Safeguard Zone or Water Protection Zone and buffers within JMNP area to assess against allocations.

IDP:

Is there adequate sewage treatment capacity or infrastructure requirements identified for further strategic growth at Melksham and S&W? This may impact on reps for growth and allocations.

## Policy 97 Contaminated land

Development proposals which are likely to be on, or adjacent to land which may have been subject to contamination will need to demonstrate that measures can be taken to effectively mitigate the impacts of land contamination on public health, living conditions both on the site and the wider area, environmental quality, the built environment and amenity. Developers will be required to demonstrate that the development site is, or will be, made suitable for the proposed final use.

JMNP

No equivalent policy

No objection

Cooper Tires site Allocation.

Contamination likely to be one of the biggest viability challenges. Allocation supporting text/policy criteria may directly ref WLP policy and SPD guidance in setting qualitative criteria. NB Placeholder allocation acknowledged contamination

## Policy 98 Ensuring High Quality Design and Place Shaping

**A high standard of design is required in all new developments, including extensions, alterations, and changes of use of existing buildings. This will be achieved through:**

- i. **enhancing local distinctiveness by responding to the value of the natural and historic environment, relating positively to its landscape setting and the existing pattern of development and responding to local topography by ensuring that important views into, within and out of the site are to be retained and enhanced;**
- ii. **the retention and enhancement of existing important landscaping and natural features, (e.g. trees, hedges, banks and watercourses), in**

- order to take opportunities to enhance biodiversity, create wildlife and recreational corridors, effectively integrate the development into its setting and to justify and mitigate against any losses that may occur through the development;
- iii. responding positively to the existing townscape and landscape in terms of the distinctive local characteristics of the built form (i.e. the layout of blocks, streets, plots and buildings' scale, mass, height, build-line), and appearance (i.e. elevational composition, articulation, detailing and materials) and where a distinct change in character is proposed this must be explained and justified in the Design and Access Statement;
  - iv. being sympathetic to and conserving historic buildings and historic landscapes;
  - v. taking all opportunities for incorporating sustainable building design by following the energy hierarchy i.e. reducing the need for energy (e.g. for home heating or cooling), being more efficient with energy, and maximising the use of renewable energy (e.g. installing photovoltaics, and orienting facades, roofs and amenity spaces to receive optimal benefit from sunlight and solar gain) in accordance with the Wiltshire Climate Strategy;
  - vi. making efficient use of land whilst taking account of the local context (including, where applicable, density standards in local design guidance and local transport infrastructure and strategies) and of any distinctive characteristics, constraints and opportunities of the site itself;
  - vii. the inclusion of tree-lined streets and taking the opportunities to include trees elsewhere in developments i.e., parks, orchards, integrated with sustainable drainage systems;
  - viii. having regard to the compatibility of existing land and building uses in the vicinity of the proposed development, the impact of the development on the amenities of existing occupants, and ensuring that appropriate levels of amenity are achievable within the development itself, including the consideration of vehicle parking, access and movement, internal and external space standards, private outdoor space, waste storage and collection, privacy, overshadowing, mass and height (overbearing), vibration, and pollution (e.g. light intrusion, noise (including vibration), smoke, odour, fumes, effluent, waste or litter);
  - ix. incorporating design features to reduce actual or perceived opportunities for crime and anti-social behaviour on the site and in the surrounding area through the design of the new streets, buildings and spaces including the use of building frontages with windows and doors located to assist in the informal surveillance of public and shared areas;
  - x. ensuring that the public realm, including new streets, public open spaces and other rights of way, are designed to create places of character which are legible, safe and accessible, with the integration of art and design in the public realm;
  - xi. the sensitive design of shop frontages, advertisements and signage, which are appropriate and sympathetic to their local setting by

- means of scale, design, lighting and materials, having regard to local design guidance, where applicable;**
- xii. **taking account of the needs of potential users, with regard to accessibility and inclusivity, and considering how space and buildings will be used in the immediate and long-term future;**
- xiii. **the use of high standards of materials and finishes for: buildings (e.g. appropriate form, colour and characteristic weathering); external spaces and hard landscaping (e.g. boundaries, paths, street materials and retaining structures), and all street furniture (e.g. seating and signage); and having regard to any local design guidance, where applicable.**

JMNP 1 and 2 Policy 20: Locally Distinctive, High Quality Design

Development proposals that contribute positively to the conservation, enhancement and extension of the quality and local distinctiveness of Melksham and Melksham Without will be supported.

In addition to having regard to the National Design Guidance and Wiltshire Council design policy (and Wiltshire Design Guide) , development proposals must demonstrate how they have been informed by the adopted Melksham Design Guidelines and Codes (2023), therefore how they have responded positively to the history and character of the area in which the site is located.

Proposals for major development must demonstrate through a master plan how the proposed development layout, density, access proposals and building design approach complement and extend the positive characteristics of Melksham and Melksham Without's settlements and landscape, both historic and topographic.

No fundamental lack of conformity between JMNP2 and WLP design policies.  
JMNP2 should reference the Wilts Design Guide.

No objection in principle However, the policy is poorly drafted. See below  
WLP P98 is monumental and hugely complex, placing an almost impossible agenda of design criteria plus cross referencing with yet more design guides eg Manual for Streets.

It pays no regard to the Wilts Design Guide. Its 12 criteria do not relate to the clear design steps in the WDG. It does not ref the National Design Guide or expect applicants to demonstrate regard to adopted NP guidance. These should form the backbone of this policy which should and can be MUCH shorter.

## **Policy 99 Ensuring the Conservation and Enhancement of the Historic Environment**

**Development should conserve or enhance the historic environment.  
Designated heritage assets and their settings will be conserved, and where appropriate enhanced in a manner appropriate to their significance, including:**

- i. nationally significant archaeological remains;**

- ii. world heritage sites within and adjacent to Wiltshire;
- iii. buildings and structures of special architectural or historic interest;
- iv. the special character or appearance of conservation area historic parks and gardens;
- v. important landscapes, including registered battlefields and townscapes.

Any harm to the significance of designated heritage assets which will result from development proposals will be required to be justified and outweighed by public benefits (including heritage benefits) at a level appropriate to the significance of the asset and the harm caused.

Any harm to the significance of undesigned assets which will result from development proposals must be carefully balanced considering the significance of the asset and the harm caused.

Distinctive elements of Wiltshire's historic environment, including non-designated heritage assets, which contribute to a sense of local character and identity will be conserved, and where possible enhanced.

The potential contribution of heritage assets towards wider social, cultural, economic and environmental benefits will be utilised where this can be delivered in a sensitive and appropriate manner in accordance with Policy 98 (Ensuring high quality design and place shaping).

The sensitive reuse of historic buildings and spaces will be supported and opportunities for the historic environment to inform and shape new development and regeneration projects will be encouraged.

The adaptation of heritage assets in accordance with Policy 85 (Sustainable construction and low carbon energy) using appropriate materials and techniques which conserve their fabric and significance will be encouraged.

Proposals for change affecting the historic environment (which require planning permission or listed building consent) should be accompanied and informed by an assessment of heritage significance and the impact of the proposals on this significance, making reference to the information held in the Historic Environment Record.

Where a proposal includes potential archaeological interest a desk based assessment, and if necessary, field evaluation should be carried out and submitted with the proposal.

Development proposals that improve the condition of heritage assets at risk will be supported.

**JMNP1** Policy 21: Local Heritage  
**JMNP2**

***Proposals for development within the Melksham Conservation Area and those that may affect listed buildings or structures within the Neighbourhood Plan area, must show how they preserve or enhance the setting, characteristics and special qualities that make up the architectural and historic character.***

***For other areas of local heritage importance, including archaeological importance, and buildings or structures identified as Non-designated Heritage Assets mapped on Figure 20 (including notable buildings as shown on Figure 21) development proposals should demonstrate that appropriate consideration has been given to:***

- a. the significance of the heritage asset;***
- b. its most distinctive and important features;***
- c. the elements of its setting and immediate surrounds that contribute to its significance, and***
- d. the contribution the asset and its setting makes to the character of the local area (whether in a Conservation Area or not).***

No in principle conflict or lack of conformity.

WLP policy 99 provides a more comprehensive policy protection of designated assets and Andrea's and criteria including impact assessment) for associated development. JMNP2 P21 may be supplemented by direct ref to this policy and criteria.

WLP P99 references Non designated assets and criteria for their consideration and conservation. These differ slightly from those in P99. Alignment should be achieved through coordination between policies. However, the NDHA list is locally distinct and justifies P21.

## **Policy 101 Air quality**

**Development proposals, which by virtue of their scale, nature or location are likely to exacerbate existing areas of poor air quality, will need to demonstrate that measures can be taken to effectively mitigate emission levels where air quality is a concern in order to protect public health, environmental quality and amenity.**

**Mitigation measures should demonstrate how they will make a positive contribution to the aims of the Air Quality Strategy for Wiltshire and where relevant, the Wiltshire Air Quality Action Plan. The pollutants of particular concern that developers must have regard to are Nitrogen dioxide, fine particulates (PM10) and very fine particulates (PM2.5).**

**JMNP 1  
JMNP2**

No equivalent policy JMNP2 policy.  
No objection to policy



Wiltshire Air Quality Action Plan. How does this affect Melksham?  
What are the air quality implications of traffic congestion? NB Melksham not identified as one of the six community action areas (with AQMZ)  
How will + 1200 homes affect objectives of Action Plan / Air quality in Melksham  
Has this been assessed as part of Allocations?

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