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By email only

Dear Sir/Madam,

Response of Charterhouse Strategic Land to Regulation 14 Pre-Submission Consultation on the Draft Joint Melksham Neighbourhood Plan

I am writing in response to the pre-submission draft Joint Melksham Neighbourhood Plan (“**JMNP**”). Strutt & Parker act on behalf of Charterhouse Strategic Land, who is currently promoting land west of the A350 in Melksham for residential development. This site is referred to as ‘land between the Railway Line and Beanacre Road (Site 10)’ in the *Melksham Neighbourhood Plan Site Assessment Report* prepared by AECOM as part of the JMNP’s evidence base.

Charterhouse Strategic Land welcomes the publication of the pre-submission draft JMNP and recognises the efforts of the Steering Group in developing the JMNP and its accompanying evidence base. In the course of these representations, we wish to make some preliminary observations on the requirements of neighbourhood plans outlined in statute, policy and guidance before commenting on the draft JMNP policies. We also have a number of comments regarding the Site Assessment report and accompanying proformas prepared on behalf of the Steering Group by AECOM and finally wish to take this opportunity to provide the Steering Group with further information on our emerging proposals for the land west of the A350.

Background and statutory role of neighbourhood plans

Neighbourhood planning provides a powerful set of tools for local people to ensure that they get the right types of development for their community where the ambition of the neighbourhood is aligned with the strategic needs and priorities of the wider local area. Amendments to Section 38(6) of the Planning and Compulsory Purchase Act 2004 were made by the Localism Act 2011 and these amendments provide for a process whereby parish councils or bodies designated as neighbourhood forums can initiate the making of a neighbourhood development plan.

Schedule 4B to the Town and Country Planning Act 1990 (as amended) is applied to the process of preparing and making a neighbourhood plan. Paragraph 7 of Schedule 4B requires the local authority to submit a draft neighbourhood plan for independent examination. Paragraph 8, as modified by section 38C (5) (d) of the 2004 Act, provides, so far as material:

“8(1) The examiner must consider the following –

(a) whether the draft neighbourhood development order meets the basic conditions (see sub-paragraph (2)),

(b) whether the draft order complies with the provision made by or under sections 61E(2), 61J and 61L,

...

(2) A draft order meets the basic conditions if –

(a) having regard to national policies and advice contained in guidance issued by the Secretary of State, it is appropriate to make the order,

...

(d) the making of the order contributes to the achievement of sustainable development,

(e) the making of the order is in general conformity with the strategic policies contained in the development plan for the area of the authority (or any part of that area),

...”

Therefore, a neighbourhood development plan must meet the ‘basic conditions’; to have regard to national policies and advice contained in guidance issued by the Secretary of State, to contribute to the achievement of sustainable development and be in general conformity with the strategic policies of the local development plan, this latter provision also being reflected in footnote 16 of the National Planning Policy Framework. (“**the Framework**”).

The Framework sets out the Government’s planning policies for England and its policies are a material consideration in relation to neighbourhood plans. Paragraphs 10 and 11 explain that there is a presumption in favour of sustainable development at the heart of the Framework which plans and planning decisions should apply so that sustainable development is pursued in a positive way. Paragraph 13 explains how the application of this presumption has implications for the way communities engage in neighbourhood planning and that neighbourhood plans should support the delivery of strategic policies contained in local plans or spatial development strategies and should shape and direct development that is outside of these strategic policies.

Paragraph 29 states that:

“Neighbourhood planning gives communities the power to develop a shared vision for their area. Neighbourhood plans can shape, direct and help to deliver sustainable development, by influencing local planning decisions as part of the statutory development plan. Neighbourhood plans should not promote less development than set out in the strategic policies for the area, or undermine those strategic policies.”

Paragraph 30 continues to explain that *“once a neighbourhood plan has been brought into force, the policies it contains take precedence over existing non-strategic policies in a local plan covering the neighbourhood area, where they are in conflict; unless they are superseded by strategic or non-strategic policies that are adopted subsequently”*.

The Planning Practice Guidance (“the Guidance”) sections relating to neighbourhood planning support the policies laid down in the Framework. The Guidance advises at paragraph 040 that *“proportionate, robust evidence should support the choices made and the approach taken. The evidence should be drawn upon to explain succinctly the intention and rationale of the policies in the draft neighbourhood plan”*.

A key element of the Guidance is that a neighbourhood plan must give sufficient clarity to enable a policy to do the development management job it is intended to do having due regard to Guidance. For example, paragraph 041 of the Guidance explains that *“A policy in a neighbourhood plan should be clear and unambiguous. It should be drafted with sufficient clarity that a decision maker can apply it consistently and with confidence when determining planning applications. It should be concise, precise and supported by appropriate evidence. It should be distinct to reflect and respond to the unique characteristics and planning context of the specific neighbourhood area for which it has been prepared.”*

Therefore, our comments on the draft JMNP and its accompanying evidence base outlined below are informed by the above requirements of planning law as well as national policies and guidance in respect of neighbourhood planning.

Planning Policy Background and the general approach taken in draft JMNP

The Development Plan for Wiltshire comprises the Wiltshire Core Strategy, adopted in January 2015 and the Wiltshire Housing Site Allocations Plan, adopted in January 2020. The Core Strategy includes policies and principles regarding the county’s development through to 2026, defines the spatial vision for the Wiltshire Council area including a number of objectives to achieve the vision and sets out the development strategy to meet these

objectives. The document includes strategic planning policies to guide and control the overall scale, type and location of development breaking Wiltshire down into Community Areas. The Melksham Community Area covers 11 parishes in total and Melksham Town is the main settlement. The Melksham Community Area forms part of the North & West Wiltshire Housing Market Area.

It is noted that a recent appeal decision concerning a site at Purton Road, Swindon (Appeal Ref: APP/Y3940/W/18/3202551) confirmed that Wiltshire Council cannot currently demonstrate a deliverable five-year housing land supply in the North & West Housing Market Area. In addition, the Appeal Inspector concluded that as the Core Strategy is now more than five years old and its strategic policies have not been reviewed and found not to require updating, the Core Strategy housing requirement is now out-of-date. Wiltshire Council's local housing need figure, calculated using the standard method, is now the relevant housing requirement for the County.

Wiltshire Council is currently in the early stages of reviewing the Core Strategy and the Council's latest Local Development Scheme (published in March 2020) anticipates the adoption of the Local Plan Review during Quarter 1 2023 with no formal consultation scheduled before Quarter 3 2021, almost four years since the most recent consultation which concluded in January 2018.

Bearing this planning policy background in mind, Charterhouse Strategic Land **welcomes** the draft JMNP's approach to future housing development in the town. It recognises that Wiltshire Council is likely to allocate land for development through the Local Plan Review process and given that no final decision has yet been made on the precise scale or location of any allocation, it is noted that the Town Council has agreed with Wiltshire Council that the draft JMNP should not reach decisions on, or move to allocate, any sites in or on the edge of Melksham. Furthermore, the draft JMNP outlines a joint approach with Wiltshire Council which reflects paragraph 009 of the Guidance that:

“Where a neighbourhood plan is brought forward before an up-to-date local plan is in place the qualifying body and the local planning authority should discuss and aim to agree the relationship between policies in:

- *the emerging neighbourhood plan*
- *the emerging local plan (or spatial development strategy)*
- *the adopted development plan with appropriate regard to national policy and guidance.”...*

...The local planning authority should work with the qualifying body so that complementary neighbourhood and local plan policies are produced. It is important to minimise any conflicts between policies in the neighbourhood plan and those in the emerging local plan, including housing supply policies. This is because section 38(5) of the Planning and Compulsory Purchase Act 2004 requires that the conflict must be resolved in favour of the policy which is contained in the last document to become part of the development plan.”

Charterhouse Strategic Land **supports this approach**, though is clear that the JMNP, if adopted as currently drafted, would not trigger the provisions of paragraph 14 of the Framework as it does not identify a housing requirement for Melksham and criterion b) of that paragraph requires that *“the neighbourhood plan contains policies and allocations to meet its identified housing requirement”*.

Charterhouse Strategic Land’s comments on the draft JMNP policies

Draft Policy 5: Pre-application Community Engagement begins by stating that *“Applications that can demonstrate early, proactive and effective engagement with the community will be looked on more favourably than applications that have not.”* Whilst the wording in support of the policy clearly outlines the benefits of early and meaningful community engagement and the advice contained within the Framework, Charterhouse Strategic Land is concerned at a potentially prejudicial implication within this current policy wording that community engagement will automatically engender a proposal with a level of support irrespective of its merits and compliance with planning policy.

Furthermore, it is noted that paragraph 004 of the Guidance states that *“A neighbourhood plan should ... contain policies for the development and use of land...Wider community aspirations than those relating to the development and use of land, if set out as part of the plan, would need to be clearly identifiable (for example, set out in a companion document or annex), and it should be made clear in the document that they will not form part of the statutory development plan.”*

Charterhouse Strategic Land is concerned that as currently drafted, Policy 5 is not a policy for the development and use of land. Paragraph 041 of the Guidance states that *“A policy in a neighbourhood plan should be clear and unambiguous. It should be drafted with sufficient clarity that a decision maker can apply it consistently and*

with confidence when determining planning applications". In this case, a decision maker would not be able to use draft policy 5 when determining planning applications; for example, it is not a policy that a decision-maker could include in a list of refusal reasons. Rather it is an advisory procedural statement, expressing an (understandable) aspiration for applicants to engage in proactive and effective engagement on development proposals. The process for this is already outlined within the Pre-Application Community Engagement Protocol and the wording supporting the draft policy hints at this, stating that *"Although applicants cannot be required, only encouraged, to undertake early stage community involvement, putting in place a coherent and consistent approach, in the form of the Protocol (rather than the policy) is a key way to deliver this mutual benefit"* (emphasis added).

Charterhouse Strategic Land therefore recommends that draft policy 5 is removed as it fails to meet the basic conditions. Charterhouse Strategic Land supports the draft JMNP's aspiration to strongly encourage applicants to undertake pre-application engagement and suggests that applicants should be directed to the Protocol, which should be included as an annex to the plan.

Charterhouse Strategic Land's comments on the JMNP's Site Assessments

Charterhouse Strategic Land wishes to make a number of comments regarding the draft JMNP's Site Assessment report and accompanying proformas. These documents have been prepared for the Neighbourhood Plan Steering Group by AECOM and are dated September 2018. The land west of the A350 which Charterhouse Strategic Land is currently promoting is referred to as 'Site 10: Land between the Railway Line and Beanacre Road' in these documents. Our comments relate not only to the assessment of this site, but also to the general methodology used in making the site assessments and a number of errors and inconsistencies across the site assessments.

Whilst it is recognised that the draft JMNP only allocates one site in the Neighbourhood Area and specifically avoids allocations in or adjoining Melksham to avoid prejudging potential allocations of the forthcoming Local Plan Review, the site assessment documents remain important given the stated intention in the draft JMNP that these documents and the rest of the draft JMNP's evidence base will in time be made available to Wiltshire Council to supplement the Local Plan Review's evidence base. It is also important as AECOM's conclusion conflicts with that of Wiltshire Council's Planning Policy team who consider that site 10 is potentially developable for around 300 dwellings in its most recent 2017 Strategic Housing and Employment Land Availability Assessment ("SHELAA") which also forms part of the Council's Local Plan Review evidence base.

Section 4.10 of the AECOM Site Assessment Report: Assessment of Site 10: Land between the Railway Line and Beanacre Road

The assessment of Site 10 concludes in Table ES1 that it is not appropriate to take the site forward for the purposes of the Neighbourhood Plan as *“Development of the site would increase traffic and road safety issues on the busy A350 corridor and ecological and agricultural land quality constraints are particularly significant in the local context”*. To address each of these three issues, highways, ecology and agricultural land quality, in turn:

Highways: The site assessment at paragraph 4.10.2 mentions that *“Access to the site would likely be via the A350, which is currently heavily trafficked, and has the potential to lead to road safety issues. A high voltage power line crosses the site from west to east”*. Paragraph 4.10.3 goes further to state that *“Given its location along the A350 (Beanacre Road), development would increase traffic and road safety issues on this busy corridor”* (emphasis added). These claims, in particular the *‘potential road safety issues’*, are unspecified and unsubstantiated yet appear to weigh heavily against the proposal in the overall assessment of the site. Charterhouse Strategic Land **strongly disagrees** with this speculative assessment which appears to be uninformed by any work undertaken by a transport consultant in terms of highways capacity or road safety audit. Paragraph 4.10.3 also states that the site has *“access issues”* however this is also unsubstantiated in the rest of the site assessment and the accompanying proforma.

The site’s location with a ready access to a main A road is considered to be one of its locational strengths. It is only logical that major development sites should have ready access to the major transport routes which provide the highest levels of local connectivity and are best placed to support additional demands on the highway network. Ready access is a key element of sustainable development. Furthermore, the future allocation of the site or any future planning application would have to demonstrate how highways impacts were to be mitigated and Wiltshire Council as Highways Authority would have a statutory duty to ensure that there were no unacceptable impacts on highway safety and the residual cumulative impacts on the road network would not be severe, in line with the requirements of paragraph 109 of the Framework. The site assessment also gives no consideration to the potential highways capacity and road safety improvements that development of the site could bring as a comprehensive package of infrastructure enhancements, particularly bearing in mind its location on a possible alignment of a future A350 Melksham bypass.

Ecology: The summary mentions *“ecological constraints”* present on site which apparently render it unsuitable for development. The site itself comprises two improved pastures fringed by hedges and mature tree lines which are dominated by native and non-native species, many of which showed signs of disease such as bleeding canker of horse chestnut and Ash die-back. The fields are floristically poor with most areas being dominated by coarse grasses. It must be made clear that the site is subject to no statutory or non-statutory ecological designations and

that there is a small area of deciduous woodland Biodiversity Action Plan habitat outside of the site boundary to the north. Whilst this small area of BAP habitat is mentioned in the Site Assessment, it is noted that Map 5 of the *Green Infrastructure Report (v.5)* entitled *Map 5: Priority Habitats (excluding Ancient Woodland) in the Neighbourhood Area, and within 2km of Melksham Without* shows no BAP habitat in proximity to the site. The central hedgerow and trees running north to south through the site may provide a green corridor, but this would be secured through any future development proposal with bird and bat surveys undertaken not only to record species present on site, but also make recommendations as to potential enhancements which could be provided through the development process. Indeed, development of the site provides an opportunity for biodiversity and arboricultural enhancements across the site in comparison to its current state of mostly species-poor pasture land, particularly as the current Environment Bill, when made law, will require development to provide a net gain in biodiversity, which is also reflected in the JMNP's own draft Policy 13.

Agricultural land classification: DEFRA's MAGIC map extract included in Section 6 of AECOM's *Points of the Compass Appraisal* (January 2017) shows the site to be Grade 3A land. Whilst this falls within the Framework's definition of 'best and most versatile' agricultural land ('**BMV**'), it is at the bottom end of this definition and no soil quality testing has been conducted on site to conclusively ascertain which grade of land the soil lies within. Land is identified and designated as BMV as "*This is the land which is most flexible, productive and efficient in response to inputs and which can best deliver future crops for food and non-food uses such as biomass, fibres and pharmaceuticals*" (Natural England Technical Information Note TIN049, *Agricultural Land Classification: protecting the best and most versatile agricultural land*, Natural England, December 2012). The land has historically been, and is currently, used for grazing rather than the production of crops and therefore its development would not adversely affect local agricultural production or likelihood of use for non-food uses. It is not in itself an extensive or significant tract of BMV land, particularly when considering that BMV land comprises around 40% of land nationally, nor does it form part of a wider holding of BMV land. Indeed, in a very recent decision to allow an appeal in Nantwich, Cheshire (Appeal reference APP/R0660/A/13/2197532, decision letter dated 15th July 2020), the Secretary of State for Housing, Communities and Local Government concluded that as the area of Grade 3A land concerned in that appeal was "*modest and predominantly at lower grade ... its loss cannot be judged significant. He [the Secretary of State] agrees [with the Appeal Inspector that] it merits only modest weight against in the planning balance*". It is submitted that the site's locational credentials in combination with the significant community benefits its development could deliver (these are outlined later in this representation), outweigh the loss of a small, isolated area of land at the bottom end of the BMV range. Indeed, it is a weakness of the site assessment exercise that there is seemingly no differential weighting applied between assessment criteria; BMV land is apparently given the same weight as flood risk, land contamination or highways impacts.

Finally, the site assessment at section 4.10 also makes mention of heritage constraints: *“There are a number of listed buildings to the north of the site associated with Beanacre Manor, although these are screened by deciduous woodland. Two further Grade II listed buildings are located next to the north western corner of the site.”* (paragraph 4.10.2). The qualification that the listed buildings are screened by deciduous woodland is noted and this is underlined at paragraph 4.10.1 of the Site Assessment report where it is observed that *“views both in and out of the site are screened by trees”*. Therefore, it is submitted that development of site where the screening is retained and enhanced would likely have limited impact on heritage assets and the local landscape.

Site 10 Proforma

Charterhouse Strategic Land also wishes to make the following comments relating to the details contained in the Site Proforma provided by AECOM as an appendix to the Site Assessment report:

- One aspect of ‘suitability’ is ‘Is the current access adequate for the proposed development? If not, is there potential for access to be provided?’ to which the following response is given: ‘No, potential access into the south of the site via Dunch lane, but would require additional roads’. This response clearly does not give adequate consideration to the second part of that question, whether there is potential for access to be provided which, given the site’s lengthy boundary with the A350, clearly exists. Indeed, the assessment against the very next criteria states that the site can be accessed from the A350. However, it is then stated in the main Site Assessment report that the site has ‘access issues’. **This should be corrected.**
- The environmental and heritage criteria in terms of the site’s ‘suitability’ have been discussed above. It is agreed that the site is neither within a SSSI Impact Zone nor is in proximity to any Local Nature Reserves, Sites of Nature Conservation Importance or County Wildlife Sites. It is also agreed that the site is not within or adjacent to a Conservation Area and does not contain and is not within the setting of a Scheduled Ancient Monument.
- We also agree with AECOM’s assessment that the site is well located in respect of local shops, public transport links and other facilities, is located within Flood Zone 1 at lowest risk of river flooding and there are no Tree Preservation Orders on site.
- Under the criterion ‘utility services unavailable’ there is a clear error as the site is marked ‘yes’. The site is within a LSOA where only 6.1% of properties are not connected to the gas grid, as shown on the ‘non-gas map’ for the UK. The non-gas map for the UK clearly shows that the LSOA where the site is located, Wiltshire 020A, in fact has the second best accessibility to the gas network of any LSOA in the Neighbourhood Area. Only the small LSOA of Wiltshire 020D to the east of the town has better accessibility to the gas network with only 5.4% of properties not connected to the gas grid. Furthermore, site 11, Land between the River Avon and Beanacre Road, located on the opposite side of the A350 and

within the same LSOA as site 10 is marked 'no' for this criterion as site 10 should also be. **This is an error that should be corrected.**

- Section 3 'Availability' gives 'unknown' as an answer to whether the site is available, whether there are any legal or ownership problems and the timeframe for development. Charterhouse Strategic Land wishes to confirm that **the site is available for development immediately** and that **there are no legal or ownership issues** which would impede development of the site. The landowner has previously confirmed to Wiltshire Council that the site is available and deliverable on two separate occasions before the publication of AECOM's Site Assessments, firstly when submitting the site to the Council's SHELAA in 2017 and then when making representations to Wiltshire Council's consultation on the Swindon and Wiltshire Joint Spatial Framework (Issues Paper) and Wiltshire Local Plan Review Consultation Paper in December 2017. **This should be corrected on the site proforma.**

Bearing in mind all of the above, Charterhouse Strategic Land believes that the conclusion that site 10 is 'unsuitable for development' is clearly erroneous and should be amended to 'this site has minor constraints'. Furthermore, as outlined within these representations, these minor constraints are not insurmountable and Charterhouse Strategic Land supports the conclusion of Wiltshire Council's SHELAA assessment that the site is 'developable' and 'deliverable' in line with the Framework's definition; it is available now, offers a suitable location for development now, and is achievable with a realistic prospect that housing could be delivered on the site within five years.

Further Comments on Site Assessment Report and Proformas

In addition to the above comments on the assessment of site 10, Charterhouse Strategic Land wishes to make a number of observations on the AECOM report and accompanying proformas in respect of the methodology used, errors within the report and proformas and inconsistencies between the assessments. Please note that following comments do not constitute an exhaustive list and there may be further inaccuracies and inconsistencies in the Site Assessment report and proformas which may or may not be identified by other parties in the course of this consultation.

Methodology

- Whilst the sites are presented in groups according to their overall red/amber/green ratings in the report, there is no way to quickly and easily compare the sites and how they score against the assessment criteria. Most site assessments of this type provide an overall site assessment matrix showing every site's rating against each criterion to provide the reader with a clear and objective overview of the assessments, however this report does not include such a table. **This should be provided in an updated report.**

- It is unclear how individual elements of the site assessments within the proformas feed into the overall assessment, which in the proformas is on a four-point scale ('appropriate for development'/ 'minor constraints' / 'major constraints' / 'unsuitable for development'), but is then translated into a three-point red/amber/green assessment for the purposes of the report. Comparing the two classification systems **highlights issues requiring clarification** as for example:
 - Seven of the ten 'green' sites are rated 'appropriate for development' whilst three have 'minor constraints' in their proformas. However, a further six of the eleven amber sites are also rated as having 'minor constraints' yet there is no explanation as to why the three have made it into the green group and the other six have been rated amber; and
 - Site 1 is rated as 'unsuitable for development' on its proforma yet is in the amber group.
- As discussed above with reference to site 10, there is seemingly no differential weighting applied between the assessment criteria; BMV land is apparently given the same weight as flood risk, land contamination or highways impacts when assessing the suitability of sites. Most site assessments attempt to provide such weighting to reflect the reality that some constraints on development are more severe and absolute than others.

Errors

The examination of the assessment for site 10 above has been shown to be factually inaccurate and it may be surmised that other sites have also been assessed erroneously. It is **recommended that the Steering Group instruct AECOM to contact each site's promoter or landowner to confirm the details included in an updated report.**

Inconsistencies

The assessment appears to have been conducted inconsistently between sites and the report needs to be thoroughly review for internal coherence. Some examples are:

- Mitigation options are considered when assessing constraints on some sites, but not others. For example, site 2 lies within Flood Zone 3 at highest risk of river flooding, but its assessment is tempered by the comment that *"no recent flooding events have occurred on the existing built up area of the site. Further studies would however need to be undertaken in conjunction with the provisions of the NPPF and the exception text"*. However, this consideration of actual events and the ability of further studies build a case of mitigation against constraints is not given for other areas of the assessment, for example in considering potential highways impacts for site 10. Notwithstanding the above, site 2 is rated as having 'significant constraints', however site 3 is also located within Flood Zones 2 and 3, but is still rated 'green' overall and is 'appropriate for development'. However national policy seeks to steer development away from areas at greatest risk of flooding and any development of this site would have to satisfy both the

sequential and exception tests outlined in the Framework.

- Potential ecological impacts, particularly those in respect of BAP habitats, are considered inconsistently. For example, sites 1, 2, 5 and 14 are amongst those located within 400m of BAP habitat, yet this does not merit a mention in the conclusion for these sites' proformas. Site 15 is located within 400m of BAP habitat yet is considered 'appropriate for development', site 21 is within the same distance of BAP habitats but is considered as having 'minor constraints', site 19 is also within 400m of BAP habitat and ancient woodland (protected by the Framework) and has only 'minor constraints', whilst site 10 is also within 400m of BAP habitat yet this is specifically referred to as a reason rendering it 'unsuitable' for development. Some sites are rated as 800m+ from sites and coloured green for criterion (site 22 for example), whilst others just have a 'no' noted against them even though the criterion is distance-related (site 3 is an example).
- The 'utility services unavailable' assessment requires thorough review and correction. As observed above, the assessment is applied inconsistently on sites within the same LSOA and is erroneously applied across a number of other sites in different LSOAs. For example, site 2 is assessed as 'not affected' by utility service unavailability, however the assessment clearly states it lies within an LSOA where almost half (48.8%) of properties are *not* connected to the gas grid. However, Site 3, in the same LSOA is assessed as being affected by utility service unavailability. Moreover, site 10 has been penalised on the same measure yet is located within a LSOA where only one in twenty properties (6.1%) are not connected to the gas grid.
- The acceptability of a site is at times decided on the basis of speculation. For example, Site 4 is penalised for "*likely*" being BMV land though the site assessment admits that the site has not recently been surveyed to establish whether or not this is the case.
- Site 9 is assessed as having 'minor constraints' however in the explanation for this rating, the constraints are described as 'significant'. These include the presence of the same high voltage electricity lines that cross Site 10 and contribute to that site being considered 'unsuitable for development'.
- The assessment for site 11 in one place states that there is no significant infrastructure crossing the site, however this is contradicted in the conclusion which identifies the "*presence of a high voltage power line*". The constraints identified for the site mirror those for site 10 but with the addition of flood risk and prominence in long views across the surrounding countryside. Nonetheless, the overall assessment is more favourable for the site 11, concluding that whilst it has 'significant constraints' it is not unsuitable, yet site 10 is considered 'unsuitable'.
- Sites 22 to 32 have no detail added in the 'Explanation / justification for decision to accept or discount site' section of their respective proformas.

As currently presented for consultation, the Site Assessment report and accompanying proformas are clearly flawed and are not sufficiently accurate or robust to form part of the draft JMNP's evidence base in line with the requirements of the Basic Conditions and paragraphs 040 and 041 of the Guidance. Whilst it is recognised that

the draft JMNP does not seek to allocate sites on the basis of these assessments, they will be used to inform future site allocations both in the Local Plan Review and further iterations of the JMNP. Therefore, **Charterhouse Strategic Land strongly recommends that the site assessment process is updated and thoroughly reviewed, that its inconsistencies and inaccuracies are corrected and that it is re-published for public consultation.** This will ensure that the Steering Group, Town, Parish and County Councils, members of the public, statutory consultees and developers can consider each site on a level playing field; that every site is fairly and equitably assessed, that constraints are given appropriate weight in the assessment and that mitigation measures and potential benefits of development are consistently considered for every site.

Land west of the A350

The land west of the A350 controlled by Charterhouse Strategic Land extends to circa 10 hectares (24.75 acres). A location plan is included at **Appendix A**.

The site lies on the northern edge of the market town of Melksham, to the west of the A350 (Beanacre Road) and comprises two agricultural fields. The boundaries of the site are marked to the north by mature tree planting beyond which lies five heritage assets, the most significant of which being Beanacre Manor a Grade II* listed buildings; to the east by a mature and overgrown hedgerow predominantly fronting the A350 (Beanacre Road) save for where the site wraps around a row of four terraced houses; to the south by mature and overgrown hedgerow and trees, beyond which lies Dunch Lane; and to the west by a palisade fence behind which runs a single track railway line.

The site is flat with subtle undulations and is presently accessed via a field gate off a private drive which is turn is accessed from Old Road. Access for any future development would be created directly off the A350.

The Environment Agency's online Flood Zone Map confirms that the site is located entirely within Flood Zone 1. Therefore, the site is classified as land having a low probability of flooding from tidal and main river sources. The surface water flood map produced by the Environment Agency also indicates that the site is located in an area which is at very low risk of surface water flooding.

Immediately to the south of the site lies an out of town retail park with a number of retailers operating from a large warehouse building. The relationship of this area together with the service station and Subway Takeaway situated on the east side of the A350 (Beanacre Road) at the southern end of the site creates an apparent urban setting to which the site abuts.

The X34 bus, operated by Stagecoach runs between Frome, Trowbridge and Chippenham and runs directly past

the site and the Melksham railway station is less than 1km away. The National Cycle Network Route 403 is located to the south east of the site, accessible via a turning onto Scotland Road and Murray Walk off the A350, joining the route at Forest Road. The site is located in close proximity to a number of services and facilities including shops, recreational facilities and schools and as such, the site is considered to be in a sustainable location, one that is suitable for residential development.

The site could deliver:

- approximately 200 new homes (140 market and 60 affordable);
- vehicle access off the A350 via a new roundabout leading to an internal street hierarchy based on a clear central avenue connecting to smaller scale lanes making the whole community permeable;
- a distinctive new frontage along the A350 including a number of key buildings that reinforce local character;
- a new network of footpaths and cycleway links to existing Public Rights of Ways and to the town centre;
- a green network comprised of play areas, retained woodland planting and informal recreational areas; and
- a sustainable urban drainage system.

The A350 is of strategic regional importance and there is a recognised 'pinch-point' in the Melksham town centre. So much so that the Western Gateway Sub-National Transport Body (an alliance of local authorities) published a report in 2019 which identifies an A350 Melksham Bypass as a key priority to improve north/ south connectivity and alleviate traffic congestion in the town centre. The report states: -

[14.60] "The scheme is proposed to mitigate the following issues experienced on the A350 at Melksham:

- *Limitations of the road network around Melksham – the layout of the road network means the A350 serves multiple functions; journeys to and from the north and south of Melksham have to pass through the town via the A350 including the River Avon crossing or face significant diversions.*
- *Physical constraints in the 'urban' sections of the A350 in northern Melksham and Beanacre village – the A350 passes through residential areas with 30mph limits, is constrained by property frontages on both sides and there are several junctions in northern Melksham used, predominately, by local traffic to access amenities.*
- *Insufficient capacity of the A350 through Melksham to cope with current and projected future traffic volumes – significant peak period congestion is currently experienced on the Melksham-Beanacre sections, especially around Farmers and Semington Road roundabouts, and between Bath Road and the Leekes store.*

- *High collision rates along the A350 through Melksham - twelve serious collisions have been recorded between 2012 and 2016, with severity rates generally higher on the A350 compared to other roads in the area.*
- *Severance impacts on communities in Beanacre and northern Melksham – high traffic volumes using the route (including significant numbers of HGVs) exposes residents to noise and air pollution, and pedestrian access to local shops in northern Melksham and the town centre is restricted, which discourages walking and cycling along the route.”*

As part of the proposed development, Charterhouse Strategic Land seek to create a new gateway into the north of Melksham by delivering a 40 metre ICD (inscribed circle diameter) roundabout which can be accommodated entirely within the adopted highway and land under the control of Charterhouse Strategic Land. The proposed roundabout junction would see a significant piece of infrastructure delivered which could in the medium to longer term provide Wiltshire Council with a possible future connection for the proposed Melksham bypass.

Moreover, any scheme would be designed with regard to the planning policies of the Wiltshire Core Strategy and the JMNP, once ‘made’. Development of the site would support the JMNP’s Vision and many of the draft plan’s objectives, including:

- Reducing carbon emissions (objective 1);
- Addressing the impact of climate change (objective 2);
- Encouraging and promoting the use of sustainable technologies (objective 3);
- Engaging with the community in change and development (objective 4);
- Supporting the sustainable development of new housing and associated facilities as appropriate within or adjacent to the existing settlement (objective 5);
- Promoting the delivery of infrastructure to address the needs of the population (objective 6);
- Supporting improved transport infrastructure for the increasing Melksham population (objective 9);
- Improving cycle and walking routes, thus reducing the need to travel by car (objective 10);
- Increasing the local network of accessible green spaces (objective 11);
- Protecting, improving and expanding existing services and facilities to promote health, education and social needs (objective 13);
- Enhancing the quality of the natural landscape (objective 14); and
- Ensuring that new development is sympathetic to our built heritage and the character of the area, with high standards of design (objective 15).

An initial Concept Masterplan accompanies these representations at **APPENDIX B** and illustrates the retention of the woodland corridors on site, generous areas of public open space and retention of the boundary screening to

the A350, the railway line and the listed buildings to the north.

Charterhouse Strategic Land has recently entered into pre-application discussions with Wiltshire Council and following their initial email contacts with Melksham Town Council, Melksham Without Parish Council and local Ward Councillors shortly before the COVID-19 lockdown began in March 2020, would welcome an opportunity to meet and discuss the site and their proposals in more detail.

We trust that these representations are clear, helpful and informative in the ongoing preparation of the JMNP, though if any further clarification is required as to their content, please do not hesitate to contact me.

Yours faithfully

A handwritten signature in black ink, appearing to read 'S. Joyce', written over a light grey rectangular background.

Simon Joyce MA (Oxon) MSc (Spatial Planning) MRTPI

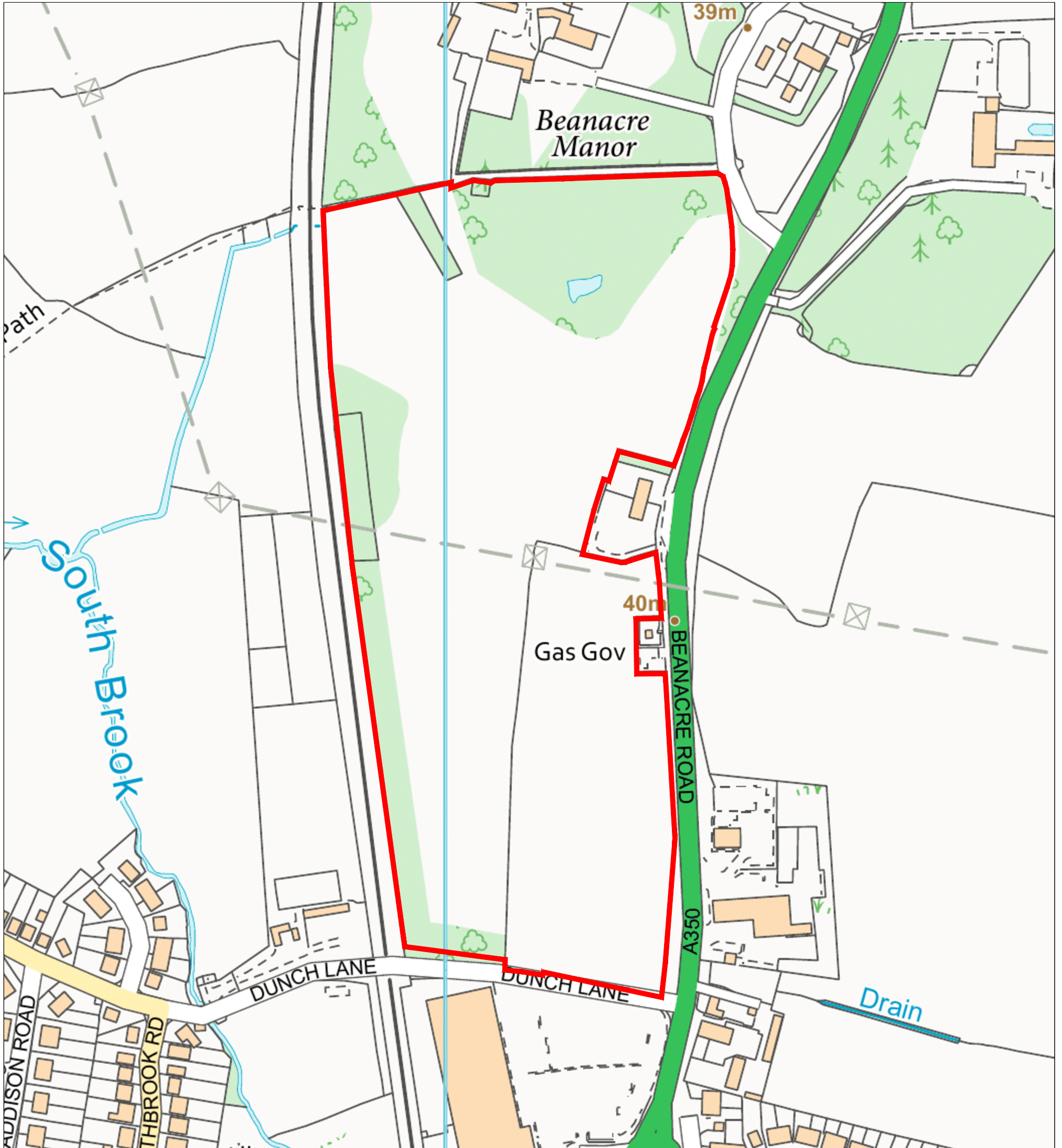
Associate Director

Strutt & Parker

cc. Oliver Taylor, Director, Charterhouse Strategic Land

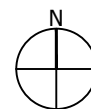
Response of Charterhouse Strategic Land to Regulation 14 Pre-Submission Consultation on the Draft Joint Melksham Neighbourhood Plan

Appendix A: Site Location Plan



LEGEND

 Site Boundary



Project
**Land West of Beanacre Road
 Melksham**
 Drawing Title
Site Location Plan

Date	Scale	Drawn by	Check by
03.06.20	1:2500	BW	BW
Project No	Drawing No	Revision	
31911		-	



Town Planning • Master Planning & Urban Design • Architecture •
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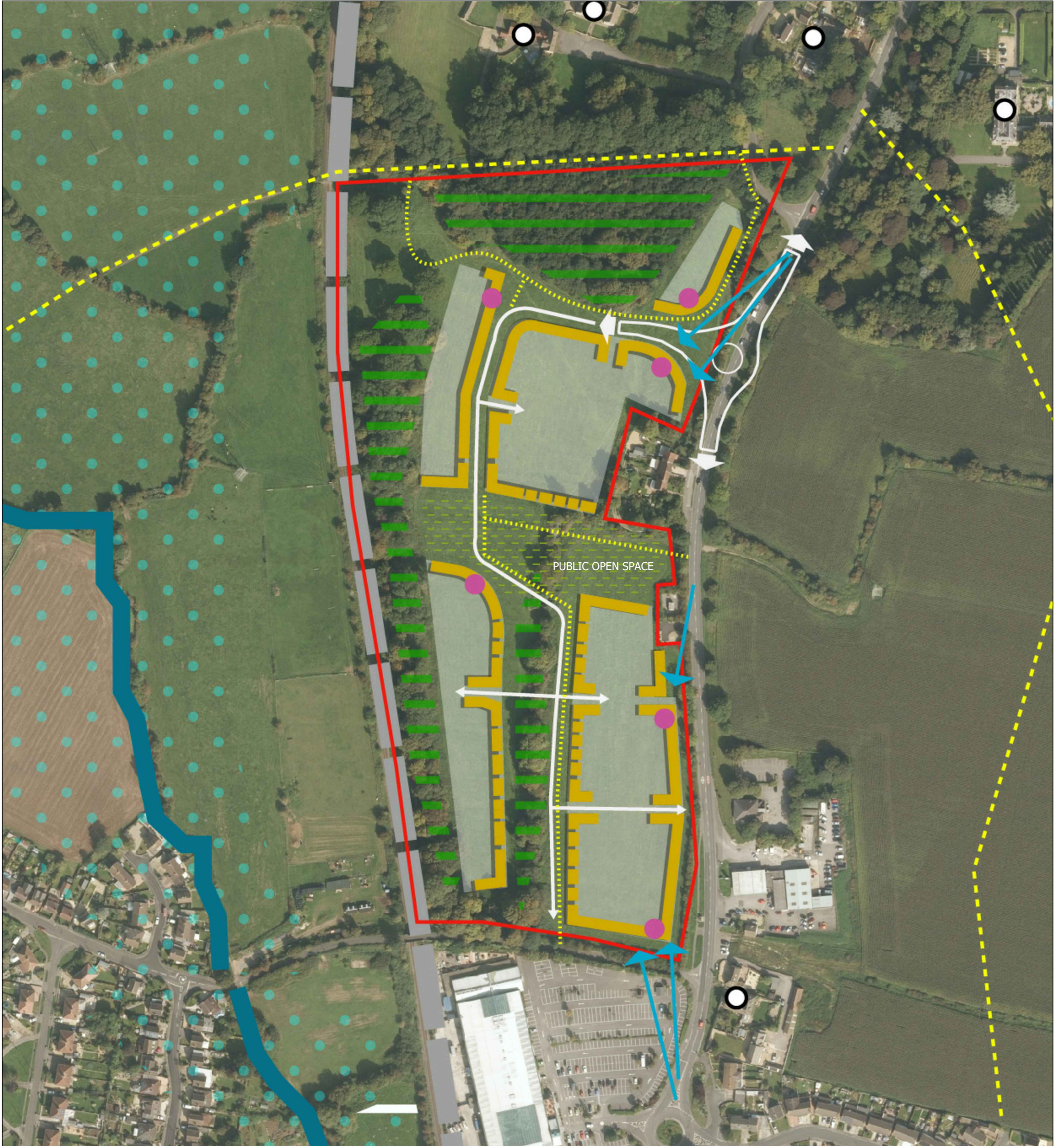
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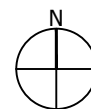
Response of Charterhouse Strategic Land to Regulation 14 Pre-Submission Consultation on the Draft Joint Melksham Neighbourhood Plan

Appendix B: Initial Concept Masterplan



LEGEND

- | | | |
|--|---|--|
|  Existing Woodland |  Key Building / Frontage |  Housing Blocks |
|  Footpath Connections |  Internal Connections |  Listed Buildings |



Project
**Land West of Beanacre Road
 Melksham**
 Drawing Title
Concept Masterplan

Date 03.06.20	Scale 1:2500	Drawn by BW	Check by BW
Project No 31911	Drawing No	Revision	-



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