



2026

1

## MELKSHAM TOWN COUNCIL

o



# Economic Development & Planning Agenda Tuesday 28<sup>th</sup> April 2026



Town Hall,  
Market Place,  
Melksham,  
Wiltshire  
SN12 6ES

01225 704187  
[towncouncil@melksham-tc.gov.uk](mailto:towncouncil@melksham-tc.gov.uk)

[www.melksham-tc.gov.uk](http://www.melksham-tc.gov.uk)

1



# MELKSHAM TOWN COUNCIL

Town Hall,  
Market Place,  
Melksham,  
Wiltshire  
SN12 6ES

CEO Miss Hayley Bell, Assoc CIPD, CertHE, FSLCC

01225 704187

[towncouncil@melksham-tc.gov.uk](mailto:towncouncil@melksham-tc.gov.uk)

Tuesday 21 April 2026

Dear Councillors S Rabey, R Cleary, P Alford, P Aves, G Elson, A Griffin and C Stokes,

You are summoned in accordance with the Local Government Act (LGA) 1972, Sch 12, paras 10 (2)(b) to a meeting of Economic Development & Planning Committee of Melksham Town Council for the transaction of the business shown on the agenda below.

Tuesday 28 April **2026**, to be held at 19.00 in the Council Chamber, Melksham Town Hall, Market Place, Melksham, SN12 7ES.

The quorum for Economic Development & Planning is 4.

### **Public Participation.**

Members of the public and the press may attend this meeting in person or join the meeting on teams via the following link <https://tinyurl.com/2kd8jy5f>. Public participation will take place near the start of the meeting.

Each speaker is limited to three minutes, with a total public session of 20 minutes. Members of the public are requested to send their question to [CEO@melksham-tc.gov.uk](mailto:CEO@melksham-tc.gov.uk) by noon on the working day before the meeting. You should still attend the meeting, in person or online, to ask your question.

No decisions will be made on matters not already on the agenda. The Council may ask the public and press to leave if confidential matters need to be discussed.

### **The Seven Principles of Public Life.**

All members are reminded of their duty under the code of conduct to uphold the Seven Principles of Public Life: selflessness, integrity, objectivity, accountability, openness, honesty, and leadership.

Yours sincerely,

Miss Hayley Bell – CEO

## Economic Development & Planning Committee

The Committee will meet to consider all planning applications in the town.

Comments will be sent to Wiltshire Council as part of their consultation procedure. The aim is to use guidance contained in the National Planning Policy Framework, the Joint Melksham Neighbourhood Plan, planning legislation, Wiltshire Council's Core Strategy and Local Plan, Policy and Periodic Planning Guidance notes to preserve and enhance the town's character, whilst encouraging its commercial and social vitality. It will also consider the contents and desires laid out in the Neighbourhood Plan and Local Plan.

Where appropriate, planning applications submitted in the Parish of Melksham Without may also be discussed and commented on if relevant to the Town Council.

Highway issues raised for the Local Highways and Footpath Improvement Group (LHFIG), Emergency Planning and Flood Plans will also be managed by this Committee.

### 1. Membership: Seven elected members.

1.1. Invited officers relevant to planning and economic development, who will have no voting rights.

1.2. No business may be transacted at a meeting unless at least 50% of the whole number of members of the Committee, rounded up, are present.

1.3. Substitution of Members - Substitutes should be nominated by the Member of the Committee planning to be absent and notified to the Proper Officer in writing by 3pm on the day of the meeting.

### 2. Delegated Business: The Committee has delegated authority to deal with the following matters on an ongoing basis or to conclusion:

#### Planning

2.1 At meetings to consider all planning applications sent for consultation by Wiltshire Council.

2.2 To comment on behalf of the Town Council on planning applications having due regard to Town Council policy.

2.3 To delegate the power to the Town Clerk in discussion with the Town Mayor or Deputy Town Mayor, to make recommendations to Wiltshire Council on minor revisions

to applications for which there is insufficient time to call a planning committee meeting. The exercise of this power should be consistent with established practice and policy of the committee, where defined, and shall be reported to the next planning committee meeting.

2.4 To deal with requests for street naming.

2.5 To deal with consultation requests for street trading licences.



- 2.6 To deal with any matters pertaining to the Licensing Act 2003.
- 2.7 To refer all highway Issues through the relevant portal for the Local Highways and Footpaths Improvement Group (LHFIG).
- 2.8 To develop and manage all Emergency Plans.
- 2.9 To deal with Rights of Way, Bridle Ways, and Footpath matters.
- 2.10 To prepare draft comments for any consultations received by the Council.
- 2.11 To engage in pre-application consultations with developers.
- 2.12 To manage equipment within the area of its responsibilities and not under the control of any other committee.
- 2.13 To receive petitions and deputations from the public or any organisation.

### **Economic Development**

- 2.14 To be responsible for recommending to Council key decisions and actions required in relation to the economic development of the town.
- 2.15 Approving and overseeing the delivery of any relevant service strategies which affect:
  - economic development;
  - investment in the town centre;
  - to oversee and implement the Town Centre Master Plan;
  - the establishment of external partnerships where they are relevant to the economic development of the town.
- 2.16 Approving and monitoring funding sources and mechanisms to assist with various initiatives, projects and actions within the remit of economic development.

### **Budget**

- 2.17 To prepare, scrutinise and monitor the budget for the committee.
- 2.18 To approve expenditure within budget and to refer any requests for expenditure over budget to Full Council.
- 2.19 To approve expenditure within Ear Marked Reserves available to relevant projects for this committee.

**3. Referred Business:** To consider and make recommendations to the Town Council on the following matters:

- 3.1 Any other matters referred to the Committee by the Town Council.
- 3.2 All planning applications of a major strategic nature.
- 3.3 Consultations on any strategic plans produced by the Principal Authority, Wiltshire Council, such as Boundary Reviews, Local Development Framework, Local Plans or any such documents relevant to the town.
- 3.4 Budget estimates, to be prepared no later than October each year and submitted to the Finance, Administration and Performance Committee.



# AGENDA

## Economic Development & Planning

### 1. Apologies. 19.00 – 19.01

To receive and consider acceptance for apologies and absences

(Local Government Act, 1972 s.85)

### 2. Declaration of interests. 19.01 – 19.02

To declare an interest relating to the business of the meeting.

(Melksham Town Council Code of Conduct)

### 3. Minutes 19.02 – 19.05

To approve the minutes of the previous meeting 7 April 2026

(Local Government Act 1972, s. 12)

### 4. Public participation 19.05 – 19.25

To allow public participation, 3 minutes per person, 20 minutes allocation.

(Local Government Act 1972, s. 12)

### 5. Planning Considerations

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

### 6. Planning Applications

To comment on the following planning applications

#### 6.1 PL/2026/01555

[PL/2026/01555](#) - Approval of reserved matters

Address: Land at Blackmore Farm, Sandridge Common, Melksham, SN12 7QS

Proposal: A reserved matters application (appearance, layout, scale and landscaping) for 229 dwellings and associated infrastructure – Reserved Matters pursuant to Outline permission [PL/2023/11188](#)

Respond By: 8 May 2026



MELKSHAM TOWN  
COUNCIL

## 6.2 PL/2026/01859

[PL/2026/01859](#) - Householder planning permission

**Address:** 41 Queensway, Melksham, SN12 7LB

**Proposal:** Formation of a vehicular access including dropped kerb and construction of a permeable gravel hardstanding to the front of the property.

**Respond By:** 15 May 2026

## 6.3 PL/2026/00855

[PL/2026/00855](#) - Full planning permission

**Address:** Land between 83/91 Bath Road, Melksham, SN12 8AD

**Proposal:** Erection of 4 dwellings, two semi-detached dwellings, gardens and parking

**Respond By:** 6 May 2026

Revised plans/documents submitted

## 7. Planning Decisions

To note the following planning decisions

### 7.1 PL/2026/00856

[PL/2026/00856](#) - Householder planning permission

**Address:** 6 Dean Close, Melksham, SN12 7EZ

**Proposal:** Proposed Single Storey Side Extension

**Decision Date:** 1 April 2026

**Decision:** Approve with Conditions

**MTC Decision:** Does not object

### 7.2 PL/2026/01530

[PL/2026/01530](#) - Prior notification: Demolition

**Address:** St Damians Block, Melksham Community Hospital, Spa Road, Melksham, SN12 7NZ

**Proposal:** Demolition of St Damian's Block, Melksham Community Hospital

**Decision Date:** 15 April 2026

**Decision:** Prior Approval Not Required

**MTC Decision:** Noted but no comment



### 7.3 PL/2026/01088

[PL/2026/01088](#) - Householder planning permission

**Address:** 20 St Margarets Gardens, Melksham, SN12 7BT

**Proposal:** Proposed single storey rear extension, two storey side extension, pitched roof over existing attached garage, new porch and driveway enlargement.

**Decision Date:** 15 April 2026

**Decision:** Approve with Conditions

**MTC Decision:** Does not object

## 8. Local Highways and Footpaths Improvement Group (LHFIG) Issues

### 8.1 Millennial Walk

### 8.2 Beanacre Road

### 8.3 Roundpond

## 9. PL/2024/10674

To note the appeal decision

## 10. Parish Steward

To consider jobs for the Parish Steward.



**Melksham Town Council**  
**Minutes of the Economic Development & Planning Committee**  
**on Tuesday 7<sup>th</sup> April 2026**

PRESENT:	Councillor S Rabey Councillor R Cleary Councillor P Aves Councillor G Elson Councillor A Griffin Councillor C Stokes	Chair Vice Chair
IN ATTENDANCE	Councillor E Calland Councillor J Westbrook Councillor A Whitlock	
OFFICERS	Andrew Meacham Dominic Rutterford (Virtual)	Committee Clerk Comms and Marketing Officer

PUBLIC One member of the public was present virtually

**266/25 Apologies**

Apologies were received from Councillor Alford

**267/25 Declaration of Interest**

There were no declarations of interest.

**268/25 Minutes**

The minutes of 17 March 2026, having been previously circulated, were approved as a correct record and signed by the Chair Councillor Rabey.

**269/25 Public Participation**

There was no public participation.

**270/25 Proposed Lidl Development**

Representatives of Lidl gave a presentation on the proposal and answered members questions.

**271/25 Avonside Enterprise Park**

The chair noted that Councillor Alford had put a call in on one application.

On the understanding that existing businesses would not be affected and would continue to trade, members felt the proposals would be of benefit to the development of the area.

Members agreed to vote on these items en-bloc.

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

**UNANIMOUSLY RESOLVED** to respond that Melksham Town Council has no objection to the applications.

**272/25 PL/2026/01533**

It was noted that the land was outside the town boundary.

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

**UNANIMOUSLY RESOLVED** to respond that Melksham Town Council has no objection to the application.

**273/25 PL/2024/10345**

It was noted that the land was outside the town boundary and that Melksham Without Parish Council were considering the latest changes next week.

Members felt previous concerns of Melksham Town Council and Melksham Without Parish Council had not been fully addressed.

- Would like greater integration between social and private housing
- Road layout – road width, parking, lack of bends and breaks in road to act as speed restrictions.
- Joint Melksham Neighbourhood Plan calls for 40% affordable housing

It was proposed by Councillor Elson, seconded by Councillor Aves and

**UNANIMOUSLY RESOLVED** to submit comments as above and re-iterate support for any position taken by Melksham Without Parish Council.

**274/25 PL/2026/01884**

It was proposed by Councillor Aves, seconded by Councillor Elson and

**UNANIMOUSLY RESOLVED** to respond that Melksham Town Council has no objection to the application.

**275/25 PL/2026/01093**

It was proposed by Councillor Aves, seconded by Councillor Elson and

**UNANIMOUSLY RESOLVED** to respond that Melksham Town Council has no objection to the application

**276/25 PL/2026/00259**

The decision was noted.

**277/25 PL/2026/01036**

The decision was noted.

**278/25 PL/2026/00528**

The decision was noted.

**279/25 PL/202509349**

The decision was noted.

**280/25 LHFIG – Millennial Walk**

This item was deferred to the next meeting at the request of Councillor Alford.

**281/25 LHFIG – Beanacre Road**

This item was deferred to the next meeting at the request of Councillor Alford.

**282/25 LHFIG – Roundponds**

This item was deferred to the next meeting at the request of Councillor Alford.

**283/25 LHFIG – Union Street Parking Survey**

Councillor J Westbrook spoke to the item

It was proposed by Councillor Elson, seconded by Councillor Aves and

**UNANIMOUSLY RESOLVED** that officers be delegated to undertake the survey and costs of printing be paid from LHFIG budget.

**284/25 Melksham Path 103**

The item was noted.

**285/25 Temporary Road Closure – Spa Road**

The item was noted.

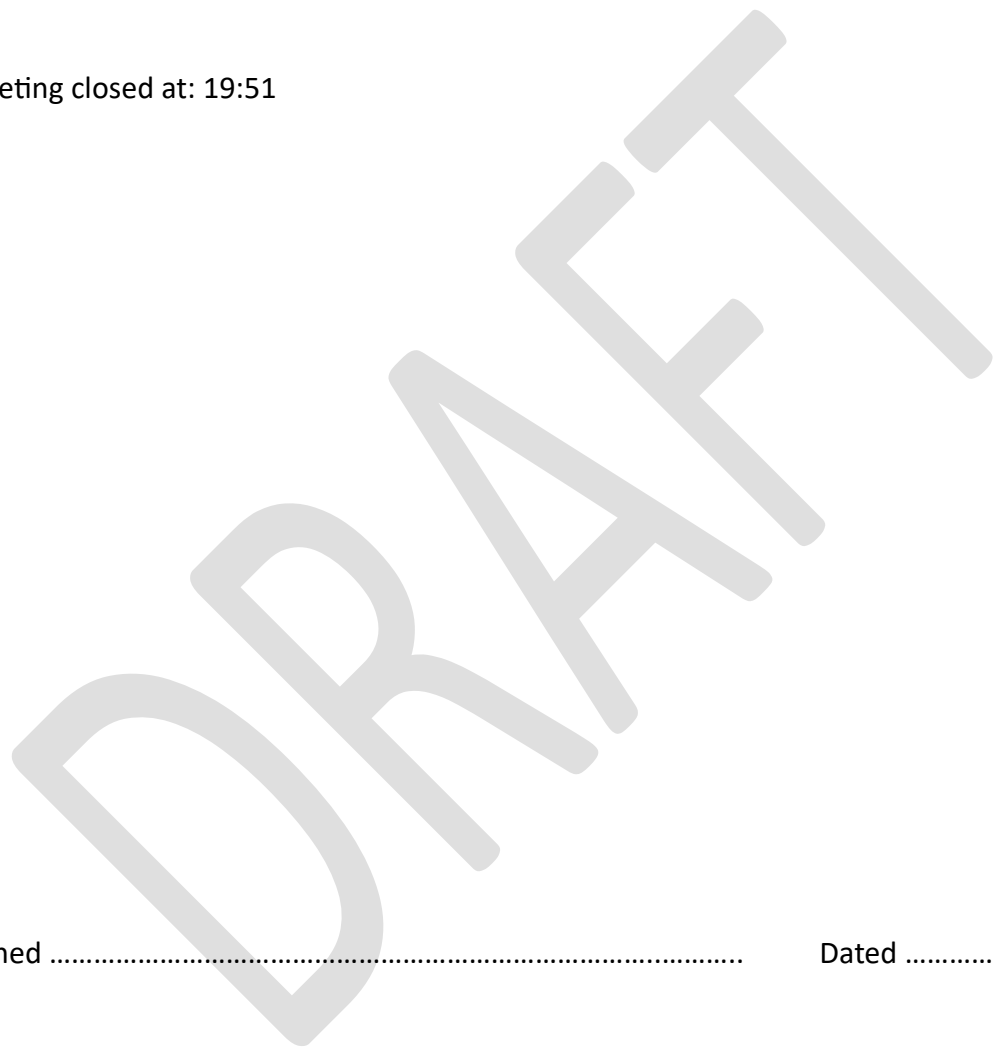
**286/25 Parish Steward**

Walkway down the side of the former Factory Shop. It was noted that this was private property and not a job for the Parish Steward. An agreement was in place with the owner and the committee clerk would ask the Amenities Team.

**287/25 Notes of external Meetings – Wiltshire Enhanced Partnership Forum.**

The item was noted. The Chair expressed the hope that Melksham Town Council would be represented at future meetings.

Meeting closed at: 19:51



Signed .....

Dated .....

# Highways Improvement Request Form

## Contact Details

<b>Name:</b>	phil alford	<b>Date:</b>	16/03/2026
<b>Address:</b>	Melksham Town Council		
<b>Telephone No:</b>			
<b>Email Address:</b>	phil.alford@melksham-tc.gov.uk		

## Issue Details

<b>Location of Issue:</b> (please add a location plan where possible)	Millennial Walk from Murry Lane to the park
<b>Community Area:</b>	Melksham
<b>Parish or Town Council:</b>	Melksham Town
<b>Nature of Issue:</b> (Max 600 characters) The path has deteriorated significantly and needs replacing/repairing. Unfortunately, whilst the permissive path exists, the land is not in our control. The land owner is unlikely to spend money on this but we have in the past.	
<b>How long has it been an issue?</b>	18 months
<b>What would you like done to resolve this issue?</b> (Max 600 characters) I would like us to contact the owner and ask that the permissive path is guaranteed for the next five to ten years and allow the council to maintain and possibly fund a replacement to the path.	
<b>Have you been in touch with your local Wiltshire Councillor?</b> (Yes/No)	Yes

***This form needs to be completed and e-mailed or sent to your local Town or Parish Council.  
Town and Parish contact details are available via the link below:***

<https://cms.wiltshire.gov.uk/mgParishCouncilDetails.aspx>

<b>Town or Parish Council Comments:</b> (To be completed by Town or Parish Council only - Max 600 characters)

# Highways Improvement Request Form

## Contact Details

<b>Name:</b>	Phil Alford	<b>Date:</b>	16/03/2026
<b>Address:</b>	melksham town council		
<b>Telephone No:</b>			
<b>Email Address:</b>	phil.alford@melksham-tc.gov.uk		

## Issue Details

<b>Location of Issue:</b> (please add a location plan where possible)	Beanacre Road opposite McDonalds
<b>Community Area:</b>	Melksham
<b>Parish or Town Council:</b>	Melksham
<b>Nature of Issue:</b> (Max 600 characters)	
off streets and on street parking is extremely limited for residents along Beanacre Road. There is a small layby that is used by residents and not by customers of the businesses on the opposite side of the A350. Parking restrictions exist in the layby that are now being enforced. This is extremely costly for residents.	
<b>How long has it been an issue?</b>	
<b>What would you like done to resolve this issue?</b> (Max 600 characters)	
Since this short section is only of any practical use to the immediate residents of Beanacre Road I would like the TRO changed to a residents only parking area, with no cost or fees for residents.	
<b>Have you been in touch with your local Wiltshire Councillor?</b> (Yes/No)	Yes

***This form needs to be completed and e-mailed or sent to your local Town or Parish Council.***

***Town and Parish contact details are available via the link below:***

<https://cms.wiltshire.gov.uk/mgParishCouncilDetails.aspx>

<b>Town or Parish Council Comments:</b> (To be completed by Town or Parish Council only - Max 600 characters)

# Highways Improvement Request Form

## Contact Details

<b>Name:</b>	Philip Alford	<b>Date:</b>	16/03/2026
<b>Address:</b>	Melksham Town council		
<b>Telephone No:</b>			
<b>Email Address:</b>	phil.alford@melksham-tc.gov.uk		

## Issue Details

<b>Location of Issue:</b> (please add a location plan where possible)	47 Roundpond
<b>Community Area:</b>	Melksham
<b>Parish or Town Council:</b>	Melksham Town Council
<b>Nature of Issue:</b> (Max 600 characters) Roundpond has very constrained on and off street parking. The only people who really park there are residents but recently, staff at the Care Home opposite have started parking in the residential area making it difficult for residents to park and access their homes. Further more, outside of 55 Roundponds and along the road there is very limited access because of the cul de sac but staff have been parking there too.	
<b>How long has it been an issue?</b>	2 years
<b>What would you like done to resolve this issue?</b> (Max 600 characters) Possibly a residents only parking area or support asking the care home to instruct their staff to park elsewhere. I have emailed but received no response.	
<b>Have you been in touch with your local Wiltshire Councillor?</b> (Yes/No)	Yes

***This form needs to be completed and e-mailed or sent to your local Town or Parish Council.***

***Town and Parish contact details are available via the link below:***

<https://cms.wiltshire.gov.uk/mgParishCouncilDetails.aspx>

**Town or Parish Council Comments:** (To be completed by Town or Parish Council only - Max 600 characters)



---

## Appeal Decision

Inquiry held on 3 – 5 February and 12 February 2026

Site visit made on 5 February 2026

by **H Baugh-Jones BA(Hons) DipLA MA CMLI**

an Inspector appointed by the Secretary of State

Decision date: 9<sup>th</sup> April 2026

---

### Appeal Ref: APP/Y3940/W/25/3374421

#### Land off Woodrow Road, Melksham, Wiltshire, SN12 7AY

- The appeal is made under section 78 of the Town and Country Planning Act 1990 (as amended) against a refusal to grant outline planning permission.
  - The appeal is made by Waddeton Park Ltd against the decision of Wiltshire Council.
  - The application Ref is PL/2024/10674.
  - The development proposed is Outline application with all matters reserved except for access for the development of up to 70 dwellings, open space, ecological enhancements, play space, associated infrastructure (including drainage structures and works to the public highway), access, parking, servicing and landscaping.
- 

### Decision

1. The appeal is allowed and planning permission is granted for Outline application with all matters reserved except for access for the development of up to 70 dwellings, open space, ecological enhancements, play space, associated infrastructure (including drainage structures and works to the public highway), access, parking, servicing and landscaping. at Land off Woodrow Road, Melksham, SN12 7AY in accordance with the terms of the application, Ref PL/2024/10674, subject to the conditions in the attached schedule.

### Procedural and Preliminary Matters

2. I held a Case Management Conference on 9 December 2025 at which the main parties were present. The purpose of this was to provide an opportunity for me to give a clear indication as to the ongoing management of the case and the presentation of evidence so that the Inquiry was conducted in an efficient and effective manner. There was no discussion of evidence or the merits of the appeal.
3. The Council refused the planning application for a number of reasons including in relation to flood risk and the absence at the time of agreed planning obligations. In advance of the Inquiry opening, and during its course, there was considerable narrowing of the disputed matters such that the Council's previous objections fell away in relation to flooding, planning obligations and landscape harm. However, insofar as they are relevant, I have addressed those matters in my decision.
4. I have been provided with a signed planning obligation under section 106 of the Town and Country Planning Act 1990. The Agreement sets out a number of provisions to come into effect if the appeal is allowed. I return to this later in my decision.
5. Following the close of the Inquiry, the Council received a letter from the Inspectors examining the new local plan; the contents of which are potentially material to my

determination of this appeal. The parties subsequently provided written evidence on this specific matter, which I have taken into account.

## Main Issue

6. Whether the proposal accords with development plan policies for the location of development including its effects on the character and appearance of the area.
7. Whilst my framing of the main issue broadly follows the remaining reason for refusal on the Council's decision notice, evidence was presented separately on matters of planning and the area's character and appearance. I therefore address them under separate headings.

## Reasons

### Planning policy

8. The development plan for Wiltshire includes the Core Strategy (2015) (the CS) and the Joint Melksham Neighbourhood Plan 2 (2020) (the JMNP2). CS Policy CP1 identifies Melksham as a second-tier settlement with the potential for significant development. It is set to take the most amount of housing of all the Market Towns. Beyond Policy CP1, locations for development are managed through Policies CP2 and CP15.
9. Policy CP2 sets out a presumption in favour of sustainable development within the development boundaries of settlements including the market towns such as Melksham. Unless permitted by other CS policies, development is not permitted outside those boundaries. Policy CP2 also sets out the spatial strategy for the Melksham Community Area (MCA). Policy CP15 says, amongst other things, that growth in the MCA will be in accordance with Policies CP1 and CP2.
10. The JMNP2 allocates a number of sites for housing development in Melksham. Those allocations exceed the need for new housing identified in the Melksham and Melksham Without Housing Need Assessment (July 2022) which assessed need in the neighbourhood area. Whilst the appeal site was included in the 'call for sites' as part of a larger site, it was not allocated in the JMNP2. JMNP2 Policy 6 sets out that housing outside settlement boundaries will be managed in accordance with the adopted development plan and should meet evidenced local housing need. It thereby defers to the CS and the evidence on housing need. This is set out in the supporting text to JMNP2 Policy 6 and which makes clear that the settlement boundaries it is referring to are those defined in the CS.
11. However, the CS sought to meet needs between 2006 and 2026, and the settlement boundaries were drawn up to accord with that plan period and not beyond it. Even if all of the JMNP2 allocations come forward, a housing land supply deficit would remain. Moreover, housing land supply is calculated across the whole of the Council's area and is not based on any particular settlement. This is recognised by the Council in its considerations on the Land at Snarlton Farm proposal (Application PL/2024/07097). Whilst that scheme was for substantially more dwellings than in this appeal, I see no reason to divert from that general principle. The appeal scheme would provide a meaningful contribution to Wiltshire's housing land supply.
12. Moreover, the minimum housing target expressed in the CS of 42,000 homes over the plan period was not met, with a shortfall of around 1000 homes. Exacerbating

this is the Council's five-year housing land supply shortfall of over 9,500 dwellings and a separate affordable housing need of over 1,200. It is inevitable and accepted by the Council, that permission for housing will need to be granted on unallocated greenfield sites even though that will conflict with CS Policies CP2 and CP15.

13. The Council submitted a new local plan for examination. In evidence, it was referred to as the 'emerging local plan'. However, the issues latterly highlighted by the examining Inspectors clearly indicate that there is a significant amount of further work needed on the plan to make it sound. In their letter to the Council of 27 February 2026, the Inspectors offer the Council the option of either withdrawing the plan or request that they proceed to prepare their report. The letter makes it very clear that the latter option would inevitably lead to a recommendation that the plan is not adopted because of it being found unsound. Whilst I therefore note the Council's argument that the plan has not been withdrawn at this stage and is thus still at examination, the examining Inspectors' letter provides me with sufficient reason to conclude that the plan as it stands will not be going forward. In this circumstance, it cannot therefore be considered as having any semblance as an emerging plan. Notwithstanding that, for ease of reference in my decision, I will continue to refer to it as the 'emerging Local Plan'.
14. The implication of this is that there will not be a strategic plan in place to lead development in Wiltshire for the foreseeable future. Importantly there will be no plan led mechanism to rectify the housing land supply shortfall, thus making it ever more pressing that housing continues to come forward in a timely manner in sustainable locations such as Melksham. The appeal site is well related to the existing built-up area and would form a logical extension to this part of the town.
15. I note that planning permission has been granted for around 500 dwellings on the 'emerging Local Plan's' allocation at Blackmore Farm and other applications are under consideration for a similar number of dwellings on other allocations. However, I have no evidenced certainty that they will receive planning permission. Furthermore, allocations in the JMNP2 are beginning to come forward. Nevertheless, whilst that all assists in addressing the chronic housing land supply shortfall in Wiltshire it does not place a bar on other sustainable development.
16. In summary, given that the appeal site lies outside the development boundary of Melksham, the proposal runs counter to Policies CP2 and CP15. This is not in dispute between the parties. The Council's decision notice includes reference to CS Policy CP1. However, it was confirmed by the Council that there is no conflict with that policy, and I have no reason to take an alternative view.

#### Character and appearance

17. The site is part of a larger parcel of agricultural land located immediately beyond the north-eastern edge of the town. The River Avon is located further to the west. An access would be formed in a gap between houses before they extend in a ribbon to the north-east along Woodrow Road. Because of the presence of this line of houses, the site is not readily visible from Woodrow Road. Nor is it widely seen from other surrounding roads.
18. There are Public Rights of Way (PRoWs) running along the site's southern boundary adjacent to the settlement edge and from north-south in the area where

the site's western boundary would be formed. There would be clear views of the proposed development from these public vantage points.

19. Currently, this part of Melksham has a hard edge formed by residential development. The indicative masterplan for the proposed development shows a substantial area of public open space in the part of the site crossed by overhead power lines.
20. The parties are now in agreement that a suitably designed landscape scheme could come forward along the northern site boundary, within the open space. Whilst this could not take the form of a continuous planting belt because of the necessary power lines easement, it would provide sufficiently large blocks of appropriate planting to satisfactorily help assimilate the proposed development into its surroundings. Importantly, it would also provide for an improvement to the existing hard edge to this part of Melksham. There is also now agreement between the parties that the proposal overall would not result in unacceptable harm to the landscape or the experiences of those using the PRowS. I have no reason to disagree. These matters are capable of being secured by suitably worded planning conditions.
21. There would be no conflict, with CS Policy CP16 which seeks to safeguard the links to the Melksham Link Canal or the similar objectives of CS Policy CP53. The proposal would meet the objectives of CS Policy 51, which broadly seeks to protect, conserve and where possible, enhance landscape character. Further, it would accord with the landscape management strategy for the Melksham Open Clay Vale Landscape Character Area as described in the West Wiltshire Landscape Character Assessment (2006). It would not run counter to the countryside protection policies in the JMNP2.

### **Other Matters**

22. At the Inquiry, I heard from a significant number of interested parties who very eloquently detailed their objections to the proposed scheme. In addition to those matters covered elsewhere in my decision, these included transport/highways, drainage and flooding. However, I must make my decision based on clear evidence and note that neither the highway authority nor any of the statutory undertakers have raised any objections.
23. In terms of flooding, with the imposition of suitably worded planning conditions, I am satisfied that there would be no increase in flood risk arising from the proposed development. I have taken into account the highways evidence and took the opportunity to travel along the local roads including the A350 towards to Lacock. I saw nothing of concern which would lead me to conclude that there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe. Consequently, whilst I do not doubt the sincerity of the interested parties' contributions to the appeal, I do not find anything to lead me away from my overall conclusion that the appeal should be allowed.

### **Planning Obligations**

24. The Agreement is an executed document dated 25 February 2026. I have considered the various obligations with regards to the statutory requirements in Regulation 122 of the Community Infrastructure Levy Regulations (the CIL Regulations) and the policy tests in paragraph 58 of the Framework.

## Agreement Provisions

### Affordable Housing

25. Provision is made for 21 affordable homes, representing a 30% of the total number of proposed dwellings, compliant with CS Policy CP45 and paragraph 66 of the Framework. The affordable housing element would comprise a tenure mix of 16 affordable rented homes and 8 for affordable home ownership. Given the pressing need for affordable homes, the obligations are necessary.

### Education

26. The Agreement provides contributions to early years (£157,698), primary (£356,402) and secondary (£68,820) education. Current early years provision within a two-mile safe walking route, is operating at full capacity. The development would generate a need for 9 additional early years places at a cost per place of £17,522. The money would be put towards one of the suitably located new schools. The development would generate a need for 19 new primary places at a cost of £18,758 per place. These are also to be secured at one of the new schools. In terms of secondary education, 3 new places would be generated by the development at a cost of £22,940 per place. This contribution would be spent on the expansion of Melksham Oak Community School. These obligations are therefore necessary to meet the additional education provision generated by the development in accordance with CS Policy CP3.

### Open Space, Play and Sport

27. The obligations provide for on-site public open space and a location within it for new play equipment. There is also provision in the Agreement for off-site contributions in the circumstance that the on-site provision, for some reason, falls short of the requirements. The contributions have been calculated to be £83,999.41 for the open space element and £17,841.60 for play equipment. A further, policy compliant obligation provides a contribution towards a 3G artificial turf pitch at Lancaster Road Playing Fields or elsewhere in the vicinity of the appeal site.
28. The obligations are necessary to provide a satisfactory recreational environment for future residents of the development and provide new facilities for the district's growing population in accordance with CS Policies CP3 and CP52.

### Waste and Recycling

29. The Agreement provides for a contribution of £8,050 towards the provision of waste and recycling facilities for each proposed dwelling. Such facilities are essential to support new development as identified in CS Policy CP3. The costs are identified in the Council's Guidance for Developers SPD. The contribution is necessary to ensure appropriate waste and recycling facilities are provided and to cover the associated costs.

### Highways and Public Rights of Way (PRoWs)

30. The obligations provide for necessary improvements to PRoWs next to the site and cycling facilities to encourage the use of sustainable transport modes by providing ease of access to and from the development. It accords with CS Policies CP52, CP57 and paragraph 105 of the Framework.

## Public Art

31. The Revised Wiltshire Planning Obligations SPD supports CS policies, including CP3 (Infrastructure Requirements). It identifies the planning obligations the Council will seek for development that generates new infrastructure needs. It sets out explicit thresholds for the contributions required for various types of obligations that may be necessary. Art and design requirements are set out in Chapter 10 of the SPD albeit without the level of detail applied to other obligations such as for affordable housing; open space/green infrastructure; and transport/highways. It includes a footnote reference to a Guidance Note published in 2011.
32. That 2011 guidance has been replaced by the 'Art and design in the public realm in Wiltshire – 2024 Guidance'. The threshold for public art in the Guidance is set at £300 per dwelling for developments of 50 dwellings or more. However, it has not been subject to consultation or any formal local planning process. The Framework says that good design is a key aspect of sustainable development. The provision of public art could be said to fall within that ambit. It would serve a clear planning purpose, with development plan support. Being located within the development or in its vicinity would satisfy the test of being directly related to the development.
33. However, I must agree with the findings of the Inspector in the Land off Spitfire Road appeal wherein he found there to be no evidence base, or calibration against any benchmark, for the £300 figure. In the absence of an identified scheme and in the context of there having been no public consultation on the Guidance, I cannot conclude that this obligation would pass all of the statutory tests and am thus unable to take it into account as a reason for granting planning permission.

## Conclusion on Planning Obligations

34. With the exception of public art, all of the other planning obligations are necessary, directly related to the development and are fairly and reasonably related in scale and kind to the development. Accordingly, they meet the relevant tests in Regulation 122(2) of the CIL Regulations and the Framework.

## **Planning Balance**

35. Given the Council's housing land supply of 2.42 years, it is common ground that the most important policies for determining this appeal are out of date. Therefore, Framework paragraph 11d) ii says that permission should be granted 'unless any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the Policies in the Framework taken as a whole, having particular regard to key policies for directing development to sustainable locations, making effective use of land, securing well designed places and providing affordable homes, individually or in combination'. Whilst the proposal does not accord with the development plan as a whole, in light of the above, I give limited weight to the spatial policy harm.
36. There would be social benefits arising from the proposal through the provision of market and affordable housing. Whilst housing delivery in Wiltshire may have been strong in the past, that does not justify reducing the weight to the provision of future housing in an area with a chronic housing land supply shortfall. Given the extent of that shortfall, the benefits of market and affordable housing each attract very substantial weight.

37. Economic benefits would arise from construction and employment and support for Melksham's role as a Market Town. These carry significant weight. In reaching that conclusion, I have had regard to what paragraph 85 of the Framework says about placing significant weight on the need to support economic growth, taking into account local business needs and wider opportunities for development.
38. There would be improvements to the current hard development edge through new planting as part of the creation of settlement edge open space. This would result in very positive improvements to the landscape around this part of Melksham and the open space would be available to existing local residents as well as the occupiers of the development. This attracts significant weight. A further environmental benefit would result from BNG going over and above the minimum requirements also attracting significant weight.
39. The weight of these benefits set against the limited weight to the harm would normally tilt the balance very firmly and straightforwardly in favour of the appeal scheme. However, given the JMNP2 has only relatively recently been made, it is necessary to go to Framework paragraph 14. This says that, in situations where the presumption (at paragraph 11d) ii applies to applications involving the provision of housing, the adverse impact of allowing development that conflicts with the neighbourhood plan is likely to significantly and demonstrably outweigh the benefits, provided the following apply:
  - a) the neighbourhood plan became part of the development plan five years or less before the date on which the decision is made; and
  - b) the neighbourhood plan contains policies and allocations to meet its identified housing requirement.
40. The parties agree that the JMNP2 satisfies the first of those tests. The Council asserts that it also meets the second on the basis that it meets (and exceeds) its identified housing requirement of 270 dwellings. It further argues that Policy 17 of the 'emerging Local Plan' falls to be considered under Framework paragraph 69. This means that for such a proposition to be sustained, an emerging policy must be capable of falling within the bounds of Framework paragraph 69 and thus generate an identified housing requirement for the purposes of Framework paragraph 14b).
41. The allocations in the JMNP2 have been tested through independent examination. However, in so doing, the examiner noted that the Council was seeking to address the matter of housing land supply both generally and through "the emerging Local Plan". He therefore recommended a review of the JMNP2 to address any need for a revision to the housing requirement for the neighbourhood area should this arise as an outcome of the examination of the Local Plan. Having regard to the examining Inspectors' letter of 27 February 2026, this outcome has clearly come about, given their serious questions over whether the Council has sufficient sites.
42. The source of the 270 figure in the JMNP2 is the 'emerging local plan' and thus, for the above reasons, the validity of that requirement cannot now be relied upon. Whilst the JMNP2 clearly contains policies and allocations to meet its identified housing requirement, that requirement is derived from a plan that is now extremely unlikely to go forward. This tempers the weight that I give to the identified housing requirement in the JMNP2.

43. Regardless of the parties' contrary positions on the application of Framework paragraph 69, in the parlance of Framework paragraph 14 'likely' does not and cannot mean 'absolute'. It does not place a firm bar against development going ahead even if counter to a Neighbourhood Plan that meets the tests in Framework paragraph 14. I acknowledge that the JMNP2 has relatively recently been made and reflects the wishes of those who supported it at referendum. I also note that development has been coming forward in Melksham, but the Council's housing land supply shortfall is acute and county-wide. Action to address that needs to be taken now through the provision of housing on suitable sites.
44. Given the status of the 'emerging local plan', there is uncertainty as to the level of housing that might need to be allocated at the settlement. I make no judgement on that as it is solely a matter for the examination of the plan, whenever that may be. However, the weight that I attach to that plan in terms of housing policies is negligible and has no material bearing in the planning balance.
45. In the context of Melksham as a Market Town, at which significant development is envisaged, the provision of 70 dwellings on the appeal site would not be of such magnitude to have a detrimental effect on its ability to grow in a sustainable manner or materially disrupt its future planning. Nor, in my view, would it seriously undermine confidence in the plan making process. It would, however, provide much needed housing now and result in a number of important benefits.
46. Taking all of the above into account, the balance tilts in favour of the appeal scheme. The circumstances of this appeal are such that I find it necessary to take a decision otherwise in accordance with the development plan.

### Conditions

47. Conditions are imposed to ensure the development is carried out in accordance with prescribed timescales. A condition specifying the approved plans is necessary to ensure certainty. Conditions related to visibility splays, surface water, parking and site access are necessary in the interests of vehicular and pedestrian safety. I have imposed a condition related to cycle parking and a Residential Travel Plan in the interests of promoting alternatives to the use of private motorised transport.
48. I have imposed a series of conditions related to ecology both during and after construction. These are all necessary to protect and promote habitats and species. In the interests of the historic environment, I have imposed a condition requiring archaeological investigation and recording of any archaeological finds.
49. In the interests of protecting against climate change and to ensure the development's sustainable credentials, I have imposed necessary conditions. These cover a Sustainable Energy Strategy and water efficiency measures.
50. I have imposed conditions related to drainage as these are necessary in the interests of safeguarding the water environment. A condition requiring the submission and approval of a Construction Management Plan is necessary to safeguard the amenities of local residents and to protect the natural environment. Similarly, I have imposed a condition related to the times when demolition and construction operations can take place. I have made this a standalone condition for clarity.

---

51. Finally, conditions related to hard and soft landscaping are necessary to ensure the appearance of the development is satisfactory.

**Conclusion**

52. For the reasons set out, the appeal succeeds.

*H Baugh-Jones*

INSPECTOR

**APPEARANCES****FOR THE APPELLANT:**

Lord Banner KC	Instructed by Waddeton Park Ltd
He called:	
Neil Furber BSc (Dual Hons) PGDipLA CMLI	Senior Director, Pegasus Group
Mark Scoot MRTPI MRICS	

**FOR THE LOCAL PLANNING AUTHORITY:**

Edward Arash Abedian	Instructed by Hannah Bartlett, Wiltshire Council
He called:	
Paul Robertson BA(Hons) DipLA MSc CMLI	Senior Landscape Officer, Wiltshire Council
Mark Reynolds BSc(Hons) MSc MRTPI	Managing Director, Context Planning Ltd

**INTERESTED PARTIES:**

Councillor John Glover	Chair of Melksham Without Parish Council
Councillor Saffi Rabey	Mayor of Melksham Town Council
Councillor David Pafford	Chair of Melksham Neighbourhood Plan Steering Group
Chris Holden	Chair of Melksham Community Partnership and Member of Melksham NHP Steering Group
Councillor Richard Wood	Chair of MWPC Planning Committee and Chair of NHP Steering Group
Anne Henshaw	Chair of CPRE Wiltshire
Graham Ellis	Chair of Melksham Transport User Group and NHP Steering Group member
Councillor Alan Baines	Melksham Without Parish Council and resident of Woodrow Road
Councillor Simon Wise	Vice Chair of Lacock Parish Council
Andy Webster	National Trust Lacock

---

Councillor Phil Alford	Wiltshire Councillor for Ward
Graham Hill	Co-Chair of Wiltshire Area Localism and Planning Alliance
Vaughan Thomson	Place Studio
Teresa Strange	Clerk, Melksham Without Parish Council
Phil Rigg	Local business owner and resident
Jill Tubbs	Woodrow Community Speed Watch
Will Humphries	Local resident

---

**DOCUMENTS**

- ID01 List of interested party speakers and their evidence
- ID02 Northern Power – clearance to objects
- ID03 Emails between the Council and SSE
- ID04 Appellant’s opening statement
- ID05 Council’s opening statement
- ID06 Comparison of Effects Upon Visual Receptor Groups
- ID07 Illustrative landscape masterplan
- ID08 Illustrative cross sections
- ID09 Wiltshire Local Plan Inspectors’ letter and programme of works
- ID10 Extract from Planning and Compulsory Purchase Act 2004
- ID11 Site visit route suggestions

## CONDITIONS

1. The development hereby permitted shall be begun either before the expiration of three years from the date of this permission, or before the expiration of two years from the date of approval of the last of the reserved matters to be approved, whichever is the later.
2. No development shall commence on site until details of the following matters (in respect of which approval is expressly reserved) have been submitted to, and approved in writing by, the Local Planning Authority:
  - (a) The scale of the development;
  - (b) The layout of the development;
  - (c) The external appearance of the development;
  - (d) The landscaping of the site;The development shall be carried out in accordance with the approved details.
3. An application for the approval of all of the reserved matters shall be made to the Local Planning Authority before the expiration of three years from the date of this permission.
4. The development hereby permitted shall be carried out in accordance with the following approved plans and documents: Location Plan drawing no. 220313 L 01 01; Wider Location Plan drawing no. 220313 L 01 02, Proposed Site Access General Arrangement & Visibility drawing no. PD01; Proposed Habitats Plan drawing no. eg211147.02
5. No part of the development shall be occupied until the visibility splays shown on the approved plans have been provided with no obstruction to visibility at or above a height of 600mm above the nearside carriageway level. The visibility splays shall always be maintained free of obstruction thereafter.
6. Notwithstanding the submitted details, the proposed development shall not be occupied until means/works have been implemented to avoid private surface water from entering the highway in accordance with details that shall have first been submitted to and approved in writing by the local planning authority
7. The development hereby approved shall not be occupied until parking space for the parking of vehicles for each dwelling together with a vehicular access thereto has been provided in accordance with details submitted to and approved in writing by the Local Planning Authority. The parking spaces shall not be used other than for the parking of vehicles or for the purpose of access.
8. The development hereby approved shall not be occupied until details of secure covered cycle parking facilities have been submitted to and approved in writing by the Local Planning Authority. These facilities shall thereafter be provided in accordance with the approved details and made available for use prior to the first occupation of the development hereby permitted and shall always be retained for that use thereafter.
9. The development shall not be occupied until a Residential Travel Plan has been implemented in accordance with details that shall have first been submitted to and approved in writing by the local planning authority.
10. No development shall commence until details of the access works, as shown indicatively on SLR drawing 'Proposed Site Access, General Arrangement & Visibility' 422.065278.00001 - PD01, have been submitted to and approved in writing by the LPA. The approved access works shall thereafter be completed prior to the occupation of any dwelling on site.

11. The development shall be carried out in accordance with the recommendations in the following documents:
  - Proposed Habitats Plan (Engain, 07/05/2025).
  - Avoidance, Mitigation and Enhancement measures detailed in Section 6 of the Ecological Impact Assessment (Engain, 05/11/2024).
12. Prior to the commencement of works, including demolition, ground works/excavation, site clearance, vegetation clearance and boundary treatment works, a Construction Environmental Management Plan (CEMP) shall be submitted to the local planning authority and approved in writing. The Plan shall provide details of the avoidance, mitigation and protective measures to be implemented before and during the construction phase, including but not necessarily limited to, the following:
  - a. Key personnel, responsibilities and contact details (including Site Manager and ecologist/ECoW).
  - b. Pollution prevention measures including the location of site and storage compounds, the use of plant and machinery, measures to control of dust and noise, the location and use of wheel washing and vehicle washdown plant/machinery, and the location and use of oils/chemicals.
  - c. Restrictions on artificial lighting and any measures to be implemented to reduce light spill on sensitive ecological features.
  - d. Timeframe for provision of compliance report to the local planning authority; to be completed by the ecologist/ECoW and to include photographic evidence.Development shall be carried out in accordance with the approved CEMP.
13. All lighting provided on site shall be in accordance with the appropriate Environmental Zone standards set out by the Institute of Lighting Engineers in their publication GN01:2021, 'Guidance for the Reduction of Obtrusive Light' (ILP, 2021), and Guidance note GN08/23 "Bats and artificial lighting at night", issued by the Bat Conservation Trust and Institution of Lighting Professionals and will demonstrate that bat habitat (trees, scrub and hedgerows) on the perimeter of the site will remain below 0.5 lux (or no higher than existing).
14. Prior to the commencement of any works, including vegetation removal and demolition, details of the number, design and locations of new features for wildlife shall be submitted to and approved in writing by the local planning authority. The provision will include new roosting features for bats and new nesting features for birds at a suitable ratio of feature to building. The approved details shall be implemented before final occupation of the development. These features shall continue to be available for the target species for the lifetime of the development.
15. Prior to the start of construction on site, a Landscape and Ecology Management Plan (LEMP) shall be submitted to and approved in writing by the Local Planning Authority. The LEMP shall include long term objectives and targets, management responsibilities and maintenance schedules for each ecological feature within the development, together with a mechanism for monitoring success of the management prescriptions, incorporating review and necessary adaptive management in order to attain targets.
16. No development shall commence until:
  - i. a written programme of archaeological investigation, which should include on-site work and off-site work such as the analysis, publishing and archiving of the results, has been submitted to and approved by the Local Planning Authority; and
  - ii. The approved programme of archaeological work has been carried out in accordance

with the approved details.

17. A final Sustainable Energy Strategy shall be submitted as part of the reserved matters application(s) for the development to provide details of operational energy, embodied carbon, climate change adaptation measures, low-carbon and renewable energy technologies, and sustainable transport for the written approval of the Local Planning Authority. The development shall be carried out in accordance with the approved details.
18. The development shall not be occupied until a scheme for water efficiency has been submitted to and approved in writing by the Local Planning Authority. The scheme will demonstrate a standard of a maximum of 110 litres per person per day is applied for all residential development. The scheme shall be implemented in accordance with the agreed details.
19. No development shall commence on site until a detailed drainage strategy for the site, incorporating sustainable drainage details, has been submitted to and approved in writing by the Local Planning Authority and detailing the following matters: A detailed topographical survey that clearly identifies the existing drainage features on the site as well as level contours to show overland flow routes.
  - i. calculations which demonstrate that the required 30% betterment against greenfield rates has been achieved for all storm events between the 1 in 1 year and the 1 in 100 year return period storm events.
  - ii. overland exceedance routes are to be shown on the drainage plan for flows in excess of the 1 in 100 year plus climate change (40%) rainfall event.
  - iii. evidence that the finished floor levels above the maximum predicted 100-year flood level or if no flooding is predicted, at a sufficient height above the SW drainage cover levels. The minimum is 600mm above whichever of the following levels is the highest:
    - The average ground level of the site
    - Adjacent road levels to the building
    - Estimated river or sea level for the site

The development shall then be carried out in accordance with the approved details. No part of the development shall be occupied until surface water drainage has been constructed in accordance with the approved scheme.

20. No development shall commence on site until a scheme to dispose of foul drainage, including connection to the public foul sewer network, has been submitted to, and approved in writing by the local planning authority. The scheme shall be implemented in accordance with the approved details.
21. No development shall commence on site (including any works of demolition), until a Construction Management Plan (CMP), has been submitted to and approved in writing by the local planning authority. The plan shall include details of the measures that will be taken to reduce and manage the emission of noise, vibration and dust during the demolition and/or construction phase of the development. It shall include details of the following:
  - i. the movement of construction vehicles;
  - ii. the parking of vehicles for site operatives;
  - iii. the cutting or other processing of building materials on site;
  - iv. wheel washing and vehicle wash down facilities;
  - v. the transportation and storage of waste and building materials;
  - vi. the erection and maintenance of security hoarding including decorative displays and facilities for public viewing;
  - vii. a scheme for recycling/disposing of waste arising from construction works;
  - viii. measures for the protection of the natural environment;

- ix. pre-condition photo survey of local roads and infrastructure;
- x. vehicle routing plan;
- xi. traffic management plan (including signage drawing(s));
- xii. number (daily/weekly) and size of delivery vehicles;
- xiii. number of staff vehicle movements;
- xiv. details of temporary/permanent Traffic Regulation Orders;
- xv. construction phasing plan;
- xvi. the loading and unloading of equipment and materials;
- xvii. the location and use of generators;
- xviii. the method of any piling.

The approved Construction Management Plan shall be adhered to throughout the construction period. The development shall not be carried out otherwise than in accordance with the approved construction method statement.

22. Demolition or construction works shall take place only between 0800-1800 on Mondays to Fridays; 0800-1300 on Saturdays and shall not take place at any time on Sundays or on Bank or Public Holidays.
23. No development shall commence above ground floor slab level until full details of a hard and soft landscaping has been submitted to and approved in writing by the Local Planning Authority, the details of which shall include:
  - i. location and current canopy spread of all existing trees and hedgerows on the land;
  - ii. details of all existing trees and hedging to be retained, together with measures for their protection during development;
  - iii. a detailed planting specification showing all plant species, supply and planting sizes and planting densities;
  - iv. all means of enclosure;
  - v. vehicle parking layouts;
  - vi. refuse and recycling collection points;
  - vii. bin storage areas;
  - viii. vehicle and pedestrian access and circulation areas;
  - ix. all hard and soft surfacing materials.
24. All soft landscaping comprised in the approved details of landscaping shall be carried out in the first planting and seeding season following the first occupation of the building(s) or the completion of the development whichever is the sooner. All shrubs, trees and hedge planting shall be maintained free from weeds and shall be protected from damage by vermin and stock. Any trees or plants which, within a period of 5 years die, are removed, or become seriously damaged or diseased shall be replaced in the next planting season with others of a similar size and species, unless otherwise agreed in writing by the local planning authority.

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