

Joint Melksham Neighbourhood Plan 2

Site Allocations Topic Paper

Version: DRAFT June (11.24)

1. Introduction

This topic paper discusses the allocation of development sites within Joint Melksham Neighbourhood Plan 2 (a modification of the 'made' Joint Melksham Neighbourhood Plan – referred to as JMNP1). The Joint Melksham Neighbourhood Plan 2 (JMNP2) is currently at pre-submission draft stage.

This topic paper sets out:

- The strategic context within which JMNP2 allocations were progressed
- The local context and drivers for sites allocation
- The approach and process undertaken by JMNP2 to identify, assess and propose allocations
- Specific evidence relating to addressing flood risk and site selection
- Evidence that supports each proposed allocation site.

2. Strategic Planning Sites Allocation Context

In July 2023 Wiltshire Council published the draft Wiltshire Local Plan (WLP) for consultation¹, known as Regulation 19, as part of this, a draft neighbourhood plan housing requirement for the JMNP2 to plan for in the period up to 2038. This was c200 dwellings at Melksham and Bowerhill and a further c50 dwellings at Shaw and Whitley in addition to land already allocated for c18 dwellings at Middle Farm by JMNP1 and 5 commitments.

Wiltshire Local Plan Sites Assessment

The draft Wiltshire Local Plan identifies a “residual” need for 1120 new homes and c8 hectares of employment land (Wiltshire Employment Land Review 2023²) to be planned for at Melksham and Bowerhill by 2038.

The draft WLP proposes the allocation of three strategic sites with assessed combined capacity for c845 dwellings and 5 hectares of employment land.

This leaves c275 homes and c3 hectares of employment land to be planned for.

Combining the WLP housing allocation and the Neighbourhood Plan housing requirement of c200 at Melksham (845 + 200) leaves a small shortfall of c75 dwellings left to be planned for. In addition, there is a need to address further need for c3 hectares of additional office and industrial space, not allocated by WLP.

Between January and March 2021, Wiltshire Council ran a Local Plan review consultation. This was not consultation on a draft Local Plan, but instead on key components of the Local Plan review and included initial site allocation options. Following this, Wiltshire Council ran a parallel and largely confidential sites allocation process. During the period between WLP consultations on the Local Plan review, JMNP2 undertook the first three stages of its site assessment process which shortlisted greenfield and brownfield sites that were considered most sustainable and suitable (see below).

The WLP selected sites through a three-stage process:

- Stage 1 excluded sites from further consideration that were known to be unavailable or unsuitable, for example by being entirely within an overriding constrained area such as a flood zone.
- Stage 2 tested remaining sites for high level environmental and heritage impacts and feasibility issues.

¹ The Regulation 19 consultation on the draft Local Plan took place between Wednesday 27 September, to Wednesday 22 November 2023. The draft local plan published as part of this consultation is available for download: <https://www.wiltshire.gov.uk/article/8048/Regulation-19-consultation-autumn-2023>

² https://www.wiltshire.gov.uk/media/12022/Wiltshire-Employment-Land-Review-2023/pdf/Wiltshire_Employment_Land_Review__2023.pdf?m=1695745989410

- Stage 3 then subjected the 17 reasonable alternative sites, that combined SHELAA sites, to a sustainability appraisal.

The methodology and full assessments are published with draft WLP Regulation 19 evidence base³. The greenfield strategic sites proposed for allocation by draft WLP are those assessed to be the least harmful and most sustainable against a range of sustainability assessment criteria.

The proposed draft WLP allocation of site 3692: Land north of Bath Road, and Site 3478; and Land North of A3102, sites 3678 and 3701 combined to assemble WLP site 1, which forms part of draft allocation Policy 18, Land East of Melksham. This excluded them from JMNP2 options.

Wiltshire Council Sustainability Appraisal

The WLP site assessment process has informed the identification of 17 reasonable alternative strategic sites at Melksham that were subject to further assessment through the Wiltshire Council Sustainability Appraisal (SA) methodology⁴.

The SA has identified the likely effects of developing these sites against a range of sustainability criteria. This assessment has informed the selection of preferred site options by Wiltshire Council.

Site assessment scores ranged from -3 to -9. Sites 1 and 9 were the most sustainable sites when assessed against objectives in the SA Framework. In summary:

- Sites 12 and 14 were the least sustainable
- Sites 1 and 9 are considered the most sustainable
 - Site 1 land East of Eastern Way (SHELAA sites 3123, 3525 (Land at Snarlton Farm), 3552, 3678 (East of Eastern Way, 3683, 3692 (East of Eastern Way), 3701, 3704, 3752)
 - Site 9 Land South of Western Way (SHELAA 1025)

Addressing Melksham's Employment Needs

The draft WLP Strategy for Melksham⁵ includes a set of Place-shaping Priorities (PSPs). PSP 2 highlights a key local ambition: *“Reducing out-commuting: Reduce out-commuting through an improved employment offer, including delivery of new employment land to allow existing businesses to expand and to attract inward investment”*.

³ <https://www.wiltshire.gov.uk/article/8048/Regulation-19-consultation-autumn-2023>

⁴ Ibid

⁵ https://www.wiltshire.gov.uk/media/11967/Planning-for-Melksham-September2023/pdf/Planning_for_Melksham_September2023.pdf?m=1695727857577

The Wiltshire Employment Land Review (ELR) 2023 identifies a need to plan for between 0.5ha-1.2ha of office space and 6.9ha of industrial space at Melksham to 2038.

The draft WLP strategy for Melksham states: *“there are very few available sites left in the town for business expansion or inward investment and there is ongoing demand for more employment.”*

As set out above, there remains an assessed shortfall of employment land allocation (c.3 hectares) and there is a need and demand for the optimum use of existing and previously developed employment land including edge of town centre sites to meet need for office space.

3. Joint Melksham Neighbourhood Plan 2 Site Allocations

Approach to Site identification, Assessment and Selection

Melksham Town Council and Melksham Without Parish Councils are Qualifying Bodies (QBs) for JMNP2. The QBs have each endorsed the process, evidence and draft JMNP2 contents including draft site allocations.

QBs appointed the Steering Group (SG) of Councillors and members of the community to progress the JMNP2. The SG has guided, endorsed and made recommendations to the QBs including processes, evidence, engagement and drafting of sites allocations. This work has all been supported by professionals producing technical assessments and information, and by Wiltshire Council officers.

The SG established a specific sites allocations Working Group consisting of SG members and members of the community. The WG led the sites identification, assessment and selection process and made its recommendations to JMNP2 Steering Group.

The sites allocation process, outlined below, followed an open and robust process combining independent assessment, community, stakeholder and owner engagement.

JMNP2 Sites Identification, Assessment and Selection Stages

JMNP2 has undertaken its own sites assembly, assessment, spatial strategy and selection process. It was undertaken before Wiltshire Council was prepared to publish more than the Local Plan Review January – March 2021, Stage 2 assessment of strategic (SHELAA) sites.

Site identification combined sites promoted through Wiltshire Council's SHELAA with additional sites put forward through a local "call for sites" undertaken between 27th April and 5th June 2022. As a result of this, 109 sites promoted through the JMNP2 process have been subject to a five-stage assessment to justify, and inform the criteria and deliverability of proposed allocations.

Stage 1: AECOM Initial Assessment

Excluded:

- Sites under construction or with planning permission *
- Unavailable sites
- Large "strategic" sites that are not within or immediately adjacent to the settlement boundary at Melksham and Shaw and Whitley.

*Assessment of Site 1025 (Land South of Western Way pre-dated granting of outline consent for development of 210 dwellings).

Stage 2: Assessed all remaining sites using a neighbourhood plan site appraisal proforma developed by AECOM based on the Government’s National Planning Practice Guidance (PPG) and the Locality Site Assessment Toolkit.

At Melksham and Bowerhill, Stage 2 assessment identified 1 site (for 10 dwellings) appropriate for allocation and 25 sites less or potentially suitable, that may be appropriate for allocation through the Neighbourhood Plan, if certain issues can be resolved or constraints mitigated. This included land being within Flood Zones 2 and 3 or having existing policy restricting residential uses.

At Shaw and Whitley, it identified the site allocated by JMNP1 as suitable and 6 as potentially suitable.

At Melksham and Bowerhill, twelve sites were greenfield land outside of the settlement boundary. NB at the time of assessment, Land South of Western Way (Site 1025) was not considered suitable due to its greenfield status outside of the settlement boundary and its contribution to maintaining separation between Melksham and Bowerhill.

Stages 1 and 2 identified an indicative total potential housing capacity of 2269 – 3093 dwellings.

Stage 3: Engagement with Wiltshire Council to coordinate the JMNP2 allocations strategy with the emerging WLP.

Wiltshire Council’s publication of the Regulation 19 draft WLP in July 2023, revealed greenfield sites identified by JMNP2 assessment as potentially suitable had been proposed for allocation by Wiltshire Council Local Plan, including land to the north of the A 3102 and land north of Bath Road, adjacent to Melksham Oak School. These sites and all land that comprises WLP allocation Policy 18, were removed from potential JMNP2 selection, severely restricting JMNP2’s allocation opportunities to meet its requirement.

Stage 4: Assessment undertaken by the JMNP2 Working Group and Steering Group with regard to:

- Adopted Wiltshire Plan Policy,
- Adopted and proposed JMNP1 and 2 Objectives and Policies,
- Wiltshire Council Local Plan Housing Requirements and Allocations,
- Stage 1 and 2 sites assessment results,
- Strategic Environmental Assessment alternative strategies,
- Community and stakeholder feedback,
- Flood risk,
- Testing allocation viability,
- New circumstances (consent of land South of Western Way, site 1025).

It identified and further shortlisted remaining available sites, with sufficient capacity to make a significant contribution to meeting the JMNP2 housing requirement of c200 at Melksham and deliver affordable housing.

Sites with existing constraints, including being protected by existing or proposed employment policy / designations or being within viable employment sites protected by Core Strategy policies, e.g. sites 3333, 3334 and 264 (Upside). Emerging JMNP2 designations including Green Gaps and Wedges Policy and Local Green Spaces Policy, including site 1000 (parts of which are nominated as LGS) and sites 728, 1005 and 1006 located within proposed green gaps to protect settlements from coalescence. This ruled them out of being suitable at the Stage 4 assessment.

Stage 5: Informal dialogue with the promoters of shortlisted sites re-affirmed availability and secured confirmation of deliverability in accordance with policies and how the site allocation would address constraints and community needs.

4. Strategic Environmental Assessment

Considering Alternative Approaches

JMNP2 has been prepared alongside and informed by an independent Strategic Environmental Assessment (SEA) Report (AECOM 2023). This considered the relative sustainability of brownfield and greenfield land allocation options at Melksham and then assessed options at Shaw and Whitley.

Melksham

To support the choice of a development strategy for the JMNP2, the SEA process has assessed the following options as reasonable alternatives:

- Option A: Meeting housing needs through brownfield site allocations.
- Option B: Meeting housing needs through greenfield site allocations.

Utilising the SEA Framework of objectives and assessment questions developed during the earlier scoping stage of the SEA, the appraisal has been presented through the eight SEA themes which have been scoped into the assessment.

Overall, Option A performs more favourably than Option B, and is ranked the most favourable option with respect to each SEA theme.

Option A: Prioritisation of Use of Brownfield Land at Melksham

The JMNP2 approach to prioritisation of brownfield land allocations is in accordance with nation planning policy and guidance. National Planning Policy Framework (NPPF), paragraph 123 states that *“Planning policies and decisions should promote an effective use of land in meeting the need for homes and other uses, while safeguarding and improving the environment and ensuring safe and healthy living conditions.”*

Paragraph 124(c) states that planning policies and decisions should;

“give substantial weight to the value of using suitable brownfield land within settlements for homes and other identified needs, and support appropriate opportunities to remediate despoiled, degraded, derelict, contaminated or unstable land;”

Option B: Greenfield Site Approach at Melksham

It is recognised that greenfield sites at Melksham remain available and assessed as being potentially suitable, outside of flood risk zones 2 and 3.

The majority of promoted greenfield sites are discounted due to Local Plan allocation or conflict with made or emerging JMNP policies notably:

- Policy 16: Local Green Spaces
- Policy 19: Green Gaps and Wedges

Land at Snarlton Farm (Site 3525) is promoted as providing a deliverable alternative site to allocation of brownfield land. Partial allocation of the site could provide capacity to meet housing requirements within a greenfield approach. It was not selected as it is located less sustainably than available brownfield sites. It would not provide a sustainable location for commercial or employment uses including town centre and edge of town centre class E uses. Its allocation would not enable the viable mixed-use regeneration of the available brownfield land or heritage assets at Cooper Tires or the former library site. In addition, the greenfield site is less-well suited to the provision of accessible extra-care housing than the former library site within the town centre area, which Wiltshire Council have promoted and have provided deliverability evidence for. Should overall housing requirements change, it is considered that the large site should be assessed and addressed in relation to existing strategic allocations to the north through a review of the Local Plan. As outlined in the NPPF⁶, the JMNP seeks to allocate small and medium-sized sites.

Land South of Western Way has been proposed for allocation in JMNP2 to respond to changed circumstances as discussed in section 5.

SEA Addendum Report

In response to changed circumstances, additional evidence and initial Regulation 14(A) consultation representations, draft proposed allocations were revised. This included;

- Revision to Policy 7.1; Land at Cooper Tires to support development of at least 150 dwellings.
- A new allocation of Land South of Western Way to enable development of c210 dwellings.
- A new allocation of Land at Middle Farm Whitley for c55 dwellings that consolidates the previously proposed two separate allocations.

The revisions were considered of a significance that required they be subject to a further addendum SEA process.

The addendum report was prepared in June 2024. It concludes that the revised and new allocations maintain a sustainable approach to development allocations, prioritising brownfield land allocations in combination with allocation of the most sustainable greenfield option with potential to meet and exceed JMNP2 housing requirements, supporting viable brownfield regeneration and enabling the delivery of affordable housing to meet local needs at Melksham and Shaw and Whitley

⁶ National Planning Policy Framework, December 2023
https://assets.publishing.service.gov.uk/media/65a11af7e8f5ec000f1f8c46/NPPF_December_2023.pdf

5. JMNP2 Allocations Approach

JMNP2 is taking a positive approach to site allocations and is driven by securing the best development outcomes for the community.

These combines enabling the appropriate and balanced regeneration of brownfield land for homes and employment, and ensuring the most sustainable available greenfield site delivers housing that meets local needs to a high standard of connectivity, design and construction. In doing so it is informed by, but not restricted to, meeting the identified housing requirement of c270 dwellings (c200 at Melksham and Berryfield & c70 at Shaw and Whitley), as set out in the draft WLP.

Following the process of site assessment and selection set out in earlier parts of this report, the subsequent stages of allocation progressed into a formal stage of consultation (Regulation 14) on pre-submission draft of the JMNP2. For 7 weeks, between the 13th October and 3rd December 2023, a pre-submission Regulation 14 consultation was held on the draft JMNP2. We received over 980 individual comments.

Since the 2023 Regulation 14 Consultation on the pre-submission draft of JMNP2 significant further work has been done to proposed site allocations at Melksham and Whitley, in response to feedback, and as set out below, to changed circumstances.

JMNP2 Housing Allocations

Whilst the Wiltshire Council housing requirement in the WLP for the JMNP2 area is a draft until adoption of the Local Plan, JMNP2 Steering Group and Qualifying Bodies resolved to plan positively and progress towards allocating land to meet the requirement of c270 dwellings.

In addition, JMNP2 sites allocation approach has responded positively to new circumstances, on which more detail is set out below.

The site allocations approach adheres to requirements in the NPPF and national guidance towards achieving Sustainable Development with allocations based upon consideration of alternatives, engagement, sites assessment, deliverability evidence and infrastructure requirements.

The approach to sites allocation has been screened and assessed through independent strategic environmental assessment and Habitats Regulation processes, which included consideration of the relative sustainability and impacts of alternative approaches to distribution of site allocations.

All promoted sites have been selected through the robust five stage identification and assessment process, including the identification of alternative site options, independent site sustainability and suitability assessment and community, Wiltshire Council, stakeholder and owner engagement.

Consideration has been given to and responses made to national, adopted and emerging strategic policy and made and emerging JMNP objectives and policies.

JMNP2 Employment Allocation

JMNP2 proposes to allocate land at Cooper Tires for mixed employment uses to mitigate loss of employment on the site and enable viable new employment uses to meet unplanned need identified by the Wiltshire Employment Needs Assessment especially where this compliments the allocation of employment land by Wiltshire Local Plan east of Melksham.

Employment uses do not trigger the need for a flood risk sequential test. However, Cooper Tires is the most sustainable site and secures reuse of brownfield land. Flood mitigation and contamination costs have been assessed by land owners and provided to JMNP2. Viability assessment has concluded that viable employment development is only achievable within a mixed-use regeneration that includes value raising housing.

Addressing New Circumstances

New circumstances also affected the availability of sites for allocation by JMNP2.

The draft WLP proposes allocation sites: Site 3692; Land north of Bath Road and Site 3478; Land North of A3102 and sites 3678 with 3701 that combine to assemble part of draft allocation Policy 18, Land East of Melksham.

These are potentially suitable sites which are now excluded from JMNP2 options, removing capacity for c 400-500 dwellings.

In addition, an appeal decision at Western Way granted **outline consent** for development of c210 dwellings and a 70-bed care-home on SHELAA site 1025, Land South of Western Way, Bowerhill. The site was assessed as unsuitable at Stage 1 due to its landscape role of openness and separation of settlements. Whilst full planning resolves all matters relating to the site development, **outline consent** (with all matters other than amount and access reserved) leaves significant matters to be resolved. JMNP2 therefore proposes to include the site as potentially suitable for allocation.

Significant updates were therefore made to the pre-submission draft of JMNP2 that was consulted upon in 2023. Therefore, a second pre-submission Regulation 14 consultation on draft B of the JMNP2 in June 2024, with revisions or updates to allocations of land for housing made under Policy 7, and Policy 19 - Green Wedges is to be held.

Community and Stakeholder Engagement

Feedback obtained from early evidence gathering and informal community, stakeholder and owner engagement during the drafting of JMNP2 has influenced the allocations approach and informed the content of allocations. Formal engagement has also been conducted through the required consultation stage of Regulation 14 on the pre-submission draft of the JMNP2 (as outlined above, this has so far taken place in the autumn / winter of 2023).

Community engagement pointed to a clear desire to see Melksham Town Centre supported by the plan including its promotion of regeneration of both the library and Cooper Tires Sites. This is recorded in the accompanying Consultation Statement to the JMNP2⁷.

Proposed allocations that involve the development of previously developed and brownfield land at Melksham and Whitley have been informed by independent viability assessment. This has established robust evidence that the allocation commitments made by the JMNP2 are reasonably likely to be achievable by 2038.

Effectiveness and Deliverability: Landowner Consultation

Informal and formal consultation has been undertaken with promoters of all sites, including direct dialogue with promoters of proposed sites, to secure confirmation and evidence of intentions to deliver development in accordance with draft allocation parameters.

Viability Assessment

In accordance with NPPF Paragraph 35, proposed allocations enabling the regeneration of brownfield land at Cooper Tires and the former library site, have been subject to independent expert viability assessment which has influenced the site allocation parameters (Bailey Venning 2024). The proposed small-scale allocation of land at Whitley Farm, Whitley has also been assessed to provide confidence that conservation constraints and benefits required by the site and allocation can be addressed.

⁷ <https://www.melkshamneighbourhoodplan.org/np2-evidence-base>

6. Addressing Flood Risk

The Environment Agency highlighted a need to consider flood risk on the Cooper Tires allocation site in more detail as part of the consultation representation (from Pre-Submission Regulation 14 Consultation October to December 2023) received from the public body:

Policy 7.1 - Cooper Tires site allocation

The new allocation for the Cooper Tires site is given its own new policy in the Plan.

This allocation is not unexpected, but the wording of the policy does require some amendment.

The attention given to flood risk is not proportional to the amount of flood risk present at the site. Nearly all the site (not just “significant parts of the site”) is affected by flood zones 2 and 3. The proposal to include residential (more vulnerable - National Planning Policy Framework - Annex 3: Flood risk vulnerability classification - Guidance - GOV.UK www.gov.uk) as stated in 4.8.48, triggers the need for this allocation to be Sequentially Tested as part of this Neighbourhood Plan. The NPPF/PPG makes it clear that this is expected within the Plan that intends to allocate the site - Flood risk and coastal change- GOV.UK (www.gov.uk)

If the site were to be allocated for ‘less vulnerable’ site uses only, which would mean the level of vulnerability would not change, the Sequential Test would not be required. A) flood risk assessment (FRA) and suitable flood risk mitigation could be dealt with at planning application stage in that scenario.

National Planning Policy Framework / Guidance (NPPF/NPPG)

National Planning Policy Guidance (NPPG) (Flood risk and coastal change⁸) sets out that the aim of the Sequential Test is to steer new development to Flood Zone 1. Where there are no reasonably available sites in Flood Zone 1, account should be taken of the flood risk vulnerability of land uses and consider reasonably available sites in Flood Zone 2, applying the Exception Test if required. Only where there are no reasonably available sites in Flood Zones 1 and 2, should the suitability of sites in Flood Zone 3 be considered. The NPPG also advises that a pragmatic approach should be taken to the consideration of alternative sites.

The NPPF states that inappropriate development in areas at risk of flooding should be avoided by directing development away from areas at highest risk (whether existing or future) (paragraph 165).

Paragraph 167 states that “all plans should apply a sequential, risk-based approach to the location of development– taking into account all sources of flood risk and the current and

⁸ <https://www.gov.uk/guidance/flood-risk-and-coastal-change>

future impacts of climate change – so as to avoid, where possible, flood risk to people and property. They should do this, and manage any residual risk, by:

a) applying the sequential test and then, if necessary, the exception test as set out below;

b) safeguarding land from development that is required, or likely to be required, for current or future flood management;

c) using opportunities provided by new development and improvements in green and other infrastructure to reduce the causes and impacts of flooding, (making as much use as possible of natural flood management techniques as part of an integrated approach to flood risk management); and

d) where climate change is expected to increase flood risk so that some existing development may not be sustainable in the long-term, seeking opportunities to relocate development, including housing, to more sustainable locations.”

Paragraph 168 of the NPPF highlights that *“the aim of the sequential test is to steer new development to areas with the lowest risk of flooding from any source. Development should not be allocated or permitted if there are reasonably available sites appropriate for the proposed development in areas with a lower risk of flooding. The strategic flood risk assessment will provide the basis for applying this test. The sequential approach should be used in areas known to be at risk now or in the future from any form of flooding.”*

Land Use Vulnerability and Flood Zone

Table 2 in the Flood risk and coastal change NPPG, classifies different land uses according to their vulnerability to flood risk (Ref ID 7-066-20140306), and Table 3 indicates which land uses it is appropriate to allocate in Flood Zones 2, 3a and 3b, and which categories should not be allocated in those zones, based on their vulnerability classification. For some categories of development Table 3 also prescribes that, before they are allocated in Flood Zone 2 or 3, the second element of the method – the exception test – need not be applied in this circumstance.

Residential use is More Vulnerable. Employment, commercial and leisure uses are Less Vulnerable. Open space and flood mitigation measures are Water Compatible

PPS 25 (Table D3) identifies the compatibility of uses within levels of vulnerability with the

Table 3: Flood risk vulnerability and flood zone ‘compatibility’

Flood risk vulnerability classification (see table 2)		Essential infrastructure	Water compatible	Highly vulnerable	More vulnerable	Less vulnerable
Flood zone (see table 1)	Zone 1	✓	✓	✓	✓	✓
	Zone 2	✓	✓	Exception Test required	✓	✓
	Zone 3a	Exception Test required	✓	x	Exception Test required	✓
	Zone 3b functional floodplain	Exception Test required	✓	x	x	x

EA Flood Risk zones, 1, 2, 3A and 3B. It also identifies when sequential testing and Exceptions Testing is a requirement in plan making.

NPPG Flood Risk and NDPs

The Flood risk and coastal change NPPG addresses the matter of how a neighbourhood plan can tackle this complex subject:

“How can neighbourhood planning take account of flood risk?”

The overall approach in [paragraph 161 of the National Planning Policy Framework](#) applies to [neighbourhood planning](#).

Where they make provision for development, the qualifying bodies involved in neighbourhood planning will need to:

- ensure that neighbourhood plans (and any neighbourhood development/community right to build orders) are informed by suitable assessment of flood risk from all sources, both now and in the future;
- steer development to areas of lower flood risk as far as possible;
- ensure that any development in an area at risk of flooding would be safe, for its lifetime taking account of climate change impacts;
- be able to demonstrate how flood risk to and from the plan area/ development site(s) will be managed, so that flood risk will not be increased overall, and that opportunities to reduce flood risk, for example, through the use of sustainable drainage systems where appropriate, are included in the plan/order.

Local planning authorities will need to have these aims in mind in providing advice or assistance to qualifying bodies involved in neighbourhood planning. Refer to:

- [What to consider if there is a risk of flooding in the neighbourhood plan area?](#)
- [What to consider if bringing forward a Neighbourhood Development Order/Community Right to Build Order in an area at risk of flooding?](#)

What advice and information on flood risk is available for neighbourhood planning?

Locality, in conjunction with the Environment Agency and other statutory agencies, have created a toolkit which provides advice on [how to consider the environment when producing neighbourhood plans](#). Anyone preparing a neighbourhood plan or order may also find it helpful to [consult the lead local flood authority](#) for the area.

[Strategic Flood Risk Assessments](#) are the primary source of flood risk information in considering which areas covered by a neighbourhood plan may be appropriate for development. If, however, the strategic flood risk assessment is out-of-date or lacks an appropriate detail in this area, it may be necessary for neighbourhood planning bodies to undertake additional work to assess the risk of flooding to development being promoted in a neighbourhood plan or order. Other important sources include the Environment Agency's [Flood Map for Planning](#). Local planning authorities can make available to qualifying bodies any reports or information relating to the Strategic Flood Risk Assessment, and share any other information relevant to flood risk (such as the application of the [Sequential](#) and [Exception Tests](#) to the Local Plan).

What needs to be considered if there is a risk of flooding in the neighbourhood area?

Where the Strategic Flood Risk Assessment, or other available flood risk maps or information, indicates that part or parts of a neighbourhood plan area may be at risk of flooding, the qualifying body should have regard to the National Planning Policy Framework's policies on flood risk. Where they are considering proposing development, they will need to show that this would be consistent with the local planning authority's application of the [Sequential Test](#) and if necessary, the [Exception Test](#) for the plan. If not, these tests will need to be re-visited on a local authority-wide basis.

Where areas under consideration for development are inconsistent with the spatial strategy set out in the relevant plan, it is likely that the qualifying body will need to provide further

information to demonstrate that any development proposed by the neighbourhood plan passes the Sequential Test, and if necessary, the Exception Test.”⁹

Wiltshire Core Strategy

Wiltshire Core Strategy requires the sequential approach to development sites within flood risk areas. It requires development to be steered to reasonably available sites at lowest risk of flooding. The relevant policies within the Development Plan are considered below:

Core Policy 67 (Flood Risk) states that development proposed in Flood Zones 2 and 3 as identified within the Strategic Flood Risk Assessment will need to refer to the Strategic Housing Land Availability Assessment when providing evidence to the local planning authority in order to apply the sequential test in line with the requirements of national policy and established best practice. All new development will include measures to reduce the rate of rainwater run-off and improve rainwater infiltration to soil and ground (sustainable urban drainage) unless site or environmental conditions make these measures unsuitable.

Joint Melksham Neighbourhood Plan

JMNP1 and JMNP2 include a policy to address the key local issue of flooding. Policy 3: Flood Risk and Natural Flood Management adds local specific detail to addressing localised flood risk associated with surface water flooding and requiring sustainable drainage measures to address them

Applying the Sequential Test

JMNP2 sites assessment and selection has had regard to maximising the potential to allocate land outside of flood risk areas.

JMNP2 is primarily required to allocate land for c200 dwellings at Melksham and c70 dwellings at Shaw and Whitley. This is not a ceiling. JMNP2 may allocate more land for housing or other uses where there is a local need. Informed by the SEA report, JMNP2 aims to prioritise a sustainable brownfield first approach to sites allocation at Melksham. It proposes to optimise the reuse of previously developed brownfield land that benefits local employment and meets local housing needs.

A Sequential Test approach has therefore been undertaken as part of selecting sites for mixed housing and employment development seeking to balance the flood probability and development vulnerability of sites.

⁹ Flood risk and coastal change NPPG. Paragraphs: 015 / 016 / 17 <https://www.gov.uk/guidance/flood-risk-and-coastal-change>

Material Referenced

- EA Flood Maps for Planning
- Wiltshire Strategic Flood Risk Assessment (2019¹⁰)
- Wiltshire Local Flood Risk Management Strategy (2014)
- Cooper Tires Initial Flood Risk Assessment (WSP 2024)

JMNP2 Sequential Test Scope Areas

JMNP2 has two defined areas within which to plan to meet its housing requirement.

- Melksham and Bowerhill c200
- Shaw and Whitley c70

The approach is limited to allocations at Melksham, where brownfield land is reasonably available and sites are affected by flood risk. It is not necessary to be undertaken at Shaw and Whitley where proposed allocation sites can meet housing requirements are outside Flood Zone 2 and 3.

The stage 1 and 2 sites assessment sets the sequential test scope areas.

This includes land comprising the 26 sites at Melksham (plus consented site 1025) and the 9 shortlisted sites at Shaw and Whitley.

Stages 3-5 assessment criteria applied by the JMNP group including the proposed designation of Local Green Spaces and Green Wedges further considered the reasonableness of allocation of the Stage 2 shortlisted potentially suitable sites. In addition, sites proposed for allocation by Wiltshire Council were excluded. The results of this further sieving identified the available sites that were considered reasonable for allocation.

In assessing reasonable alternative sites for delivery of housing, significant weight is given to allocation at brownfield sites and integration with mixed use and viable regeneration that addresses particular local needs and provides opportunities for diverse economic development and town centre vitality. See Appendix 1.

Method

Stage 1:

Identification and shortlisting of the potentially suitable and available sites within the Melksham JMNP Area, including their capacity, greenfield or brownfield and flood zone

¹⁰<https://wiltscouncil.maps.arcgis.com/apps/webappviewer/index.html?id=28c00215d87b468a9a0cd79c63d3d270>

designation of each site. This harnesses the AECOM Stage 1 and 2 sites assessment. See AECOM Site Assessment Report (2023)¹¹.

Stage 2:

Review of the planning status and capacity of sites.

Sites initially excluded include:

- Areas within Flood Zones 2 & 3;
- Principal Employment Sites or sites in existing active employment uses;
- Sites designated / or proposed to be designated for alternative uses eg Local Green Spaces & Green Wedges
- SHELAA sites taken forward in Local Plan Review
- Sites with other significant constraints eg access
- Sites with insufficient capacity to contribute meaningfully to meeting JMNP2 housing requirements and affordable housing
- Sites not suitable for sustainable employment uses

This references Stage1-5 of the site assessment process. It also has regard to the SEA report on alternative approaches and JMNP and Wiltshire Core Strategy objectives and policies.

Stage 3:

Provided an assessment and conclusion of any appropriate alternative sites within the Melksham Area for the proposed development, reaching a conclusion on whether there are alternative sites in Flood Zone 1 (i.e. sequentially preferable) that are suitable, available and achievable for development to meet the allocation objectives of JMNP2.

¹¹ <https://www.melkshamneighbourhoodplan.org/np2-evidence-base>

Stage 2 Sequential Assessment of Reasonably Available / Potentially Suitable Promoted Sites

Key

Assessed as not reasonably available and suitable for allocation

Allocated by Wiltshire Local Plan. Not Available to JMNP2.

Assessed as potentially suitable

Sites at Melksham and Bowerhill (Requirement c200 dwellings)

Wiltshire Local Plan Allocations: Excluded

These sites have been proposed for allocation in the Wiltshire Local Plan and are not available to JMNP2.

Site 3478 Land North of A3102: 136 – 184 dwellings

Site 3678 Land east of Eastern Way, Melksham: 40 dwellings

Site 3701 Land to the east of Eastern Way, Melksham: 40 dwellings

Site 3692 Land north of Bath Road: 180 – 240 dwellings

Brownfield Sites

Site 186 Martigny House: 30 dwellings (subject to confirmation of availability)

- Zone 1
- Core Strategy Policy 35 and JMNP Policy 10; Existing and active employment site.
- Small capacity.

Not suitable

Site 264 Upside / Bath Road, Shurnhold: 19 – 112 dwellings and 675 sqm of

employment space

- Zone 1, 2, 3
- Core Strategy Policy 35, Principal Employment Site.
- Planning application

Not suitable

Site 313 541 Outmarsh: 8 – 20 dwellings

- Zone 1
- Core Strategy Policy 35, Principal Employment Site

- Small capacity
- Heritage constraints

Not suitable

Site 3333 Land to North of River Avon (Area 8): 80 dwellings –

- Zone 2/3. Core Strategy Policy 35, Principal Employment Site
- Local Heritage Asset

Not suitable

Site 3334 Land to North of River Avon (Area 9): 40 – 60 dwellings

- Zone 3
- Safeguarded for Principal Employment Land Growth
- Open Space (JMNP2 Policy 14)

Not suitable

MEL02 Site 1 – Blue Pool at Melksham House, Market Place: 10 – 20 dwellings

- Zone 1
- Adjacent to Assembly Rooms Leisure use – residential amenity
- Potential for ongoing community use
- Small capacity

Not suitable

MEL04 Site 3 – Former Christie Miller Sports Centre and golf course:

Employment

- Zone 1
- LGS proposal (Withdrawn at Regulation14B)
- Core Strategy Policy 34 New Employment land. Potential for employment site expansion of PEA.
- Not suitable / available for housing.
- Residential Amenity

Not suitable

MEL05 Former Christie Miller Car Park: Employment

Rejected

- Zone 1
- Employment site
- Not suitable / available for housing

Not suitable

MEL12 The Unicorn Pub, Melksham: 2 – 4 dwellings

- Zone 1
- Listed building
- Potential for viable future community use
- Small capacity

Not suitable.

TC1 Vacant Lloyds Bank Building: 10 dwellings

- Zone 1
- Full planning consent
- Small capacity

Not available

TC3 Vacant NatWest, 34 High Street: 5 dwellings

- Zone 1
- Availability not confirmed
- Main Town centre shopping area location
- Small capacity

Not suitable

TC5 Vacant Marjo Fashion, 8-12 Lowbourn: Promoted for 5 dwellings alongside adjacent plots (subject to confirmation of availability)

- Zone 1
- Full planning consent
- Listed building
- Small capacity

Not suitable

TC7 Vacant Co-op Funeral Care, Church Street: 4 dwellings (subject to confirmation of availability)

- Zone 1
- Availability not confirmed
- Small capacity

Not suitable

Site 3738 Verbena Court, Eastern Way: 10 dwellings

- Zone 1
- Identified for Community Facilities Use
- Small capacity

Not suitable

Site 187 Nortree Motors Ltd: 17 – 26 dwellings

- Zone 1
- Core Strategy Policy 35 and JMNP Policy 10; Existing active employment site (petrol station and takeaway)
- Small capacity

Not suitable

MEL03 & TC4 Site 2 – Library, Lowbourn House, Further Education Centre

and Vacant Chinese Restaurant, Lowbourn: 45 dwellings

- Zone 1
- Unused/surplus community facility (JMNP2 Policy 15)
- Temp employment use (JMNP2 policy 10)
- Town centre location (JMNP2 Policy 9)
- Promoted for allocation of c50 extra care dwellings

Cooper Tires: c100-200 dwellings (FZ1& 2)

- Zones 1/2/3
- Vacant brownfield land (12.8 hectares)
- Site remediation & flood mitigation costs
- Priority for mixed use regeneration
- Edge of town centre location
- Capacities
 - C2 hectares in Flood Zone 1 (capacity 100-120 dwellings)
 - C2 hectares in Flood Zone 2 (potential capacity for c100-120 dwellings)
 - C8.8 hectares in Flood Zone 3 (potential employment/leisure/retail/open space/flood mitigation)

Greenfield Sites

Site 728 Land to the North of Berryfield: 53 dwellings

- Zone 1
- Proposed for Green Wedge JMNP2 Policy 19
- Planning permission refused (appealed)

Not suitable

Site 1000 Land rear of Lowbourne Infants School: 50 – 112 dwellings

- Zone 1
- Heritage – Former W&B Canal route
- Proposed LGS designation (JMNP2 Policy 16) (very large level of support 900)

Not suitable

Site 1005 Land South of Sports Ground:

- Zone 1
- Core Strategy Policy 34; Strategic Employment site expansion potential
- Proposed Green Gap (JMNP2 Policy 19)

Not suitable.

Site 1006 Land South of Falcon Way, Bowerhill: 800 dwellings

- Zone 1
- Core Strategy Policy 34; Principal Employment Land expansion potential
- Green Wedge (JMNP2 Policy 19)

Not Suitable

Site 3107 North West of Woodrow Road: 77 dwellings.

- **Zone 1**
- Access, landscape and connectivity constraints
- Capacity reduced by power lines
- Refused consent for residential

Not Suitable

Site 3525 Land at Snarlton Lane: 450 – 889 dwellings.

- Zone 1/2/3 (Flood Zone 1 land +80% of site.
- Visual impact on open countryside
- Potentially capable of partial allocation (sub-optimal efficient use of land) |
- Adjacent to WLP Site allocation Land East of Melksham; Policy 18)
- Potentially within WLP Broad Location for (future) Growth
- Not sequentially sustainable location of employment (office) or retail
- No direct linked benefit to town centre vitality

New Circumstances*

Site 1025; Land South of Western Way c210 dwelling s

Previously rejected at Stage 1 site assessment.

Appeal decision Nov 2023 establishes outline permission and therefore the principle for acceptable development.

- Zone 1
- Harm; coalescence of settlements (Green Wedge JMPNP Policy 19 unachievable as result of appeal decision)
- Site assessed (by Wiltshire Council Sustainability Assessment) as one of most sustainable greenfield option
- Not available for employment allocation

*Outline consent for 210 dwellings and 70 bed care home granted on appeal Nov 2023.

Suitable Brownfield total residential capacity in Flood Zone 1 = c150-170*

*including Cooper Tires Flood Zone 1 capacity of c100-120 - dwellings.

Suitable Greenfield residential capacity in Flood Zone 1 = c570-1099**

**Sites not available/suitable for employment development

Stage 4

JMNP2 Allocation Strategy

JMNP2 sustainable development strategy is to prioritise allocation of the most sustainable brownfield land to enable development that at least meet the identified JMNP housing requirement of c200 dwellings at Melksham and a further c50 dwellings at Shaw and Whitley. It is also to make allocations that maximise their contributions to securing delivery of social, economic and environmental objectives, in particular:

- Protecting and enhancing the vitality of Melksham town centre.
- The retention, regeneration and intensified use of previously developed employment land.

With regard to identified further need for 3 hectares of employment land to supplement the 5 hectares allocated by Wiltshire Council local Plan, and the urgent need to enable viable regeneration of the vacant Cooper Tires site to optimise renewed employment and economic vitality, JMNP2 is also proposing allocation of employment land that provides the flexibility to enable a variety of employment uses in Classes E, B2 and B8. It aims to prioritise sites that complement existing and allocated employment sites that contribute meeting prioritised objectives.

JMNP2 is required to demonstrate proposed allocations are deliverable and viable. It has been supported by viability assessment of suitable brownfield sites that has informed the

allocation land use mix and balance. At Cooper Tires this is informed by site analysis and risk assessment and conceptual capacity study (AKU Associates¹²).

This Study has established the need to link residential with non-residential development at Cooper Tires to enable viable delivery of new employment uses. It has also established the capacities and location where residential development may be located within the potentially phased delivery of comprehensive regeneration (see Cooper Tires Allocation below).

Residential Capacity

Considering housing alone, at Melksham the suitable brownfield (first) site that is wholly within flood zone 1, the former library site, has capacity for c50 dwellings. C2 hectares of land at Cooper Tires is within Flood Zone 1, with an urban housing capacity for between 100-130 dwellings. Land in Flood Zone 2 may add capacity a further c90-120 dwellings subject to further flood assessments and mitigation measures.

Greenfield sites at Land South of Western Way (that is now included as a result of securing outline planning permission) has capacity for about 210 dwellings with a 70 bed care home. Capacity for between a further 450 – 889 dwellings on land at Snarlton Farm May be achievable. (following the sequential test). On this basis, JMNP2 does not need to allocate land for housing development on flood zone 2 land.

Residential and Employment Land Capacity

JMNP2 is seeking to also promote and enable viable economic regeneration of the Cooper Tires site through a mixed-use allocation. Allocations of all housing to meet JMNP2 requirements on greenfield sites will not enable this.

When JMNP2 brownfield first and mixed-use allocation strategy is taken into account the Cooper Tires site capacity for mixed use regeneration has been assessed (AKU Associates).

Capacity Summary

Allocation site area: 12.88 hectares

Site Flood Risk Areas

- Flood Zone 1: 2.16 hectares
- Flood Zone 2: 1.94 hectares
- Flood Zone 3: 8.78 hectares

Allocation / viability land use zones and capacities

- Conceptual zone for residential development (main) - 3.90 hectares
(FZ1=2.14ha, FZ2=1.96ha)

¹² <https://www.melkshamneighbourhoodplan.org/np2-evidence-base>

● Conceptual zone for residential development (secondary) -	0.07 hectares
<u>Sub Total (more vulnerable use)</u>	<u>3.97 hectares</u>
● Conceptual zone for commercial development -	4.74 hectares
● Conceptual zone around retained buildings -	1.96 hectares
● Conceptual zone for linear park (main) -	1.58 hectares
● Conceptual zone for linear park (secondary) -	0.30 hectares
● Conceptual zone for SuDS infrastructure -	0.31 hectares
● Water around Melksham Gate weir -	0.02 hectares
<u>Sub-total (less vulnerable/water compatible uses)</u>	<u>8.91 ha.</u>
Total	12.88 ha.

Residential capacity

Density: @49 Dwellings Per Hectare (DPH)

● Houses:	94
● Apartments:	101
<u>Sub total</u>	<u>195</u>

+retained heritage buildings allowance c15

Total **c210**

Residential land/capacity in Flood Zone 1 and 2

- FLOOD ZONE 1: 2.16 hectares - @49 DPH = c107 dwellings
- FLOOD ZONE 2: 1.81 hectares - @49 DPH = c88 dwellings

Sequential Approach Conclusion

JMNP2 Allocations Approach: JMNP2 positive approach to site allocations is driven by securing the best development outcomes for the community. These combine enabling the appropriate and balanced regeneration of brownfield land for homes and employment, together with ensuring the most sustainable available greenfield site delivers housing that meets local needs to a high standard of connectivity, design and construction. In doing so it is informed by, but not restricted to meeting the identified housing requirement of c200 dwellings.

In selecting sites sequentially, it has maximised re-use of brownfield land in Flood Zone 1, and justifies an exception of limited residential development on Flood Zone 2 at Cooper Tires.

It seeks to regularise its development of Land South of Western Way within the development plan and proactively manage future detailed planning of the significant site.

Brownfield Land Capacity: There is capacity for c170 dwellings on brownfield land at the former Library Site (MEL03 &TC4) and at Cooper Tires, within a mixed-use allocation to

include employment and retail. These are the most sustainable locations for meeting 85% of JMNP2 housing requirement at Melksham.

It is also proposed to increase the residential capacity of the Cooper Tires site by a further c90-110 dwellings by supporting residential development within the 1.94 hectares of the site Flood Zone 2 to facilitate the viable regeneration of employment and economic activity on the site, informed by viability assessment of the proposed allocation. The justification for this exception is set out below.

Greenfield Land Capacity: The allowed appeal on Land South of Western Way (Site 1025) has established the principle of residential development of the site and removed the ability of JMNP2 to designate it as a Green Wedge. Having regard to these new circumstances and Wiltshire Council's Sustainability Appraisal of the site the sequential sites selection process identifies the site as the next most sustainable to support delivery of housing.

The justification and precedents for allocation of the site with outline consent, are set out in the following section.

It has not selected land at Snarlton Farm (Site 3525). It does not need to. The site is less favourable, with poorer connections to facilities and with some flood risk constraints. It is also within an area likely to be considered for future strategic Broad Location for Growth, later in the Wiltshire Local Plan period. Allocation of a small portion of the site by JMNP2 risks prejudicing its optimum efficient use of land at this time.

7. Addressing Site Allocations

There is no requirement for neighbourhood plans to allocate development sites. Neighbourhood plans are also empowered to allocate more land than stated requirements where this will deliver development to meet local needs and priorities.

JMNP2 has adopted a positive and evidence led approach to site allocations which respond to and plan ahead in light of community wishes and distinct local circumstances.

At Melksham it has prioritised promoting the regeneration of brownfield land and provided opportunity for ongoing regeneration of Cooper Tires, potentially beyond the plan. It has also responded positively and with pragmatism to regularise and seek to manage the qualities of development granted outline consent at Land South of Western Way.

Melksham site allocations have had regard to:

- National policy in relation to town centres, brownfield land, housing mix and addressing flood risk
- The priority of promoting the right mixed-use regeneration of Cooper Tires
- Providing affordable and extra care housing to meet assessed needs
- The priorities of the Town Centre Master Plan Report and emerging Local Plan Melksham Place Shaping Priority 1
- Community and stakeholder feedback
- Evidence of delivery

JMNP2 is justified in giving significant weight to securing a vibrant town centre and the re-use of the available and vacant brownfield sites at Cooper Tires and the former Library.

Together, the allocation of Cooper Tires and Library sites, provided the capacity to meet housing requirements, local housing needs and enable regeneration within a “brownfield sites first” approach to allocations and strengthen the vitality and sustainability of the town centre in accordance with JMNP2 Policy 9.

In response to the changed circumstances presented by the granting of outline consent at appeal for development of 210 dwellings and care home at Site 1025, South of Western Way, JMNP2 also gives significant weight to safeguarding the future planning of this site in relation to important and unresolved detailed matters including the relationship with existing and planned new neighbouring uses, housing types and tenure mix, connectivity and design.

At Shaw and Whitley, the plan also seeks to meet Local Plan housing requirements, but in doing so deliver affordable and accessible housing and conservation gains that respond to long term local issues and identified future priorities. Regard has been given to feedback received during the 2023 Regulation 14 pre-submission consultation and further

engagement with the owners of sites proposed for allocation to secure significantly revised proposed allocation to minimise landscape impacts at Middle Farm and refined proposals to secure appropriate development at Whitley Farm.

8. Land at Cooper Tires

Land at the Cooper Tires factory site comprises the c12.8 hectare main factory site, with boundaries to the River Avon, Bath Road, Scotland Road and A350. The allocation includes the small “Bakers Yard” car park site to the west side of Bath Road.

The site is entirely vacant. All manufacturing stopped in December 2023. It is estimated by Wiltshire Council that c350 jobs were impacted.

The site is subject to marketing.

Availability: A c2.3 section of the site adjacent to the river (site 3333) was made available by the owners through the Wiltshire Local Plan SHELAA and subsequently made the whole 12.9 hectare site available for assessment and potential allocation within the JMNP (2020-38).

Evidence Base: The evidence base is comprehensive and from a range of sources, as detailed below.

Stage 2 Site Assessment (AECOM): The site has been made partially and wholly available. There are as a result two assessments:

Site 3333

“The site is potentially suitable for allocation for residential or mixed-use development.

The site is previously developed land currently in employment use within the settlement boundary of Melksham. It forms part of the wider operations at Cooper Tires. The site in its current use detracts from the quality of the townscape. Redevelopment of the site provides significant opportunities for enhancing the quality of the public realm at this accessible location, helping to deliver high quality housing and employment provision. The site also offers significant opportunities for further enhancing and opening up the riverside area of this part of Melksham, linking with key existing and proposed green and blue infrastructure networks.

The site is wholly in Flood Zone 3. Change of use of land or buildings are not normally subject to the sequential or exception tests, nevertheless changing from industrial use to residential use will increase the vulnerability classification from 'less' to 'more' vulnerable.

Redevelopment of the site should seek to improve the flood resilience of existing development through sensitive design, such as by limiting more vulnerable uses to upper floors. Other key constraints identified relate to ecology, potential land contamination and potential impacts on designated heritage assets.

The site is currently in employment use. Redevelopment of the site or its buildings must demonstrate that they meet the criteria stated in Core Policy 35 of the adopted Wiltshire Core Strategy with regards to the loss of employment land in Market Towns including Melksham.

Partial residential development of the Cooper Tires site may not be compatible with its existing industrial operations. Appropriate mitigation may be required if Site 3333 is proposed for residential development on its own.

Cooper Tires (Whole Site)

The site is potentially suitable for allocation for residential or mixed-use development.

The site is previously developed land in employment use in Melksham. It was announced in October 2022 that the facility would close at the end of December 2023. The site in its current use detracts from the quality of the townscape. Redevelopment of the site provides significant opportunities for enhancing the quality of the public realm at this accessible location; helping to deliver high quality housing and employment provision. The site also offers significant opportunities for further enhancing and opening up the riverside area of this part of Melksham, linking with key existing and proposed green and blue infrastructure networks. The site is in a highly accessible location in close proximity to Melksham Railway Station and Melksham Town Centre. The regeneration of brownfield sites in Melksham is supported by Core Policy 36 of the adopted Wiltshire Core Strategy.

The site is predominantly in Flood Zone 2 and 3. Change of use of land or buildings are not normally subject to the sequential or exception tests, nevertheless changing from industrial use to residential use will increase the vulnerability classification from 'less' to 'more' vulnerable.

Redevelopment of the site should seek to improve the flood resilience of existing development through sensitive design, such as by limiting more vulnerable uses to upper floors.

The site consists of Grade II listed C19 large house and its associated structures, and is close to a number of listed public houses. Further heritage assessment would be required.

The site is currently in employment use. Redevelopment of the site or its buildings must demonstrate that they meet the criteria stated in Core Policy 35 of the adopted Wiltshire Core Strategy with regards to the loss of employment land in Market Towns including Melksham.

The possibility of land contamination should be investigated and appropriately remediated in accordance with Core Policy 56 of the adopted Wiltshire Core Strategy.

Stage 3-5 Assessment

Stage 3 dialogue with Wiltshire Council and responses to the 2023 Regulation 14 pre-submission consultation did not object to its proposed allocation. However, attention was drawn to the site's constraints and potential impact on delivery of development.

Stage 4 consideration by Steering Group had regard to further technical evidence provided by the site promoter, capacity, land-use mix and distribution analysis undertaken for JMNP2 and 2023 Regulation 14 pre-submission consultation representation made by the landowner.

Stage 5 dialogue with the landowner's agent re-confirmed the site's availability, updated on its future sale and informally agreed a reasonable and deliverable ambient density of c50-60DPH upon which to calculate residential capacity.

Cooper Tires Allocation Evidence Base Schedule (Provided by Cushman Wakefield on Behalf of Goodyear/Cooper Tires)

- Cooper Tires and Rubber Company Heritage Asset Survey. Donald Insall Associates, 2020
- Cooper Tires Preliminary Flood Risk Assessment. WSP 2025
- Utilities Report. Hydrock 2020
- Transport Report. Hydrock 2020
- Land Remediation Report. Hydrock 2020
- Ecological Report. Tyler Grange 2020
- Land Remediation Costs Report. Cushman Wakefield 2020
- Illustrative Masterplan. Chapman Taylor 2020

Wiltshire Council

- Level 1 Strategic Flood Risk Assessment (SFRA). JBA Consulting 2019
- Wiltshire employment Land Review (Update) 2023
- Sustainability Assessment (Melksham Sites Assessment
- WLP Melksham Market Town Strategy (2023)
- WLP Trowbridge Market Town Strategy (2023)
- PL/2021/08064. Land at Innox Mills. Trowbridge.

Hybrid (full and outline) planning application descriptions (i) & (ii)

(i) Outline planning application: the erection of up to 243 dwellings, erection of a convenience store (Class E), erection of up to 872 sqm of new commercial floor space (Class E); and associated access, public realm; and landscaping works.

Commissioned or Undertaken by JMNP2

- Town Centre Master Plan Report Report of Stakeholder and Community Engagement 8 February and 19 March 2023
- Sites Assessment (Stage 1 and 2). AECOM 2022
- Concept development specifications AKU Ltd 2024
- Sites Viability Assessment. Bailey Venning 2024
- Sequential sites test for allocation. Flood Risk
- Illustrative Wiltshire Council Methodology, Sustainability Appraisal of Cooper
- Pre-submission Regulation 14 Consultation (Oct – Dec 2023)

Objective: The objective of the allocation is to enable and guide the regeneration of the historic and vacant site. Housing is an important component in achieving a viable mix of future development that will contribute to meeting local housing needs. But the primary aim is to create a new sustainable exemplar development that supports the delivery of mixed-use regeneration to bring new life and diverse employment opportunities to the site as well as support the vitality and offer of Melksham Town Centre.

It is accepted this will most likely be over a period longer than the JMNP2 period and may not begin until later in its life (post c2030). To provide confidence that development of the site is likely to deliver initial phases of mixed-use development, including housing, the allocation is underpinned by significant analysis and viability and delivery evidence

Key JMNP2 Objectives

- Planning for new development that addresses the impact of climate change.
- Enabling and promoting the importance of early community engagement in change and development.
- Supporting sustainable development of new housing and associated facilities within settlements, and adjacent to settlements.
- Protecting and enhancing the vitality of Melksham town centre.
- The retention, regeneration and intensified use of previously developed employment land.
- Supporting improved transport infrastructure for the increasing Neighbourhood Plan Area population.
- Encouraging cycling and walking and journeys by rail and bus to reduce the need to travel by car.
- Promoting opportunities for people to lead healthier lifestyles with a greater sense of well-being.
- Ensuring that new development is sympathetic to our built heritage and the character of the area, with high standards of design.

Policy Context

Flood Risk: (see above)

Wiltshire Core Strategy: The Core Strategy policy 35 (**Employment Sites**) seeks to protect Wiltshire's most sustainable and valued employment areas. Cooper Tires is not identified as a Principal Employment Areas. The emerging Local Plan does not either. However, it seeks to retain existing employment uses outside the Principal Employment Areas to maintain diversity and choice of sites for employers and allow for local business expansion. However, it recognises some older employment areas may no longer be fit for purpose and it may be appropriate to allow for the redevelopment (in whole or part) of existing employment sites for an alternative use, particularly where the site is not required to remain in its current use to support the local economy in the area.

Cooper Tires is vacant. The buildings are specifically formed for the former use, and are redundant. Cooper Tires production has left the UK and relocated to mainland Europe.

The 2017 Employment Workspace Review (Wiltshire Council) assessed the site as being in the bottom 20% of sites against a scoresheet of qualitative criteria. It recommended:

“Site could be redeveloped providing alternative site can be locally sourced for Cooper Tires. Site could be redeveloped as part of the Melksham Link Canal project. However, at the time this did not include residential use.”

The study also notes the significant environmental and remediation constraints associated with the site.

Core Strategy Policy 36 supports regeneration opportunities and aims to support and maximise the re-use and provision of economic development on previously developed land including in Market Towns. The Core Strategy policy supports the development of community-led neighbourhood plans to facilitate economic regeneration and the preparation of masterplans for specific sites.

Core Policy 36 (Economic Regeneration) sets out that regeneration of brownfield sites will be supported in the Principal Settlements, Market Towns and Local Service Centres where the proposed uses help to deliver the overall strategy for that settlement, as identified in Core Policy 1 (Settlement Strategy) and in any future community-led plans, including neighbourhood plans, and/or enhance the vitality and viability of the town centre by introducing a range of active uses that complement the existing town centre.

Draft Wiltshire Local Plan: The draft Wiltshire Local Plan Policy 65 continues to protect all employment land and applies development management criteria to establish if a site is no longer suited to current or future business needs and reuse of the site for alternative uses is the only means to deliver wider significant economic, environmental and social benefits to a settlement outweighing the loss of employment land.

Planning for Melksham (2023) identifies a potential future need for c8 hectares of employment land to 2038. It allocates 5 hectares and retains all existing Principal Employment Land including at Avonside, Upside and Bowerhill. Existing and emerging

policies, including in JMNP2, all seek to enable further employment development at the edge of the Bowerhill area to meet business growth needs.

Wiltshire Local Plan does not propose allocation of the Cooper Tires site.

JMNP2 Key Policies

- Policy 1: Sustainable Design and Construction
- Policy 3: Flood Risk and Natural Flood Management
- Policy 4: Ultra Low Emission Vehicle Charging
- Policy 6: Housing in Defined Settlements
- Policy 7.1: Land at Cooper Tires
- Policy 8: Infrastructure Phasing and Priorities
- Policy 9: Town Centre
- Policy 10: Employment Sites
- Policy 11: Sustainable Transport and Active Travel
- Policy 12: Green Infrastructure
- Policy 13: Biodiversity
- Policy 14: Open Spaces
- Policy 17: Trees and Hedgerows
- Policy 20: Locally Distinctive, High Quality Design
- Policy 21: Local Heritage

Justification

Regeneration of Brownfield Land: Cooper Tires is vacant brownfield land in a very sustainable location. Regeneration of the site can help deliver the objectives of JMNP2 and the adopted Wiltshire Development Plan.

The site is assessed as poor quality for renewed employment use and has significant constraints. Viability assessment undertaken by JMNP2 in relation to mixed use development concepts has demonstrated the need for residential development to enable viable delivery of renewed non-residential commercial, leisure, retail and other employment uses (see evidence base reports).

Conservation and Re-use of Heritage Assets: The site has been the focus of industry since the 18th Century and has been producing rubber and tyres since c1890. Avon Rubber and then Cooper Tires grew to become one of Melksham’s most important employers and a landmark for the town. Production at the plant decreased during the 21st century and fully ceased at the end of 2023.

Designated Heritage Assets (Wiltshire Core Strategy Conservation and Historic Environment Policy 58)

- Avon House (listed Grade II)
- Unicorn Public House (Grade II) adjacent

- Town Bridge (grade 2) adjacent

Proposed Non-Designated Heritage Assets (JMNP2 Policy 21)

- The former art deco canteen building
- Avonside chimney adjacent

Other potential features of heritage value worthy of retention.

- Buildings 94 and 95 – part of the Victorian corn mill complex;
- Rear of building 2, the only remaining part of the Victorian cloth mill complex;
- Victorian stone arch plinths relating to the corn mill
- Building 7 – a 1920s concrete-framed building
- Building 131 – 13 Beanacre Road, an Edwardian semi-detached house

It is unlikely that other buildings on the site would be considered non-designated heritage assets

Meeting Housing Requirements: Cooper Tires site allocation contributes positively towards meeting the JMNP2 housing requirement for Melksham in a highly sustainable location.

Site capacity assessment (AKU 2024) has advised the site is capable of enabling the delivery of c200 dwellings within the plan period. Up to c100 dwellings would be on land in Flood Zone 2, requiring mitigations identified in the site-specific flood risk assessment (WSP 2024).

Viability assessment has advised that affordable housing requirements should be reduced to 10% of the total housing delivered to support the viable delivery. This will secure c20 affordable homes, the allocation does not secure a further c30, in conformity with adopted Core Strategy thresholds. This is similar to the evidenced case study allocation at Innox Mills, Trowbridge.

On balance JMNP2 considers significant weight should be given to the priority of securing regeneration of the site to include mixed commercial uses with a range of town centre edge homes that will be likely to contribute to the vitality of the town centre.

Dialogue with Wiltshire Council in relation to allocation of land at the former library site for c50 extra-care homes has provided evidence that the site is highly likely to deliver a 100% affordable housing scheme. This can secure up to an additional c30 affordable units in a type of housing evidenced as in significant need.

Economy: The allocation seeks to maximise the viable regeneration of employment on the site with regard to JMNP2 Policy 10, Core Strategy Policy 35 and 36 and contributing to meeting employment land needs identified in the Wiltshire Employment Land Review.

Capacity analysis has assessed the potential for a range of new commercial and employment uses within the c8 hectares of Flood Zone 3 land of the main factory site. These uses are considered less vulnerable and compatible with this zone (NPPF Technical Guidance 2012

and Wiltshire SFRA). Account has also been given to re-use and protect the setting of Avon House (listed Grade 2) and the former canteen building. An allowance has also been made for flood mitigation measures. Further details can be read in the Cooper Tires conceptual development specifications note (AKU 2024).

The allocation seeks to optimise the balance between enabling renewed employment uses and housing to secure the most viable and deliverable mix of uses, whilst renewing and adding to the range of opportunities for employment space within Melksham in conformity with Wiltshire Core Policies 36 and 37, existing employment land and regeneration.

Flood Risk Areas:

- 2.16 hectares of the site is in Flood Zone 1
- 1.95 hectares of the site is within Flood Zone 2 and
- 8.8 hectares is within Flood Zone 3.

The allocation commits to at least 150 dwellings, and supports further dwellings coming forward by 2038 where this enables viable development.

Local Case Study: The draft Local Plan does not bring forward allocation proposals for the site, similar to that for Innox Mills in Trowbridge. Melksham’s community fully support JMNP2 promoting the site for mixed use regeneration. The town cannot wait for the five years of marketing required by WLP policy 65 to establish the site’s current obsolescence, before mixed use regeneration can be commenced.

The proposed mixed-use site allocation adopted a very similar approach to that already adopted by Wiltshire Local Plan in its allocation to enable the residential led regeneration of the Innox Mills site (Policy 55, Land at Innox Mills). This site is also constrained by Flood Zones 2 and 3, but is nonetheless proposed for housing development, where there is a plentiful supply of reasonably available land in zone 1, at Trowbridge.

As with the WLP Policy 55 approach to Innox Mills, the JMNP2 allocation requires the approval of a comprehensive master plan and delivery framework that should inform and direct potentially phased delivery of the site’s regeneration, that may extend beyond the lifetime of JMNP2.

To enable this, JMNP2 only commits the site to delivery of up to 150 dwellings by 2038, but provides support for up to 300 to support longer term deliverability. Early stages of residential development are evidenced to be deliverable at prudent densities of between 50-60 DPH within flood zone 1 and 2 parts of the site.

Sustainability Appraisal: Wiltshire Council conducted a Sustainability Assessment of all shortlisted strategic allocation sites to resolve the most sustainable locations for allocation. It used a range of sustainability criteria to generate an overall score. (See Reg19 Local Plan Site Sustainability Assessments). At Trowbridge, the case study Innox Mills site scored

highest, achieving a better overall score than other greenfield options due largely to its sustainable location and lower environmental impact.

A similar exercise was undertaken by JMNP2 to test the Cooper Tires site. Whilst it is not claimed to be part of Wiltshire Council’s process, its initial conclusions were similar to those for Innox Mills.

Technical Studies: JMNP2 Allocation at Cooper Tires is informed by a suite of due diligence studies by its owner, conceptual use and capacity studies undertaken by a qualified master planning consultant (AKU), working in coordination with viability experts. The allocation also has regard to appropriate planning of more vulnerable residential and less vulnerable non-residential land uses in relation to the existing areas of flood zone 1, 2 and 3 land.

The resulting allocation balances the support for development of up to 300 dwellings, initially and primarily on 4 hectares of flood zone 1 and 2 land. It also requires the delivery of new employment uses that are also appropriate on flood zone 3 parts of the site. Such regeneration will be likely to intensify and diversify economic activity within a remaining (c6-8) hectares of the site, providing opportunities for development of uses most sustainably suited to edge of town centre locations.

The site specific Flood Risk Assessment (WSP 2024) provides guidance to inform how potential residential development within zone 2 can be made safe, without impacting on other parts of the site or neighbouring land. It also addresses how future phases may address achieving some residential development outside of zone 1 and 2.

Conceptual Land-Use Budgets (AKU): Site capacity studies undertaken by Anthony Keown Associates in 2023/24 have assessed realistic land use capacities related to Flood Risk zones identified in the EA Flood Maps for Planning and Wiltshire SFRA and with regard to NPPG land use flood vulnerability categories. Land uses and amounts have also been informed by independent viability assessment (Bailey Venning 2023/24). See Evidence base documents.

Capacity Summary:

Allocation boundary - 12.88 ha.

Allocation / viability land use zones and capacities

● Conceptual zone for residential development (main) -	3.90 ha.
● Conceptual zone for residential development (secondary) -	0.07 ha.
<u>Sub Total (more vulnerable use)</u>	<u>3.97 ha.</u>
● Conceptual zone for commercial development -	4.74 ha.
● Conceptual zone around retained buildings -	1.96 ha.
● Conceptual zone for linear park (main) -	1.58 ha.
● Conceptual zone for linear park (secondary) -	0.30 ha.

● Conceptual zone for SuDS infrastructure -	0.31 ha.
● Water around Melksham Gate weir -	0.02 ha.
<u>Sub-total (less vulnerable/water compatible uses)</u>	<u>8.91 ha.</u>

Total **12.88 ha.**

Residential capacity

Density:@49 DPH

- Houses: 94
- Apartments: 101
- Total: 195

+retained heritage buildings allowance c15

Total = c210

Site Flood Risk Areas

Flood Zone 1: 2.16 hectares

Flood Zone 2: 1.94 hectares

Flood Zone 3: 8.78 hectares

Residential land/capacity in Flood Zone 1 and 2

FLOOD ZONE 1: 2.16 hectares - @49 DPH = c107 dwellings

FLOOD ZONE 2: 1.81 hectares - @49 DPH = c88 dwellings

Conclusion

To facilitate the viable phased delivery of the mixed-use regeneration of the Cooper Tires site, the initial development of Flood Zone 1 land will enable at least c110 dwellings. Further residential development within c1.9 hectares of the site within Flood Zone 2 can enable for the development of c90 dwellings.

An average density of c49DPH across the 3.97 hectares will be compatible with the integration of sustainable drainage, flood mitigation and safe escape route measures as outlined in the site-specific Flood Risk Assessment (WSP 2024) which was provided by the site owner as evidence.

If an average density of +70 DPH is applied, which has been assumed by Wiltshire Council for the local case study allocation at Innox Mills (and JMNP2 Stage 2 site assessment), this would produce a site capacity of c280 dwellings across Flood zones 1 and 2 or c140 within just zone 1 land. Whilst, together with the former library site, such a density on just Flood Zone 1 land would nearly meet housing requirements, JMNP2 does not consider such a high density will deliver a range of housing types and sizes to meet local needs.

Conclusion

Allocation of Cooper Tires site is well-supported justified and deliverable.

Evidence gathered has demonstrated that the proposed allocation of the site for mixed use development is in general conformity with national and strategic policies. It adopts a proactive and positive approach to the site's regeneration that is well-supported by the local community and is not addressed by the emerging strategic plan.

The challenges of making an effective and deliverable allocation of this site are addressed by proportionate and robust evidence gathered in a collaboration between JMNP2, site owners and Wiltshire Council.

A cautious allocation of at least 150 dwellings within a mixed use regeneration will support initial development within flood zone 1 and 2 and potential for further residential development to support viable regeneration.

Appendix

Cooper Tires Site

Employing Wiltshire Council Sustainability Assessment Methodology

Compression Assessment

This sustainability assessment framework employs the methodology and sustainable development objectives used by Wiltshire Council in its assessment of the relative sustainability of reasonable alternative potential strategic allocation sites.

This desktop assessment is illustrative. It is not intended to supersede site assessments undertaken as part of JMNP2 sites selection process. It is intended to illustrate that, as with the local case study site at Innox Mills, Trowbridge, the Cooper Tires site also demonstrates levels of sustainable development credentials that would be likely to place it as one of the most sustainable options for site allocations at Melksham, above greenfield alternatives. This includes land south of Western Way (Site 1025) and land at Snarlton Farm (SHELAA Site 3525) which was assessed by WC as part of WLP Site 1. Both were assessed as being one of the most sustainable greenfield strategic site options at Melksham.

SHELAA Site 1025 was not considered suitable for allocation by JMNP2 in the initial sites allocation assessments due to its value as a green gap between settlements. New circumstances remove the ability of JMNP2 Policy 19 (Green Gaps and Wedges) to protect this site from development. SHELAA Site 3525 was assessed by JMNP2 as being potentially suitable, but partially within Flood Zones 2 and 3 along the route of Clackers Brook. It is also significantly larger than is needed to address JMNP2 requirements.

This illustrative assessment was undertaken by Vaughan Thompson who is a chartered town planner (MRTPI) with knowledge of the Cooper Tires site, its context and the Wiltshire Local Plan assessment process.

Cooper Tires	WILTSHIRE LOCAL PLAN SUSTAINABILITY ASSESSMENT CRITERIA
SEA Topic	Response
SA objective 1 – Protect Biodiversity and geological	

features and avoid irreversible losses	
<p>1 Avoid potential adverse impacts of development on local biodiversity & geodiversity</p>	<p>The site is previously developed land with the River Avon bordering at its eastern edge.</p> <p>The River Avon is designated as a County Wildlife Site. It is lined by trees and vegetation being of likely importance to species.</p> <p>Development should avoid removal of trees. A buffer should be provided to this feature that is appropriate in width.</p> <p>Protection, maintenance, and enhancement should be provided for habitats, trees within and along the boundaries of the site</p> <p>A minimum of 10% net gain for biodiversity is required within individual sites (as per latest biodiversity metric) and the overall layout and design of this site should ensure that habitat creation provides connectivity to adjacent or nearby habitat areas.</p>
<p>2 Protect and enhance designated and non-designated sites, priority species and habitats and protected species?</p>	<p>Key features on this previously developed site include the River Avon bordering the site on its eastern boundary.</p> <p>The River Avon County Wildlife Site is likely to represent priority habitat while species utilising the tree and vegetation lined corridor may include bats and otter.</p> <p>Development of the site has the potential to increase recreational pressure upon identified protected species, habitats, and designated/non-designated biodiversity features in the local area and this must be assessed and mitigated accordingly. Given no protected sites lie within walking distance of the</p>

	proposed allocation, recreational pressure issues are reduced.
3 Ensure that all new developments protect Local Geological Sites from development?	There are no LGS within or in close proximity to this site.
4 Aid in the delivery of a network of multifunctional Green Infrastructure?	<ul style="list-style-type: none"> The development of the site should conserve and enhance green infrastructure and holds the potential to make suitable provision for buffers at recognised water course/green corridors.
Assessment outcome	Neutral 0
SA objective 2 - Ensure efficient and effective use of land and the use of suitably located previously developed land and buildings Decision-Aiding Questions. Will the development site...	
1. Ensure development maximises the efficient use of land?	<p>It is considered that development of this brown-field site could deliver appropriate densities in line with local planning policy and Melksham Design Guidance (2023).</p> <p>Its central location in close proximity to public transport links, your town centre and local shopping and services, King George V Park and on-site employment create opportunity for lower levels of on-site car parking.</p>
2 Maximise the reuse of Previously Developed Land?	This 12.88 hectare site consists entirely of brownfield land. Developing this site could maximise the reuse of this land.
3 Encourage remediation of contaminated land	<p>This site consists of former industrial land used for the manufacture of rubber. There is contamination on site.</p> <p>A detailed assessment of the site and a remediation and mitigation strategy would be</p>

	required prior to any development coming forward.
4 Result in the permanent loss of the Best and Most Versatile Agricultural land (Grades 1, 2, 3a)?	No
5 Lead to the sterilisation of viable mineral resources?	No
6 Support the provision of sustainable waste management facilities to help reduce the amount of waste generated	There are no known reasons why sustainable waste management facilities and integrated recycling infrastructure could not be incorporated successfully into the design and layout of this site.
Assessment outcome	Moderate (significant) positive effect 2
SA objective 3 - Use and manage water resources in a sustainable manner Decision-Aiding Questions. Will the development site...	
1 Protect surface, ground and drinking water quantity/quality	This site is not covered by a Source Protection Zone, Drinking Water Protected Area, or Drinking Water Safeguard Zone. Development of this site will need to make suitable provision to protect and, where appropriate, improve local surface and groundwater quality – this includes ensuring that enough buffer zones are located adjacent to the River Avon to ensure runoff does not enter. Consideration should be given to

	Sustainable Drainage Systems to control the risk of surface water flooding from impermeable surfaces.
2 Adequate water supply, foul drainage, sewage treatment facilities and surface water drainage are available	<p>This site falls within the catchment area supplied by Wessex Water.</p> <p>Water supply demands may increase from development occupants. It is likely that moderate off-site infrastructure reinforcement would be required.</p> <p>The area covered by Wessex Water has been classed by the Environment Agency as ‘seriously water stressed’. Steps will need to be taken to ensure the efficient use of water through the development and occupation of the site.</p> <p>With regard to foul water network capacity, it is likely that moderate off-site infrastructure reinforcement would be required.</p> <p>Replacing industrial water infrastructure may affect site viability.</p>
Assessment outcome (on balance):	Moderate (significant) adverse effect. -2
SA objective 4 - Improve air quality and reduce all sources of environmental pollution Decision-Aiding Questions. Will the development site	
1 Minimise and, where possible, improve on unacceptable levels of noise, light pollution, odour, and vibration	<p>The site is centrally located close to the A350 and industrial uses at Avonside where noise impacts may arise.</p> <p>A noise impact assessment would be required.</p>
Reduce impacts on and work towards	Melksham does not have an Air Quality Management Area (AQMA). However, new development would feed into

<p>improving and locating sensitive development away from areas likely to experience poorer air quality due to high levels of traffic and poor air dispersal</p>	<p>existing networks of roads that go through the AQMAs of Devizes and Bradford on Avon, potentially further contributing to the elevation of emissions in Melksham and in these AQMAs.</p> <p>Steps would need to be taken to mitigate the impact of new development. If the site is allocated, CIL/S106 contributions would be required to enable the council to put in place funding to enable actions to be taken to reduce emissions. Impacts on local air quality are most likely to arise from an increase in vehicle usage on existing roads and from any new highway infrastructure needed to serve the development. However, this is a centrally located site close to many of the town centre’s amenities, so the adverse effects may be less severe than greenfield sites on the periphery due to walkability to services and facilities. This site on its own is unlikely to have significant adverse effects on air quality. However, potential cumulative effects of a number of different allocations would need to be considered in terms of the context of the town and location of services for any allocations.</p> <p>A proportionate Air Quality Assessment for this site would be required.</p>
<p>2 Lie within a consultation risk zone for a major hazard site or hazardous installation</p>	<p>No</p>
<p>Assessment outcome</p>	<p>Minor adverse effect. -1</p>
<p>SA objective 5 - Minimise our impacts on climate change (mitigation) and</p>	<p></p>

<p>reduce our vulnerability to future climate change effects (adaptation) Decision-Aiding Questions.</p>	
<p>1 Maximise the creation and utilisation of renewable energy opportunities, including low carbon community infrastructure such as district heating</p>	<p>Emissions from new uses should be compared with those from the former industrial processes. It is considered that fewer emissions would be produced during the construction and occupation of the site. Mitigation measures can still be applied within this objective and across the whole framework to reduce emissions. Some examples include building energy efficient buildings, generating on site renewable energy and delivering sustainable transport in line with JMNP policies 1 and 2.</p> <p>It would be possible for a development of this scale to include renewable energy generation; however, this would mainly be within buildings rather than areas of open space.</p> <p>There is no existing district heating network for this site to link into.</p> <p>To help to increase the use and supply of renewable and low carbon energy and heat from this site, there will need to be a positive strategy for energy from these sources from developers, that maximises the potential for suitable development, considers identifying suitable areas for renewable and low carbon energy sources and identifies opportunities for development to draw its energy supply from decentralised, renewable or low carbon energy supply systems and for co-locating potential heat customers and suppliers.</p>
<p>2 Be located within</p>	<p>c80% of the site is within flood zones 2 and 3.</p>

<p>Flood Zones 2 or 3? If so, are there alternative sites in the area within Flood Zone 1 that can be allocated in preference to developing land in Flood Zones 2 or 3?</p>	<p>The site is within an existing employment use, protected by Core Strategy Policy 35 and JMNP Policy 7.1.</p> <p>It is not considered possible for replacement employment development to be located on other sites within Flood Zone 1.</p> <p>Site analysis and an Initial Site Flood Risk Assessment has identified potential for medium risk employment and protected residential development on flood a remediation zone 2 land with mitigation and management measures.</p> <p>Due to being too high risk, subject to the exception test.</p> <p>Flood zone 3 land should include water compatible and low vulnerability uses. A buffer zone should be left adjacent to the River Avon with significant biodiversity enhancement and Green Infrastructure. This would result in the loss of developable land.</p> <p>Consideration should be given to sequentially planning the development of the site to ensure that the risk of flooding is alleviated.</p>
<p>3 Minimise vulnerability to surface water flooding and other sources of flooding, without increasing flood risk elsewhere</p>	<p>There is moderate to significant flood risk to the majority of the site associated with both fluvial flooding, which may be exacerbated by climate change.</p> <p>It is thought to be unlikely that development could avoid these areas and could worsen the flood risk elsewhere if surface water isn't managed sustainably.</p>

	<p>A detailed Flood Risk Assessment and Surface Water Drainage Strategy would be required to identify and mitigate flood risk and to ensure flood risk isn't worsened elsewhere.</p>
<p>4 Promote and deliver resilient development that is capable of adapting to the predicted effects of climate change, including increasing temperatures and rainfall, through design e.g. rainwater harvesting, Sustainable Drainage Systems, permeable paving etc?</p>	<p>Plans for developing this site should take a proactive approach to mitigating and adapting to climate change, considering the long-term implications for flood risk, water supply, biodiversity and landscapes, and the risk of overheating from rising temperatures. It is considered that any future development of this site would need to incorporate appropriate measures to adapt to the predicted future impacts of climate change. The location, layout and design of any new development should be planned through a site framework master plan, to avoid increased vulnerability to the range of impacts predicted to arise from climate change, including flood risk, water supply and changes to biodiversity and landscape.</p> <p>This site is located less than 200m from the town centre, open spaces, station and local supermarkets, which could enable active travel to the town centre and ease of access to public transport.</p> <p>Development would need to include adaptation measures such as designing to prevent overheating, heat resistant landscaping, more resilient foundations, drought resistant planting and for generally more resilient buildings and spaces (general design and robust materials). Enough land would need to be set aside for robust surface water management, to include comprehensive surface water drainage measures (including SuDS).</p>
<p>Assessment outcome</p>	<p>Moderate (significant) adverse effect -2</p>
<p>SA objective 6 - Increase the proportion of energy</p>	

generated by renewable and low carbon sources of energy.	
<p>1 Support the development of renewable and low carbon sources of energy?</p>	<p>As this is an urban regeneration site, there may be less open space available for opportunities to support energy generation from renewable and low carbon sources. There may still be opportunities for renewable energy generation on a smaller scale, for example, solar panels on roofs. To help to increase the use and supply of renewable and low carbon energy and heat from this site, there will need to be a positive strategy for energy from these sources from developers, that:</p> <ul style="list-style-type: none"> • maximises the potential for suitable development. • considers identifying suitable areas and options for renewable and low carbon energy sources; and • identifies opportunities for development to draw its energy supply from decentralised, renewable or low carbon energy supply systems and for co-locating potential heat customers and suppliers.
<p>2 Be capable of connecting to the local Grid without the need for further investment</p>	<p>The electricity infrastructure is constrained across much of Wiltshire. The Grid Supply Points in Wiltshire, located in Minety and Melksham are both constrained. The Bulk Supply Points across Wiltshire are also constrained.</p> <p>Due to the uptake of low carbon technology, and the move towards net zero, the Climate Change Committee have estimated that energy demand could almost treble by 2050. This increased pressure on the system is something SSEN, as Distribution Systems Operator, is working on in order to manage new system capacity. Solutions may include flexible connections, renewable energy, and further</p>

	investment to reinforce the current infrastructure. Early engagement with SSEN may be required to discuss connections issues and new solutions may be required.
3 Create economic and employment opportunities in sustainable green technologies?	There may be parts of the site that could be suitable for renewable and low carbon energy sources and supporting infrastructure including the River and weir. However, it is likely that most of the site will be used for development to improve viability. With less renewable energy generation on site there are fewer possibilities for development to draw its energy supply from decentralised, renewable or low carbon energy supply systems onsite and for co-locating potential heat customers and suppliers.
4 Deliver high-quality development that maximises the use of sustainable construction materials?	Development of this site would be able to deliver a high-quality development that makes maximum use of re-purposed fabric and sustainable construction materials throughout the development.
5 Deliver energy efficient development that exceeds the minimum requirements set by Building Regulations?	New development should also consider incorporating EV charging points into site design and also into individual dwelling design, where possible. However, this will need to be factored into the increased demand the site will have on the existing infrastructure.
Assessment outcome (on balance):	Minor positive effect +1
SA objective 7 - Protect, maintain and enhance the historic environment.	
1. Conserve and enhance World Heritage Sites, Scheduled	Development at this site would have an impact on the Grade II Listed Avon House and non-designated heritage asset, former canteen building. There would be a requirement to

<p>Monuments, Listed Buildings, the character and appearance of Conservation Areas, Historic Parks & Gardens, sites of archaeological interest and, where appropriate, undesignated heritage assets and their settings?</p>	<p>include uses for Listed Buildings and heritage assets and to respect their setting and settlement pattern, character and appearance of the town. There is a potential for enhancement.</p> <p>Brownfield site has been subject to development, archaeological remains may survive but are also likely to have been disturbed.</p> <p>Further investigation is likely needed during a planning application process to identify the presence and significance of as yet unknown archaeological remains across the site.</p> <p>Mitigation strategy could include preservation by record where relevant.</p> <p>The site is located within an industrial and extractive landscape and within a built-up area therefore there is no historic landscape sensitivity. No mitigation strategy is identified at this stage. The potential for significant adverse historic landscape effects is low.</p>
<p>2. Maintain and enhance the character and distinctiveness of settlements through high quality and appropriate design, taking into account, where necessary, the management objectives of Conservation Areas?</p>	<p>In accordance with national policy/local policy, the development of the site for housing and employment uses could maintain and enhance the distinctiveness of settlements through high quality design. No details of any potential future development scheme or design and layout are currently known. Development of the site would have the potential to appropriately protect and enhance designated and non-designated heritage assets according to their significance. The site is not adjacent to a conservation area but is adjacent to listed buildings. It is considered that development has the potential for appropriate mitigation measures to safeguard the historic environment of the site and its immediate surroundings.</p>

Assessment outcome (on balance):	Minor adverse effect -1
<p>SA objective 8 - Conserve and enhance the character and quality of rural and urban landscapes, maintaining and strengthening local distinctiveness and sense of place.</p>	
<p>1 Minimise impact on and, where appropriate, conserve and enhance nationally designated landscapes e.g. National Parks and AONBs and their settings?</p>	<p>Significant impacts on nationally designated landscapes from development are not anticipated.</p>
<p>2 Minimise impact on, and enhance, locally valued landscapes through high quality, inclusive design of buildings and the public realm?</p>	<p>The site is located to the immediate north-west of Melksham town centre and within c500m of the railway station.</p> <p>The site comprises a substantial area of hardstanding. The heritage assessment (Install 2023) has identified a small number of historic former factory buildings and features remaining on the site, particularly grouped adjacent to the listed building.</p> <p>Mature trees line the bank of the River Avon linking into the countryside.</p> <p>Within the site there are mature trees within the Bath Road frontage car parking and at the south-western corner of the site.</p> <p>This is an undesignated urban landscape that is in generally poorer condition but has significant landscape value because of its contribution to</p>

	<p>the riverside or its landmark status within the factory environment.</p> <p>The former factory buildings and mature trees within the site and along the river corridor contribute to a local sense of place and local value</p> <p>Overall, the site is of generally low landscape sensitivity to development and generally high capacity to accommodate development.</p> <p>Potential for significant adverse effects include the following:</p> <ul style="list-style-type: none"> • Potential for new built form to be conspicuous and break the existing roofline in views from within the conservation area. • Potential for new built form to erode the industrial character of the townscape and be out of keeping, particularly considering the distinctive former factory buildings. • Potential loss of riverside tree boundaries and landmark trees that would alter the sense of place and remove vegetation links through the urban area. <p>Scope for mitigation include the following:</p> <ul style="list-style-type: none"> • Limit development heights in order to keep development within the existing roofline levels of the surrounding townscape. • Avoid development that is uncharacteristic of the industrial scale, pattern and vernacular. • Retain and manage trees as part of a mature landscape framework.
<p>3 Protect and enhance rights of way, public open space and common land?</p>	<p>There is no public open space or common land within this site. There are opportunities to increase connectivity to surrounding destinations, including the town centre and train station.</p>

Assessment outcome (on balance):	Major (significant) positive effect +3
SA objective 9 - Provide everyone with the opportunity to live in good quality, affordable housing, and ensure an appropriate mix of dwelling sizes, types and tenures Decision-Aiding Questions. Will the development site...	
1 Provide an appropriate supply of affordable housing?	House building rates have been lower than what was anticipated by the WCS although there have been reasonable levels of affordable housing delivery. Notwithstanding any mitigation that may be required which results in a reduced developable area, the development range for this site means that it has potential to deliver a small number of affordable homes.
2 Support the provision of a range of house types and sizes to meet the needs of all sectors of the community?	Should this 12.88 hectare site be developed for residential and mixed uses, notwithstanding any mitigation that may be required which results in a reduced developable area, it has the potential to provide for a range of housing types and tenures addressing local needs, with potential to deliver a range of high-quality, sustainable homes.
Assessment outcome (on balance):	Minor positive effect. +1
SA objective 10 - Reduce poverty and deprivation and promote more inclusive communities	

with better services and facilities	
<p>1 Maximise opportunities for affordable homes and job creation within the most deprived areas?</p>	<p>Melksham is subject to areas of deprivation, therefore while directing development towards this location could have some benefits, it is unlikely that the site would result in maximising opportunities to direct affordable homes and jobs towards the most deprived areas.</p> <p>The site could deliver c300 homes and could lead to new affordable house types and tenures.</p> <p>There would be benefits for the Melksham area through housing provision, short-term construction jobs and a larger workforce for local businesses.</p>
<p>2 Be accessible to educational, health, amenity greenspace, community and town centre facilities which are able to cope with the additional demand?</p>	<p>The site adjoins Melksham town centre and benefits from access to services, facilities and public transport connections in the area. The River Avon presents an opportunity for onsite amenity greenspace.</p> <p>Housing development at this site would be expected to provide proportionate support for education.</p> <p>Early years places could be supported through the expansion of existing local provision, primary places could be provided through the expansion of existing schools or through the creation of additional places at the new schools proposed at Pathfinder Place and Blackmore Farm. Financial contributions would be required to supply new secondary school places off-site. To increase capacity in existing or new facilities financial contributions would be required.</p> <p>There is a possibility that the residential development of the site will adversely affect the delivery of health services. Financial</p>

	contributions are to be sought through development to ensure new residents have access to healthcare facilities, resulting in negative impacts on health provision.
3 Promote/create public spaces and community facilities that support public health, civic, cultural, recreational and community functions?	The site is bounded by the existing community on Scotland Road, the A350 and "The City", along Bath Road. Any new facilities, homes and sustainable transport connections in this area would serve Melksham predominately. The site would make no contribution to the reduction of rural social isolation.
Assessment outcome (on balance):	Moderate (significant) positive effect +2
SA objective 11 - Reduce the need to travel and promote more sustainable transport choices.	
1 Promote mixed-use developments, in accessible locations, that reduce the need to travel and reduce reliance on the private car	<p>The site is located in a highly sustainable location, with all necessary infrastructure and service demands within the preferred maximum walking distance.</p> <p>However, traffic congestion on A350 and in the town centre is an existing issue (prior to delivery of proposed Melksham by-pass). The capability of local infrastructure to accommodate additional all mode movements should be addressed directly by any scheme brought forward.</p> <p>In conformity with Development Plan policy, development should optimise the number of diverse jobs within the employment element of the scheme, but potentially within a mixed use master planned approach that includes residential development where appropriate.</p> <p>The second aim of the development should seek to maximise connectivity with the town centre and other employment centres in a sustainable</p>

	<p>way and thereafter accommodate any local highway capacity concerns by mode.</p> <p>Local Constraints Local pedestrian and cycling connections to the site are fair, but there is capacity within the highway network and the sites for their significant improvement connected to enhancements prioritised for the town centre.</p> <p>Whilst Cooper Tires has previously generated significant employee and servicing movements, the mix of employment, commercial and residential units can present conflicts. The planning of employment units needs to be directly considered against the potential servicing implications and impacts upon adjacent existing and any planned new residential development. Such consideration will include direct servicing provision, impact upon commercial and residential parking, the design of streets and the potential need to apply Traffic Regulation Orders to control local on-street parking within the development.</p>
<p>2 Provide suitable access and not significantly exacerbate issues of local transport capacity?</p>	<p>Development can provide access points to Bath Road and Scotland Road. The quantum and mix will be supported by a transport assessment.</p>
<p>3. Make efficient use of existing transport infrastructure and promote investment in sustainable transport options, including Active Travel?</p>	<p>The site is well-connected to existing highway, public and pedestrian transport infrastructure within easy and level (5 mins) walk of all parts of the site. It provides a strong incentive to minimise the use of cars for local trips to the town centre and convenience shopping and for leisure.</p>
<p>Assessment outcome (on balance):</p>	<p>Minor positive effect 1</p>

<p>SA objective 12 - Encourage a vibrant and diversified economy and provide for long-term sustainable economic growth.</p>	
<p>Support the vitality and viability of town centres (proximity to town centres, built up areas, station hub)?</p>	<p>The 12.88 hectare site adjoins the town centre and is within 400m of Melksham Station. The site is within a built-up area and is in close proximity to Avonside Enterprise Park Principal Employment Area. The site would therefore be able to make an excellent contribution towards supporting the regeneration of the town centre, town centre vitality and associated facilities.</p>
<p>Provide a variety of employment land to meet all needs, including those for higher skilled employment uses that are (or can be made) easily accessible by sustainable transport including active travel?</p>	<p>The 12.88 hectare site is now un-used in the built-up area of Melksham. Through regeneration it would be likely to support an element of mixed-use development, Including regenerated employment to meet local and regional needs and demands to compliment Melksham’s employment land offer at Bowerhill and through allocation of 5 hectares of employment land east of Melksham. Access to the railway line and A350 suggests this site may be attractive for higher skilled employment and could help to provide different types of employment land to meet a range of needs.</p>
<p>3. Contribute to the provision of infrastructure that will help to promote economic growth, including opportunities to maximise the generation and use of renewable energy and low-carbon sources of</p>	<p>The site benefits from excellent access to the train line and existing transport network. Master plan led development including new linking routes could help improve connectivity around the site and to the train station. New employment and other uses at this site could support the viability of enhanced rail services or increased frequencies. To help to increase the use and supply of renewable and low carbon energy and heat</p>

energy?	from this site, there will need to be a positive strategy for energy from these sources that maximises the potential for suitable development, considers identifying suitable areas for renewable and low carbon energy sources and identifies opportunities for development to draw its energy supply from decentralised, renewable or low carbon energy supply systems and for co-locating potential heat customers and suppliers.
4 Promote a balance between residential and employment development to help reduce travel to work distances?	The existing site is wholly within employment use, but is not a Principal Employment site, close to existing commercial uses, the town centre and public spaces. A residential, employment or mixed-use development at this site could be complementary to Melksham town centre, significantly reducing the need to travel for employees and residents of the site.
Assessment outcome (on balance):	Major (significant) positive effect. +3
Assessment Total	

MEL 01 and TC4. Former Library and Lowbourne House

The Site

The 0.65 hectare promoted site is owned by Wiltshire Council. It is promoted for the development of c50 affordable extra-care dwellings for qualifying older people. The library and car park were declared surplus to requirements by Wiltshire Council. The site is being actively progressed by Wiltshire Council which intends to manage the accommodation. It has declared all public uses on the site surplus to requirements.

The site includes;

- The former Melksham Library formerly a community facility protected by Core Strategy Policy 49 and JMNP1 Policy 15.
- Lowbourne House, a mid 20th century former office (in short term class E use). Employment uses are protected by Core policy 35 and JMNP1 Policy 10.
- A neighbouring vacant take-away restaurant (class E), protected by JMNP1 Policy 9 (Town Centre).
- A 66 space public car park that predominantly served the library.
- The site is within Melksham Town Centre, Melksham Conservation Area and contains protected trees.

Availability

Wiltshire Council is owner of the whole proposed allocation site.

It has promoted the site specifically for the development of 100% affordable extra care housing to be managed by the authority. Ongoing dialogue (3 May 2024) confirms the site is still available for allocation and plans for its development are being progressed.

Site Assessment

Stage 1 and 2 site assessment of the site found the site to be potentially suitable but identified constraints and policy challenges.

'The site is previously developed land located in the town centre of Melksham, well located for key services.

The site includes a former library, Lowbourne House, which is currently in employment use and associated surface car parking. A new library is provided as part of the Melksham Community Campus located in Melksham Town Centre. The loss of community facilities and potential loss of employment space should be justified in relation to the range of criteria set out in Core Policy 35 and 59 of the adopted Wiltshire Core

Strategy and Policy 15 of the Joint Melksham Neighbourhood Plan. Core Policy 36 of the adopted Wiltshire Core Strategy supports the regeneration of brownfield sites in Melksham

where the proposed uses help deliver the overall strategy for that settlement and/or enhance the vitality and viability of the town centre by introducing a range of active uses that complement the existing town centre.

The site has limited environmental constraints and has existing access to support the proposed development. The site includes a Sycamore tree protected under the Tree Preservation Order which should be retained.

The site is located within the Conservation Area and in close proximity to a significant number of designated heritage assets. Further heritage assessment would be required to understand the potential impacts of development and identify appropriate mitigation. The redevelopment of brownfield sites in the Town Centre is generally supported by Policy 9 Town Centre of the Joint Melksham Neighbourhood Plan and Core Policy 36 of the adopted Wiltshire Core Strategy.

The site is promoted by the landowner and available for development, however, its development timeframe may be impacted by the lease at Lowbourne House.” No significant issues were raised.

Stage 3-5 Assessment

Stage 3 dialogue with Wiltshire Council (and responses to Reg 14(A) consultation did not object to its proposed allocation.

Stage 4 consideration by Steering Group had regard to further technical evidence provided by the site promoter, capacity, land-use. Wiltshire Council provided initial sketch capacity assessments that give early indication that the site is capable of accommodating c50 extra-care apartments, aligning with baseline capacity estimates by the Stage 2 assessment.

Stage 5 dialogue with the landowner’s agent re-confirmed the site’s availability, updated on its future sale and informally agreed a reasonable and deliverable ambient density of c50-60DPH upon which to calculate residential capacity. Wiltshire Council, confirmed in an email dated 2 May 2024, that it was assembling its team to progress a scheme design.

Key JMNP2 Objectives

- Supporting sustainable development of new housing and associated facilities within settlements, and adjacent to settlements.
- Protecting and enhancing the vitality of Melksham town centre.
- Promoting opportunities for people to lead healthier lifestyles with a greater sense of well-being.
- Ensuring that new development is sympathetic to our built heritage and the character of the area, with high standards of design.
- Encouraging cycling and walking and journeys by rail and bus to reduce the need to travel by car.

- Planning for new development that addresses the impact of climate change.

Policy Context

NPPF

Brownfield Land; As above

NPPF Paragraph 66 (b) directs planning policies to provide housing to meet community needs including “specialist accommodation for a group of people with specific needs (such as purpose-built accommodation for the elderly.)

It is recognised that such housing should be provided in the most sustainable locations to maximise the quality of life for older residents and minimise the need for car journeys by residents and staff.

Wiltshire Core Strategy

Wiltshire Core Policy 49 seeks to protect existing community facilities and community facilities uses on a site. Melksham has a new Community Campus facility which provides enhanced and increased library, sports, swimming and civic facilities with a high quality public car park close to the town centre and in close proximity to the Assembly Hall and Town Hall. This provides a much enhanced and highly accessible multi-functional consolidation of community facilities for the town.

The associated public car park is protected by Core Strategy Policy 64. Its use has been assessed by a 2024 Melksham Town Centre Car Parking Study (AECOM) It has a very low level of use, set within the context of an overall surplus of car parking within the town centre. Its loss will not lead to a shortage of public parking.

Lowbourne House occupies part of the rear of the site. The employment uses it hosts will be lost with redevelopment of the site, contrary to JMNP policy. However, this should be balanced with long-term employment that will be generated by the proposed extra-care facility. JMNP2 is also proposing the enabling of regenerated employment floorspace at the Cooper Tires site alongside Wiltshire Council’s ongoing protection of Avonside Enterprise Park as a Principal Employment Site.

The former restaurant use is vacant. It is located at the periphery of the town centre and outside of the Primary Shopping Area. NPPF Para 90(f) recognises “that residential development often plays an important role in ensuring the vitality of centres and encourage residential development on appropriate sites.”

JMNP2

JMNP1 Policy 6 supports residential development that meets the needs of an increasing population of older and disabled people and proposals for age restricted housing, extra-care

communities and nursing homes ... only in the most sustainable locations, closely linked to local services and public transport.

Whilst recognising that loss of community, employment and car parking on the site conflicts with other adopted Development Plan policies, evidence identifies that the greater benefits in enabling the development that meets specific identified need for increased specialist residential accommodation on this highly sustainable and accessible site. In addition, alternative and improved community facilities are already provided, car parking is recorded as not being an efficient use of the site and alternative space for employment is available and promoted within and adjacent to the town centre.

Key Policies

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 needs

Policy 5: Pre-application Community Engagement

Policy 6: Housing in Defined Settlements

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

Policy 12: Green Infrastructure

Policy 13: Biodiversity

Policy 14: Open Spaces

Policy 15: Community Facilities

Policy 16: Local Green Spaces

Policy 17: Trees and Hedgerows

Policy 18: Landscape Character

Policy 19: Green Wedges

Policy 20: Locally Distinctive, High Quality Design

Policy 21: Local Heritage

Justification

Meeting Specialist Local Housing Needs in the Most Sustainable Location

JMNP2 Housing Needs Assessment (2022) found the existing stock of specialist older persons' housing in Melksham & Melksham Without consists entirely of retirement housing, with no provision for extra-care. The proportion of those aged 75+ in the local population is projected to rise from 8.6% to 14.5% by the end of the plan period, an increase of 1768 people in the JMNP2 area. It estimates a future need in Melksham & Melksham Without for a range of 444 to 616 specialist accommodation units during the Plan period.

Sustainable Development of Brownfield Land

See Cooper Tires above.

The site combines vacated buildings and underused parking and office facilities. Issues of loss of community facilities are addressed below.

Stage 2 assessment acknowledges the site is extremely sustainably located in its relationship to town centre retail, service, leisure and public transport facilities.

Protecting or Enhancing the Conservation Area

The existing vacant buildings do not contribute positively to the character of the conservation area or adjacent heritage assets. Regeneration of the site to an appropriate scale and design can enhance the character and setting for heritage assets.

Capacity studies indicate c50 dwellings may be capable of providing this.

Evidence

Capacity

The allocation for 50 extra-care dwellings is based upon capacity and scheme concepts provided by Wiltshire Council that illustrate that such capacity can be achieved within a three storey development. This scale of development is compatible with the ambient scale of this part of the Conservation area. The layout indicates that protected trees will not be

impacted. However, final capacity will be resolved through assessment of detailed design, which is enabled through flexibility within the allocation.

Effectiveness and Deliverability

Site Capacity

Stage 2 Site assessment estimated the site to have a capacity for c 45 dwellings, at c70 DPH. Wiltshire Council is actively progressing the promoted development and provided early concepts and information to demonstrate its deliverable capacity for c50 extra-care dwellings and intended programme.

Viability

The draft allocation has been subject to an initial viability check (Bailey Venning 2024). Whilst Wiltshire Council is proposing to deliver a 100% affordable housing scheme, viability assessment of the allocation suggests that a more flexible approach will secure long term viability of the extra-care development. This is reflected in the allocation and does not prejudice Wiltshire Council's intention

Flood Risk

The site is not within Flood Risk Zone 2 or 3. However there is a risk of flooding of Lowbourne adjacent to Clackers Brook. This will not affect the site delivery. However, alternative emergency exit may be achieved via Union Street Car Park, which is owned by Wiltshire Council.

Conclusion

Evidence has demonstrated that this brownfield site no longer serves its former purposes and is assembled by a single public sector land owner to provide specialist housing that is forecast to be in greater need in a highly sustainable location, which is compatible with Melksham town centre. The loss of community facilities is more than addressed by the new campus facility. There is an oversupply of car parking and lost employment space is being replaced by new employment within the site and through the allocation of housing.

The site is shown to be capable of accommodating c50 extra-care dwellings in a form of development that is likely to be compatible with its conservation area setting.

Wiltshire Council, the site owner and intended development manager, is actively progressing the scheme establishing its likely deliverability.

Land South of Western Way (Site 1025)

The Site

The 12.2 hectare greenfield site is located south of Western Way, east of the A350 and west of new residential development and proposed primary school at Pathfinder Way, and is available for allocation. Outline planning consent for 210 dwellings and a 70 bed care home was granted on appeal in November 2023. Wiltshire Council are also in the early planning stages for a strategic central depot on the former golf course land and temporary highway depot to the south of the site.

The outline consent reserves all matters other than the use and access, although layout, height, landscape and access plans are included within approached plans. The consent establishes the principle of housing development on the site (within the conditions of the permission) and is a significant change in circumstances which JMNP2 should have regard to.

Assessment of the site was not identified as suitable, JMNP2 has taken a positive and flexible approach by promoting its allocation, recognising the likelihood of its future development, but seeking to inform the detailed planning process. Allocation also provides a greater level of confidence that JMNP2 can meet housing requirements, thus reducing pressure on Cooper Tires regeneration and removing the quantitative need to consider other greenfield less favourable sites.

New Circumstance- Outline Planning Consent

Matters Fixed

- Site Location Plan
- Access strategy
- Access parameters plan
- Land use parameters plan
- Scale parameters plan
- Density parameters
- Landscape parameters plan

21 Conditions

The scheme is also to provide a new footway and Toucan crossing of Western Way.

Detailed Reserved Matters for Future Application

- Scale of development
- Layout of development
- External Appearance
- Landscape
- Details of access roads and footpaths

All reserved matters must be submitted for approval within three years of November 2023 and development completed within two years of the final detailed approval.

Availability

The site was promoted for allocation through the Local Plan SHELAA and then JMNP2 Call for Sites. Engagement with site promoters in April 2024, re-confirmed the availability of the site for allocation, subject to alignment with outline consent parameters.

Site Assessment

Stage 1 Assessment

The site is greenfield located between Melksham and Bowerhill. It is adjacent to residential development at Site 267 and 266 currently under construction. Development of the site would erode the last remaining buffer between Melksham and Bowerhill, and significantly increase the risk of coalescence of Berryfield and Bowerhill, contrary to Policy 16 of the Joint Melksham Neighbourhood Plan. The site falls under the recommended Green Wedge between Berryfield, Bowerhill and Melksham (Location 7) of the JMNP Green Gap and Green Wedge Assessment 2023.

Other key constraints identified relate to the potential loss of the Best and Most Versatile Agricultural Land. The site is adjacent to an employment area to the south which may have implications in relation to access, noise, odour and air pollution.

The site was considered Not Suitable and did not progress to further assessment.

NB Assessment was undertaken prior to appeal decision, granting outline consent for development of the site for 210 dwellings and 70 bed care home. “

Draft Local Plan Sites Assessment.

Due to the stage 1 assessment outcome and proposed designation of the site within a Green Wedge, JMNP2 sites assessment process did not consider it further. However, due to the appeal decision, it will not be possible for JMNP2 to make this designation. The primary reason for the Stage 1 site assessment outcome has been superseded by these new circumstances.

Site Number and SHELAA ref(s): Site 9 (SHELAA site 1025)

Site name: Land south of Western Way

Site size: 10.22ha Site capacity: approximate range 255 - 358 dwellings

Site description: A small site located to the south of Melksham. The site is greenfield and in agricultural use. The site boundaries extend north to Western Way, east to land with an approved planning application 16/01123/OUT for 235 dwellings, south to Bowerhill

Industrial Estate and west to a narrow strip of land adjacent to the A350. Footpath MELW42 runs along part of the western site boundary.

The Wiltshire Council Sustainability Appraisal process conducted on all reasonable alternative sites found Site 1025 / Site 9 Land South of Western Way, to be the most sustainable alternative site relative to others tested. However, it was not progressed to allocation by WLP due to the lodged planning application.

Whilst JMNP2 sites assessment of the site has not been reviewed, it can be seen that the parallel strategic site assessment process undertaken by Wiltshire Council found the site suitable.

Objective

Response to New Circumstances

The consent removes the ability of JMNP2 to designate the land as a protected green wedge. It establishes the principle and amount of residential development and associated contributions and parameters. Development is not within any strategy for housing growth at Melksham (WLP did not allocate it due to planning application),

Development is required to be delivered within the JMNP2 period by conditions of the consent. It is likely to take three years to complete (ref to engagement with owner's agent).

Matters of detail remain to be resolved including the detailed layout. This includes the precise types and mix of housing.

Allocation plans positively and recognises the principle established by the consent for development. It seeks to regularise and take account of its housing delivery numbers up to 2038 as contribution to meeting local housing requirements set by Wiltshire Council.

Reinforcing Development Parameters

Appeal decision PL/2022/08504 consented development with 21 planning conditions that should govern the content, form, further application process, timescale for delivery and construction management of the development. Allocation seeks to recognise and reinforce the requirements within the development plan.

Addressing Detailed Matters

Detailed matters for further approval are identified by the appeal decision. The allocation seeks to proactively apply JMNP2 objectives and policies in site specifically and through engagement with the community to provide greater levels of clarity to future developers and certainty to existing and future neighbouring residents and employers and optimise how the detailed mix, layout, connectivity and appearance of the scheme will optimise community well-being and minimise harm.

Key JMNP2 Objectives

- Planning for new development that addresses the impact of climate change.
- Supporting sustainable development of new housing and associated facilities within settlements, and adjacent to settlements.
- Promoting the delivery of infrastructure to address the needs of the population.
- Supporting improved transport infrastructure for the increasing Neighbourhood Plan Area population.
- Encouraging cycling and walking and journeys by rail and bus to reduce the need to travel by car.
- Protecting, connecting and increasing our network of green spaces.
- Promoting opportunities for people to lead healthier lifestyles with a greater sense of well-being.
- A locally distinctive and high quality built and natural environment through:
- Conserving and enhancing the quality of the natural landscape.
- Ensuring that new development is sympathetic to our built heritage and the character of the area, with high standards of design.

Policy Context

Wiltshire Core Strategy

Outline planning consent **PL/2022/08504** was granted on appeal in November 2023. The development is not in conformity with the adopted Core Policy 1 or the 15, the spatial strategy for Melksham. The site was granted consent (uncontested) as a result of Wiltshire Council being unable to demonstrate a five year supply of developable land and failing the requirements of the previous NPPF (Paragraph 11; tilted balance).

Wiltshire Council Local Plan does not propose allocation of the site, nor does it account for the permission in reduction of the residual housing requirement and associated strategic and JMNP2 requirement.

JMNP2

In principle development of this site, which is outside of the settlement boundary and part of the countryside, is contrary to Policy 6: Housing in Defined Settlements. Whilst allocation would not alter the settlement boundary, it would regularise the site in principle and enable its detailed matters to be addressed by JMNP2 within a positive plan led approach.

Key JMNP2 Policies

Policy 1: Sustainable Design and Construction

Policy 4: Ultra Low Emission Vehicle Charging

Policy 5: Pre-application Community Engagement

Policy 6: Housing in Defined Settlements

Policy 7.6 Land South of Western Way

Policy 8: Infrastructure Phasing and Priorities

Policy 11: Sustainable Transport and Active Travel

Policy 12: Green Infrastructure

Policy 13: Biodiversity

Policy 14: Open Spaces

Policy 15: Community Facilities

Policy 17: Trees and Hedgerows

Policy 18: Landscape Character

Policy 20: Locally Distinctive, High Quality Design

Justification

Engagement

Land owner engagement has been undertaken in April 2024 to confirm the ongoing availability of the site for allocation.

Wiltshire Council has confirmed that allocation of Land South of Western Way by JMNP2 is reasonable and meets basic conditions. Case studies within Wiltshire have established precedents that allocation of sites with outline consent are sound (Calne Neighbourhood Plan 2016 - 2026).

Previous Regulation 14A consultation on JMNP2 did not address the new circumstances of the appeal decision. Members of the community supported designation of *the site as a Green Wedge*.

Community feedback to follow from Re14B community consultation. See consultation statement.

Effectiveness and Deliverability

Owner engagement has confirmed the intention to progress detailed reserved matters planning applications and the ongoing availability of the site.

The site is greenfield and assessed to be a reasonable alternative by Wiltshire Council's Reg19 Draft Local Plan sites assessment evidence base.

Access to the site and high level capacity and landscape parameters have been established through the outline planning application process.

Conclusion

The site was previously proposed as a Green Wedge (JMNP2 Policy 19). Appeal decision on outline application PL/2022/08504 removes this ability and establishes the principle for residential development of the site for 210 dwellings and a 70 bed care home. Important matters of detail remain to be resolved.

Allocation seeks to regularise and take account of the delivery of the housing inside the JMNP2 period and proactively guide the quality of the detailed scheme to optimise its conformity with JMNP2 objectives and policies.

The approach has been found reasonable and sound by previous Made NDPs and will contribute to sustainable development.

Shaw and Whitley

Land at Whitley Farm

The Site

The approximately 1.2 hectare site is located within the south western area of the village of Whitley. Whitley Farm is located to the south of First Lane and lies adjacent to Plane Tree Close.

There are three Listed Buildings within the locality of the site; a Grade II listed mounting block to the right of the farm entrance, the Tithe Barn (Grade II) and Whitley Farmhouse (Grade II). The site is not the subject of any landscape designations that would result in additional constraints to development proposals, and the site is located outside of a flood zone.

It is currently under-used for agricultural purposes, and comprises a cluster of agricultural buildings and a significant area of hardstanding. Modern agricultural buildings are in poor repair, which have varying heights rising to a maximum of circa 3.5m to the tallest ridge.

Vehicle access is provided along the north western boundary of the site from First Lane, and there is ad hoc parking surrounding the agricultural buildings. There is a significant amount of extraneous agricultural deadstock and material dispersed throughout the site. The site is traversed by an access road which runs from the north to southern boundary of the site.

The farm is set within its rural landscape, including the rural gap between Shaw and Whitley. Farm structures, unused equipment and detritus have spread into the rural edge of the site and damaged hedges and walls.

In terms of the surrounding area, adjacent to the northern boundary of the site is residential development on First Lane, Plane Tree Close and Springfield Gardens. The majority of these dwellings are single storey or dormer bungalows, and there are no windows overlooking the site directly. The site is within close proximity a number of village amenities, including Pear Tree Inn and Daisy Chain pre-school.

Availability

Whitley Farm (the site) remains available, and the owner is supportive of an allocation of the site in the Joint Melksham Neighbourhood Plan 2 (JMNP2).

Assessment

Stage 1 and 2 Assessment

“The site is potentially suitable for allocation for residential development.

The site predominantly consists of modern agricultural outbuildings and three Grade II listed structures including Whitley Farm (proposed for conversion) and Whitley Farmhouse

(proposed for conservation). It is adjacent to the built up area and settlement boundary of Whitley and is in close proximity to local services along First Lane.

The submitted information notes that the deteriorating farm complex is no longer required for agricultural use as the current road layout is unsuitable for accommodating agricultural machinery and the condition or layout of the buildings is no longer appropriate for modern agricultural requirements.

There are three Grade II listed buildings or structures within the locality of the site. Residential development of the site has the potential to enhance the setting of the existing heritage assets and better reveal significance through high quality design and demolition of the modern agricultural buildings, subject to further consultation with Historic England and the Wiltshire Council's heritage officers, as well as heritage assessment. The adaptive reuse of disused agricultural buildings also helps bring heritage assets into productive use.

The site currently plays a supporting role in the rural transition of Whitley to the open countryside and has some indivisibility with the wider landscape area. However, owing to the scale of the existing agricultural outbuildings and built structures, the change introduced by its redevelopment and conversion of the site would be limited and could be further mitigated through sensitive design and the introduction of an appropriate landscape buffer. This should take into account views to and from the

Public Rights of Way along the southern edge of the site and retain and enhance existing semi-mature trees on site. Development of the site provides an opportunity to help soften the settlement edge.

Other key constraints identified include the potential loss of Grade 3 Agricultural Land and surface water flood risk which would need to be further investigated and/or mitigated."

JMNP1 Allocation Process

Whitley Farm was promoted for allocation to enable the development of c22 dwellings across the existing farmyard. Engagement with Wiltshire Council and Historic England and an independent heritage assessment undertaken by JMNP2 concluded this was harmful over development. The allocation could not be made.

Engagement

Landowner and Wiltshire Council (Heritage)

Landowner discussions continued with Wiltshire Council officers through 2021. In light of those comments:

- Redesign the scheme to reflect a courtyard layout – it was considered that the proposal needed to adopt a more sympathetic approach to the significance of the

listed buildings on site, as well as the layout and historic use of the complex as a whole.

- Minimise the extent of the layout by reducing the amount that it protrudes to the south west, and to consider the transition between the site and the wider agricultural land.

A revised and reduced pre-app scheme was submitted to Wiltshire Council in November 2020, seeking feedback on the acceptability of the layout of the proposals and design concepts.

Regard was given to the guidance in the Farmstead Assessment, the design approach sought to reflect the conversion of a historic farm yard. The dwellings could, in principle, reflect and respond to the rural character of the existing heritage farm buildings, but also include elements of materials found in modern agricultural buildings. A variety of building heights and scales would enable a response that is considered entirely appropriate for the site's edge of settlement location.

Following initial discussions, it was agreed that a minimum of 10 dwellings can be delivered on the site. A further illustrative concept scheme for 21 dwellings (18 new build and 3 through conversion) was assessed by WC. Pre-application response dated 1 Feb 2021 confirmed *'the scheme now shown does include a more typical farmyard layout with a multi yard approach, varying building heights and mixture of retention of historic buildings with new build 'conversions' of traditional farm buildings and more modern farm buildings in terms of style. This mix has the potential to result in an acceptable scheme with more detailed development of the plans.'* However, it was stressed this was restricted to the design and that the principle of residential development of the farm site was not addressed or agreed. Minutes of pre-application discussions consider that allocation by JMNP2 could enable the change of use.

JMNP2 – Wiltshire Council

JMNP2 has progressed consideration of this site in discussion with Wiltshire Council. However, representations made by WC to the draft allocation within JMNP2 during the initial Reg14A consultation in Autumn 2023, raised an in principle objection to its allocation for residential development.

'Conservation/Heritage (summary) Conclusion:

In our opinion the draft plan fails to demonstrate that a housing allocation (which necessarily commits the LPA to a specific quantum and type of development) on this site will be compatible with the statutory duties placed on the Council under Sections 16 and 66 of the Planning (Listed buildings and Conservation Areas) Act 1990 or with the aspirations set out in the Council's own policies set out in the Core Strategy and, in due course, the Local Plan. Officers object to the inclusion of this policy.'

Key Objectives

- Supporting sustainable development of new housing and associated facilities within settlements, and adjacent to settlements.
- Protecting settlements' rural setting and countryside gaps between Melksham, Bowerhill and surrounding villages.
- The retention, regeneration and intensified use of previously developed employment land.
- Conserving and enhancing the quality of the natural landscape.
- Ensuring that new development is sympathetic to our built heritage and the character of the area, with high standards of design.
- Promoting the delivery of infrastructure to address the needs of the population.
- Promoting opportunities for people to lead healthier lifestyles with a greater sense of well-being.

Policy Context

JMNP2

In principle development of this site, which is outside of the settlement boundary and part of the countryside, is contrary to Policy 6: Housing in Defined Settlements. However, delivery of the site as an allocation enables local housing need to be addressed and a number of JMNP2 objectives to be achieved.

Key JMNP2 Policies

Policy 1: Sustainable Design and Construction

Policy 4: Ultra Low Emission Vehicle Charging

Policy 5: Pre-application Community Engagement

Policy 6: Housing in Defined Settlements

Policy 7.3: Land at Whitley Farm, Whitley

Policy 8: Infrastructure Phasing and Priorities

Policy 11: Sustainable Transport and Active Travel

Policy 12: Green Infrastructure

Policy 13: Biodiversity

Policy 15: Community Facilities

Policy 17: Trees and Hedgerows

Policy 18: Landscape Character

Policy 20: Locally Distinctive, High Quality Design

Wiltshire Council Core Strategy

Core Policy 1 recognises Whitley, together with neighbouring Shaw, as a Large Village.

Core Policy 48 deals with development proposals outside the limits of development of Large Villages and supporting rural life, which reads:

“Proposals to convert and re-use rural buildings for employment, tourism, cultural and community uses will be supported where it satisfies the following criteria:

The building(s) is / are structurally sound and capable of conversion without major rebuilding, and with only necessary extension or modification which preserves the character of the original building;

and

ii. The use would not detract from the character or appearance of the landscape or settlement and would not be detrimental to the amenities of residential areas; and

iii. The building can be served by adequate access and infrastructure; and

iv. The site has reasonable access to local services or

v. The conversion or re-use of a heritage asset would lead to its viable long term safeguarding”

In terms of use the Policy offers some flexibility to the strict application of the above, noting that *“Where there is clear evidence that the above uses are not practical propositions, residential development may be appropriate where it meets the above criteria.”*

Core Policy 57 requires development proposals to be carefully planned to ensure valuable features and characteristics are protected and enhanced. Applications for new development will be expected to make a positive contribution to the character of Wiltshire through, for example, being sympathetic to and conserving historic buildings and historic landscapes and making efficient use of land.

Core Policy 58 relates to ensuring the conservation of the historic environment. It states that the designation of a listed building does not preclude the possibility of new development and the council is committed to working pragmatically with owners to find positive solutions which will allow adaptation of such buildings to reflect modern living aspirations.

Wiltshire Local Plan

WLP identifies a housing requirement for a further c50 dwellings to be planned for at Shaw and Whitley.

Justification

The site is in poor condition. It is under used, if not completely unused. It adversely impacts on the setting of the village and does not contribute positively to the on-site listed buildings. It is not efficiently used. It has potential to contribute to meeting local housing needs.

The allocation seeks to enable the replacement of a number of existing farm buildings at Whitley Farm, Whitley, with the erection of dwellings that will contribute to meeting local housing needs and enhance the setting of the listed buildings and surrounding countryside setting. The allocation also seeks to enable the potential sensitive conversion of the Grade II Listed Tithe Barn

The proposed allocation of c15 dwellings has been informed by conceptual designs provided by the site promoter. These have been the subject of pre-application consultation with Wiltshire Council with regard to Heritage England's Farmstead Assessment and initial Heritage Statement of the significance of heritage buildings at Whitley Farm.

Effectiveness and Deliverability

The site has been subject of an independent viability assessment that concludes that the amount of development is viably capable of delivering allocation parameters and contributions. The owner is actively progressing proposals to secure its development

Conclusion

The allocation of the site provides a deliverable and sustainable basis upon which to contribute to meeting local housing requirements and protect and enhance the character of Whitley and the setting of the farm listed buildings and rural setting.

Concerns raised in relation to potential excessive development and harm to the listed buildings have been addressed through a reduced development area and conceptual designs that respond to heritage assessments provided by the owner and undertaken as part of JMNP1 site assessments. This has been accepted by Wiltshire Council Heritage Service via pre-application advice.

Land at Middle Farm, Whitley

The Site

The 3 hectare site is formed from 1.6 ha of land previously allocated for residential development in the first JMNP and a further 1.5 ha immediately to its east. The site is currently greenfield in agricultural use outside of, but adjacent to the settlement boundary.

Availability

The owner has re-confirmed the availability of the revised site.

Initial pre-application engagement with Melksham Without Parish Council commenced in June 2024, demonstrating the progress towards delivery of development

Assessment

Stage 1 and 2 assessments were carried out for

Land at Middle Farm, Whitley two separate sites;

- Plot A (SHELAA Site 3148). 1.6 ha Land already allocated by JMNP1
The site is suitable for allocation of residential development. The site is allocated for residential development in the made Joint Melksham Neighbourhood Plan 2020-2026 for approximately 18 dwellings (Policy 7), which establishes the principle of residential development at this location. The site has been confirmed as available in October 2022 and a planning application is currently being prepared. No more recent or additional information available changes the suitability, availability and achievability of the site.

- Plot B (MEL 07). Land at Middle Farm to the rear of Plot B

The site is unsuitable for allocation for residential development. The site is a greenfield outside but adjacent to the defined settlement boundary of Whitley. It is currently removed from the built up area but adjacent to Site 3148 allocated for residential development in the made Joint Melksham Neighbourhood Plan. The site strongly relates to the rural character of Whitley. Development of the site would constitute a substantial expansion of Whitley to the open countryside disproportionate to its scale, settlement function and service levels.

The site plays a critical role in providing a rural setting to Whitley to the east as a buffer between the settlement and the electricity substation. Its change of use would be contrary to the Management Strategy for this Landscape Character Area, which seeks to maintain and conserve the peaceful rural nature of the area with the villages set in their surroundings of arable and pastoral farmland. This change is likely to have a direct adverse impact on the openness, tranquillity and visual amenity of the

rural transition experienced by users of the Public Rights of Way across the northern boundary of the site.

The site is not currently connected to the adopted Highways Network although potential vehicular, pedestrian and cycle access could be created through Site 3148 in the same land ownership.

Other key constraints identified include potential impacts on the indicative Green Infrastructure Corridor, loss of Grade 3 Agricultural Land, potential impacts on designated heritage assets and proximity to the electricity substation

Stage 3-5 Assessment

Continuation of the pre-existing site allocation was agreed.

The Stage 3-5 assessment considered all potentially suitable sites with regard to existing and proposed land designations and following closer analysis of each site capacity and context.

Sites were excluded where they were within or adversely impacted on the proposed Green Wedges that;

- (a) protected Shaw from coalescence with Melksham and
- (b) protect the distinctiveness and gap between Shaw and Whitley

They were also not taken forward where it was judged that they were poorly related to the existing settlements, requiring significant new highway connections or caused visual impact upon the rural setting of the villages.

A record of these assessments is available below.

As a result of stage 3 assessments there was insufficient suitable site capacity to meet housing requirements for the large village. The Working Group revisited sites found to be unsuitable at Stage 1 that had the capacity to contribute to meeting housing needs efficiently and with potential for mitigation.

Following this process, linked sites at Middle Farm were proposed. The initial proposed allocation of Plot B for c40 dwellings allocated the entire 5 hectare plot, with requirements for significant landscape buffering and a public open space. The developable area of c3 hectares enabled a low density development.

Following the review of Reg14A representations, further consideration of sites was undertaken to resolve a positive response and justified sound allocation at Whitley or Shaw.

Key Objectives

- Planning for new development that addresses the impact of climate change.

- Supporting sustainable development of new housing and associated facilities within settlements, and adjacent to settlements.
- Conserving and enhancing the quality of the natural landscape.
- Protecting settlements' rural setting and countryside gaps between Melksham, Bowerhill and surrounding villages.
- Ensuring that new development is sympathetic to our built heritage and the character of the area, with high standards of design.
- Promoting opportunities for people to lead healthier lifestyles with a greater sense of well-being.
- Promoting the delivery of infrastructure to address the needs of the population.
- Encouraging cycling and walking and journeys by rail and bus to reduce the need to travel by car.
- Protecting, connecting and increasing our network of green spaces.

Key Policy Context

Policy 1: Sustainable Design and Construction

Policy 3: Flood Risk and Natural Flood Management

Policy 6: Housing in Defined Settlements

Policy 7.4: Land at Middle Farm Plot A

Policy 7.5: Land at Middle Farm Plot B

Policy 12: Green Infrastructure

Policy 17: Trees and Hedgerows

Policy 18: Landscape Character

Policy 20: Locally Distinctive, High Quality Design

Policy 21: Local Heritage

Engagement

Regulation 14A

The Regulation 14A version of JMNP2 included two separate but related proposed allocations;

- 7.3 Plot A, rolling the pre-existing 1.6ha allocation for 18 dwellings forward.
- 7.4 Plot B, proposing allocation of a further c40 dwellings.

Justification

Regulation 14A representations considered the allocation of the whole site unjustified and contrary to assessment advice, whereas potentially suitable land at Folly Lane (MEL 11) had not been selected. This was considered unsound.

Assessment Conclusions

Regulation 14 Representations submitted concept design material that supported the allocation or partial allocation of the site. This helped further assessment of the relative merits of the site in comparison with the proposed allocation at Middle Farm.

Stage 2 assessment identified that;

The site plays a critical role in providing a rural setting and separation between Whitley and Shaw. Development of the site in its entirety would result in the direct coalescence between Shaw and Whitley,

It is recognised that proposed development at Folly Lane (MEL 11) could be divided into separate allocations which;

may offer opportunities to retain the physical, visual and perceived separation

Regulation 14 representations provided further detail about how this may be achieved.

To achieve an allocation to meet further housing requirements (in addition to that proposed at Middle Farm Plot A and Whitley Farm) only requires allocation of land to enable development c40 dwellings.

JMNP2 assessment concluded the partial and entire allocation would erode and cause visual impact on the highly valued rural gap between villages and views between Shaw and Whitley. This is considered more harmful than the potential impacts caused at Middle Farm.

In addition, whilst both proposed sites were relatively similar in their level of connectivity to local services, land at Middle Farm Plot B could be accessed using an access already allocated for Plot A and the site enables the delivery of enhanced pedestrian crossing facilities on Corsham Road, connecting communities to education and sports facilities. Achieving access to land at Folly Lane would necessitate further highway access points and road infrastructure causing harm to existing rural lane hedgerow and “suburbanisation”.

Both Folly Lane and Middle Farm sites have potential impacts on the setting of heritage assets. However, those relating to Middle Farm have been accepted and mitigated through the pre-existing allocation (7.4) and are less direct than impacts on the rural setting of Whitley Farm.

Nonetheless JMNP2 Steering Group recognise the need to minimise visual impact caused by allocation of additional land at Middle Farm. In a positive response to this reasonable objection. With the written agreement of the site owner, JMNP2 has reviewed and

significantly revised the approach to the allocation of Land at Middle Farm with the aim of significantly reducing the extent and visual impact of development and making more efficient use of a smaller and combined single new allocation.

The revised allocation consolidates the development of c50 dwellings into a single 3 hectare site that combines Plot A and c2 hectares of Plot B, leaving c3 hectares in agricultural use. The combined site enables residential development at under 30DPH, which reflects 20th century densities in Whitley. It also provides 1 hectare of land reserved for buffer green infrastructure and amenity space. This further reduces the visual presence of proposed housing and reinforces the buffer separation between the village and intrusive electricity sub-station.

Conclusion

With proposed amendments to the allocation, it is concluded that the revised allocation at Middle Farm is the most efficient, least intrusive and deliverable option for meeting housing requirements.

Appendices

[Click on this link](#) to access appended material in support of the topic paper and the site allocations.

