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LAND AT LONGLEAZE LANE, MELKSHAM

PLANNING STATEMENT

July 2023

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EXECUTIVE SUMMARY

This planning statement has been prepared on behalf of Aspire LPP Ltd, to support a full planning application for the development of a garden/paddock adjoining Longleaze Lane (herein referred to as "the Site"), on the southeastern edge of Melksham. The development will comprise the construction of a new care home with associated landscaping and drainage. The existing vehicular access point into the Site off Longleaze Lane will be utilised, with the main access into Snowberry Lane improved and widened.

Whilst the Site is technically outside the defined settlement boundary for Melksham, it immediately adjoins the main urban area and is surrounded by existing residential development as a result of a new urban extension currently being constructed to the south and east of the Site. It therefore represents a logical and sustainable location for elderly care development.

A strong need for additional elderly care bed spaces in Wiltshire and Melksham exists, with analysis by Healthcare Property Consultants (HPC) indicating a current need for a further 626 ensuite bedrooms across the County and a shortfall of over 100 bedspaces within the Melksham locality.

Pre-application advice received from Wiltshire Council on 31st March 2023 advised that the proposal is considered to be acceptable in principle, subject to further detail on a number of environmental and other considerations.

Benefits associated with the development

The proposed development will offer the following benefits:

- A high-quality, elderly care development of up to 86 beds (Use Class C2) in an area of identified need.
- The Council cannot currently demonstrate an up-to-date five-year housing land supply and this development will provide a significant contribution, equating to 47 dwellings, towards the District Council's supply
- Economic benefits to the district, through the increase in jobs and contributions to the local economy at both construction and operation stage
- A net-gain in biodiversity though the creation of new/improved habitats on site

Development Plan context

Section 38(6) of the Planning and Compulsory Purchase Act 2004 advises that proposals for development should be determined in accordance with the Development Plan unless material considerations indicate otherwise.

Melksham is identified as a Market Town in the adopted Wiltshire Core Strategy and is the key settlement within the defined Melksham Community Area. Whilst it is accepted that some conflict arises with the development plan, because the Site is not specifically allocated for development and is technically outside the defined settlement limits, the Core Strategy contains a policy permitting the delivery of care homes outside but adjacent to the settlement boundaries of Principal Settlements and Market Towns. It is considered that the scheme is in general compliance with the plan when taken as a whole.

It is also recognised that the Site is not allocated for development within the recently made Melksham Neighbourhood Plan. However, it is considered that development on the Site will not cause any adverse effects on the Neighbourhood Plan strategy.

As a result of the Council's inability to demonstrate a five-year housing land supply, the "tilted balance", as underpinned by paragraph 11d(ii) of the National Planning Policy Framework (NPPF), applies; i.e. permission should be granted unless any adverse impacts would significantly and demonstrably outweigh the benefits, when assessed against the policies in the Framework.

This statement, along with the other reports submitted as part of the application, demonstrates that there are no technical or environmental impacts that would significantly and demonstrably outweigh the significant benefits of the proposal and the development should therefore be granted planning permission.

1. INTRODUCTION

1.1 This Planning Statement has been prepared on behalf of Aspire LPP Ltd to support a full planning application for the provision of an elderly care home with associated parking, landscaping and drainage on land adjoining Longleaze Lane on the southeastern side of Melksham ("the Site"). The site location plan for the site is attached at **Appendix 1**.

1.2 The description of development is as follows:

> *"Development of site to provide a new elderly care facility (Use Class C2), with associated landscaping, sustainable drainage and improvements to the access onto Longleaze Lane/Snowberry Lane."*

1.3 The Site, which is currently used as paddock/garden land associated with an adjoining residential property, extends to about 0.67ha in area, with Longleaze Lane running along its northern edge. The Spa Medical Centre adjoins the site on its western boundary with residential development (existing and/or under construction) located on its southern and eastern boundaries.

Aspire LPP Ltd

1.4 Aspire LPP is a care home development company that specialises in the bespoke planning, design and development of care homes and multi-use sites. Aspire's team has a wealth of experience and knowledge in delivering purpose-built care homes across the country. Aspire partners with a number of the largest and most revered care operators to design bespoke care homes that suit their individual operational styles and deliver excellent quality living accommodation for elderly people in need of care.

1.5 Aspire create unique homes that are in-keeping with the architecture and character of the local area. Their designs provide premium, purpose-built developments that assist with the increasing need for suitable accommodation for individuals who require care and support. All bedrooms in Aspire care homes are equipped with private en-suite wetrooms and residents have access to a range of recreational spaces within the home such as a café, salon, lounge, dining and activity rooms.

Scope of the Planning Application

1.6 This application is seeking full planning permission for development of the Site for a new elderly care facility. This planning statement and other supporting documents describe in more detail the nature and content of the proposed development.

1.7 The following documents have been submitted as part of the planning application:

- Planning Statement
- Detailed site layout plan, floor plans and elevations
- Landscape Plan
- Design & Access Statement
- Statement of Community Involvement (within this Planning Statement)
- Transport Statement, including Access Plans and Swept-Path Analysis Plans
- Travel Plan

- Flood Risk Assessment and Drainage Strategy
- Ecological Assessment and Biodiversity Net Gain Metric
- Arboricultural Impact Assessment
- Energy Strategy and BREEAM Pre-Assessment
- Archaeology DBA
- CIL Form

1.8 This Planning Statement sets out the policy context against which this development should be assessed and why it is appropriate to bring the Site forward for the proposed development. It also sets out the socio-economic and environmental benefits that the proposal will bring to the area and confirms that no significant and demonstrable adverse impacts would arise as a result of the development.

The Proposals

1.9 The proposed development will incorporate the following:

- Provision of an elderly care home containing up to 86 bedrooms, all ensuite. The building itself is a single pitched-roof structure that is 2.5/3 storeys in height
- The retention of and improvements to key landscape features (e.g. boundary hedgerows) and supplementary shrub/hedgerow and tree planting to provide attractive landscaped grounds as well as maintaining a soft boundary edge that is in keeping with its surroundings;
- Improved access arrangements involving widening of the existing site access onto Longleaze Lane and improvements to the main Longleaze Lane access onto Snowberry Lane;

Pre-application advice

1.10 Aspire LPP sought pre-application advice from the local planning authority in January 2023. The response received (dated 31st March 2023 - attached at **Appendix 2**) concluded:

> "*In light of the above it is considered that there is potential for the Council to support a 86 bed care home on this site. There are a number of technical considerations and the detailed design will be important. There is willingness from the LPA to positively consider a care home in this location subject to the detailed considerations."*

EIA Screening

1.11 As the application proposals are for urban development on a site of more than 0.5 hectares, the proposals fall under Schedule 2 of the Town and Country Planning (Environmental Impact Assessment) (England and Wales) Regulations 2017. Such projects only require an EIA if the development is likely to have significant effects on the environment. The location does not contain any significant environmental constraints.

1.12 The Local Planning Authority will be required to screen the proposals as part of its legal requirements however the applicant does not consider that the proposal constitutes EIA Development or that an Environmental Statement is required to assess its impacts.

2. SITE CONTEXT AND SUSTAINABLE DESIGN

Site context

2.1 The 0.67ha Site lies to the south-east of the centre of Melksham, adjacent to the settlement boundary on the eastern side of Snowberry Lane just to the north of its junction with Spa Road. The site immediately adjoins The Spa Medical Centre to the west.

2.2 The Site is an approximate L-shape wrapping around the western and part of the southern sides of the gardens to 382 Longleaze Lane. The Site is currently an extended garden area / paddock to this property. It is generally flat and has a gated vehicular access on to Longleaze Lane in its north-west corner, close to the junction with Snowberry Lane.

2.3 The northern boundary of the Site, to Longleaze Lane, is formed by a hedge. To the north of the lane are the rear gardens of residential dwellings on Saxifrage Bank.

2.4 The western boundary of the Site, to The Spa Medical Centre, is largely formed by a fence with some hedging and planting. The medical centre is a two storey commercial building with parking set adjacent the southern half of the western boundary of the Site.

2.5 The southern boundary of the Site is formed by a row of tall evergreen trees. The new dwellings recently constucted on Angelica Avenue, to the south, lie at a higher level than that of the Site.

2.6 To the east of the Site is 382 Longleaze Lane. It is well separated from the Site by its retained gardens and a high evergreen hedge that wraps around the eastern sides of the Site. The southern end of the eastern side of the Site is bound by a wooden fence that separates the wider grounds of 382 Longleaze Lane from the Site.

Site suitability and sustainability

2.7 The Site is not covered by any specific environmental or heritage designations. There are no public rights of way crossing the Site. The Site is located within Flood Zone 1.

2.8 The surrounding area is characterised by residential development, both within the established urban area of Melksham to the west and the new urban extension currently being constructed to the south and east of the Site.

2.9 The site is within walking distance of many community facilities, including The Spa Medical Centre adjoining the Site to the west. Melksham Community Hospital lies approximately 1km to the west on Spa Road, with a Londis convenience store a little further down Spa Road. Snowberry Lane lies on a local bus route providing services in and around the town centre.

Sustainable Design

2.10 Paragraph 126 of the National Planning Policy Framework (NPPF) states that "*the creation of high quality, beautiful places and sustainable buildings and places is fundamental to what the planning and development process should achieve*".

2.11 The Design & Access Statement submitted in support of the application sets out how the Site can accommodate the quantum of development proposed in a manner which reflects the character of the surrounding area.

2.12 The Design and Access Statement, Transport Statement, Ecological Assessment and Flood Risk Assessment/Drainage Strategy submitted with the application demonstrate that the proposed development will not have an adverse impact on the wider environment.

2.13 In summary the Site presents an excellent development opportunity for the provision of a discreet high-quality elderly care development:

- The land to which the development proposals relate is not of high environmental value.
- The Site is suitable for residential-type development in terms of its general location and characteristics.
- Key facilities will be accessible to pedestrians and via public transport.

3. STATEMENT OF COMMUNITY INVOLVEMENT

3.1 In order to inform key stakeholders about the development prior to application submission, Aspire LPP attended the Melksham Town Council Economic Development and Planning Committee on 11th July 2023. In attendance were two Members of the Melksham Without Parish Council.

3.2 Aspire LPP made a brief presentation to the Town Council and invited questions. In principle, the Town Council were not opposed to the provision of a new care home in Melksham. The key points raised related to the level of care provided within the facility, and the potential strain on GP Surgeries through the additional increase in population.

3.3 On point 1, Aspire advised that the facility has been designed to be flexible and can therefore meet a variety of different care needs. On point 2, Aspire is happy to engage with the adjoining Spa Medical Centre but advised that typically the provision of new care homes assist in taking some pressure off the surgery by providing a purpose-built care facility that will offer medical care in-house and therefore reduce the need for GP appointments.

3.4 The need for care home bed spaces is also demonstrated to be a local need and the majority of residents moving into the care home are likely to be local. Therefore there is unlikely to be a significant number of net additional registrations to GP surgeries as residents will already be living locally and be registered with GP surgeries in Melksham. It is also worth noting that at the time of writing the Spa Medical Centre GP Surgery (Dr R J Matthews and Partners) is accepting new patients as confirmed by the NHS "Find a GP" online service.

3.5 Aspire LPP has also contacted the relevant Ward Members (Cllr Mike Sankey and Cllr Phil Alford) to seek a separate discussion. At the time of writing no response has been received.

3.6 Finally, Aspire LPP has written to a number of adjacent properties, advising them of the development and application submission, as follows:

1.	12 Saxifrage Bank	Melksham	SN12 6FU
2.	14 Saxifrage Bank	Melksham	SN12 6FU
3.	15 Saxifrage Bank	Melksham	SN12 6FU
4.	16 Saxifrage Bank	Melksham	SN12 6FU
5.	17 Saxifrage Bank	Melksham	SN12 6FU
6.	18 Saxifrage Bank	Melksham	SN12 6FU
7.	26 Angelica Avenue	Melksham	SN12 6ZP
8.	28 Angelica Avenue	Melksham	SN12 6ZP
9.	The Spa Medical Centre	Melksham	SN12 6NU
10.	382 Longleaze Lane	Melksham	SN12 6QJ

4. PLANNING POLICY CONTEXT

4.1 This section of the planning statement provides a summary of the relevant planning policy context, including Wiltshire Council's adopted Core Strategy and the Melksham Neighbourhood Plan, as well as other material considerations including supplementary planning documents and guidance.

National Planning Policy Framework (NPPF)

4.2 The NPPF was updated in July 2021 and sets out the Government's planning guidance for England and how this is expected to be applied.

4.3 Paragraph 2 of the NPPF requires that planning applications be determined in accordance with the development plan unless material considerations indicate otherwise.

4.4 At the heart of the NPPF is the presumption in favour of sustainable development. Paragraph 11 of the NPPF requires planning decisions to apply this presumption, either approving development proposals that accord with an up-to-date development plan without delay; or, if the policies which are most important for determining the application are out-of-date, granting planning permission unless either of the following criteria apply:

> *d(i) The application of policies in the NPPF that protect areas or assets of particular importance provides a clear reason for refusing the development proposed; or*
>
> *d(ii) Any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in the Framework as a whole*

4.5 Footnote 8 to paragraph 11 confirms that local policies which are most important for determining the application are considered to be out-of-date where the local planning authority cannot demonstrate a five year supply of deliverable housing sites.

4.6 Paragraph 60 sets out the importance of having a sufficient amount and variety of land coming forward to meet the needs of groups with specific housing requirements.

4.7 Paragraph 62 goes on to state that the size, type and tenure of housing needed for different groups in the community should be assessed and reflected in planning policies (including, but not limited to, those who require affordable housing, families with children, older people, students, people with disabilities, service families, travellers, people who rent their homes and people wishing to commission or build their own homes).

NPPF – proposed revisions (December 2022)

4.8 It is pertinent to note the recent Government consultation on changes to the NPPF, published in December 2022. In particular, the changes to paragraph 62 (which would become paragraph 63) are set out below:

> ~~62.~~63. Within this context of establishing need, the size, type and tenure of housing needed for different groups in the community should be assessed and reflected in planning policies (including, but not limited to~~,~~ : those who require affordable housing~~,~~ ; families with children~~,~~ ; older people including for retirement housing, housing-with-care and care homes; , students~~,~~ ; people with disabilities~~,~~ ; service families~~,~~ ; travellers[31]~~,~~ [32]; people who rent their homes and people wishing to commission or build their own homes[33]).

4.9 Whilst the revisions are yet to be formally adopted, this clearly emphasises the Government's position on the need for additional elderly care facilities.

Planning Practice Guidance (PPG)

4.10 The PPG now includes a specific section on *Housing for Older and Disabled People*. It includes a specific section on specialist housing for older people. The PPG requires plan-makers and decision-takers to determine the needs of people who will be or reaching retirement over the plan period as well as the existing population of older people. It states (para. 63-0001-20190626):

> *"The need to provide housing for older people is critical. People are living longer lives and the proportion of older people in the population is increasing. In mid-2016 there were 1.6 million people aged 85 and over; by mid-2041 this is projected to double to 3.2 million. Offering older people, a better choice of accommodation to suit their changing needs can help them live independently for longer, feel more connected to their communities and help reduce costs to the social care and health systems. Therefore, an understanding of how the ageing population affects housing needs is something to be considered from the early stages of plan-making through to decision-taking."*

4.11 The PPG sets out several types of specialist housing designed to meet the needs of older people as follows:

- Age restricted general market housing;
- Retirement living or sheltered housing;
- Extra care housing or housing with care; and
- Residential care homes and nursing homes.

4.12 The definition provided for residential care homes and nursing homes is as follows:

> *"These have individual rooms within a residential building and provide a high level of care meeting all activities of daily living. They do not usually include support services for independent living. This type of housing can also include dementia care homes."*

4.13 The PPG also guides decision-takers when considering a planning application for specialist housing for older people. Paragraph 63-015-20190626 states:

> *"Decision makers should consider the location and viability of a development when assessing planning applications for specialist housing for older people. Local planning authorities can encourage the development of more affordable models and make use of products like shared ownership. Where there is an identified unmet need for specialist housing, local authorities should take a positive approach to schemes that propose to address this need."*

The Development Plan

4.14 Section 38(6) of the Town and Country Planning and Compulsory Purchase Act 2004 places a statutory duty on local planning authorities to determine planning applications in accordance with the development plan unless material planning considerations indicate otherwise.

4.15 The development plan applicable to the Site is as follows:

- Wiltshire Core Strategy (adopted January 2015)
- Melksham Neighbourhood Plan (made May 2021)

4.16 It is accepted that the proposed development is in conflict with certain policies of the adopted Development Plan. However, it can be demonstrated that material considerations exist, including the Council's inability to demonstrate a five-year housing land supply and a lack of identified harm, to justify a departure from the plan.

Wiltshire Core Strategy

4.17 The following Core Strategy policies are considered relevant to this site.

4.18 **Core Policy 1 Settlement Strategy (CP1)** states that Market Towns, including Melksham, are settlements that have the ability to support sustainable patterns of development through their current levels of facilities, services and employment opportunities. Such settlements:

> *…have the potential for significant development that will increase the jobs and homes in each town in order to help sustain and where necessary enhance their services and facilities and promote better levels of self-containment and viable sustainable communities*

4.19 **Core Policy 15 Spatial Strategy – Melksham (CP15)** identifies Melksham and Bowerhill Village as the key settlement within the Melksham Community Area.

4.20 **Core Policy 41 Sustainable Construction and Low Carbon Energy (CP41)** – this policy outlines how sustainable construction and low-carbon energy will be integral to all new development. All major development proposals will be required to submit a Sustainable Energy Strategy outlining the low-carbon strategy for the proposal.

4.21 **Core Policy 46 Meeting the needs of Wiltshire's vulnerable and older people (CP46)** refers to the provision of new housing to meet the needs of vulnerable and older people. With specific regard to specialist accommodation, the policy states:

> *"The provision of sufficient new accommodation for Wiltshire's older people will be supported, including:*
>
> *i. Nursing accommodation*
>
> *ii. Residential homes*
>
> *iii. Extra-care facilities*

4.22 The policy goes onto state that:

> *Such accommodation should be provided in sustainable locations, where there is an identified need, within settlements identified in Core Policy 1 (normally in the Principal Settlements and Market Towns) where there is good access to services and facilities.*
>
> *In exceptional circumstances, the provision of specialist accommodation outside but adjacent to the Principal Settlements and Market Towns will be considered, provided that:*
>
> *viii. a genuine, and evidenced, need is justified*
>
> *ix. environmental and landscape considerations will not be compromised*
>
> *x. facilities and services are accessible from the site*
>
> *xi. its scale and type is appropriate to the nature of the settlement and will respect the character and setting of that settlement.*

4.23 **Core Policy 50 Biodiversity and Geodiversity (CP50)** highlights that proposals should demonstrate how they protect biodiversity and geodiversity value in their design rationale. All development should seek to enhance biodiversity. The policy advises that:

> *"Major development in particular must include measures to deliver biodiversity gains through opportunities to restore, enhance and create valuable habitats, ecological networks and ecosystem services."*

4.24 **Core Policy 51 Landscape (CP51)** – States that development must protect, conserve and wherever possible enhance the landscape character of an area. Any negative impacts should be mitigated through sensitive design, whilst being informed by and sympathetic to distinctive character.

4.25 **Core Policy 52 Green Infrastructure (CP52)** states that development should make provision for the retention and enhancement of the existing green infrastructure network, ensuring suitable links are provided and maintained.

4.26 **Core Policy 57 Ensuring High Quality Design and Place Shaping (CP57)** outlines that a high standard of design is required in all new developments, creating a strong sense of place by taking reference from the local context.

4.27 **Core Policy 60 Sustainable Transport (CP60)** states that the council will use its planning and transport powers to help reduce the need to travel particularly by private car, and support and encourage the sustainable, safe and efficient movement of people and goods within and through Wiltshire. This will be pursued through compliance with a number of principles, including:

i. *planning developments in accessible locations*

ii. *promoting sustainable transport alternatives to the use of the private car*

4.28 **Core Policy 61 Transport and New Development (CP61)** emphasises that new development should be located and designed to reduce the need to travel particularly by private car, and to encourage the use of sustainable transport alternatives.

4.29 **Core Policy 62 Developments Impact on the Transport Network (CP62)** – states that developments should provide the appropriate mitigating measures to offset any adverse impacts on the transport network.

4.30 **Core Policy 64 Demand Management (CP64)** states that demand management measures (such as traffic management and smarter choice measures and residential and private non-residential parking standards), will be promoted where appropriate to reduce reliance on the car and to encourage the use of sustainable transport alternatives.

4.31 **Core Policy 67 Flood Risk (CP67)** – states that all new development will include measures to reduce the rate of rainwater run-off and include sustainable urban drainage features wherever possible.

Melksham Neighbourhood Plan

4.32 The Melksham Neighbourhood Plan (MNP) Part 1 was formally made in July 2021 and became part of the Development Plan at that point.

4.33 **Policy 1: Sustainable Construction and Design** seeks to ensure that proposals address this through a series of principles:

i. *maximising green infrastructure to sequester carbon and provide other benefits such as shade;*

ii. *demonstrating good connections to existing services and facilities, or a mix of uses in the proposed development that minimises the need to travel by private vehicle;*

iii. *demonstrating mitigation of greenhouse gases and adaptation to a changing climate;*

iv. *illustrating application of the Energy Hierarchy principle of reducing energy demand, producing, supplying and using energy efficiently and generating energy through zero or low carbon means (through, for example maximising south facing areas of roof space to collect solar energy) onsite or nearby.*

4.34 The policy encourages applicants for major developments to utilise BREEAM or other appropriate sustainability assessment.

4.35 **Policy 3: Flood Risk and Natural Flood Management** states that major development should include provision of SuDS, where appropriate, as part of the Natural Flood Management approach and wider Green Infrastructure networking.

4.36 **Policy 4: Ultra Low Emission Vehicle Charging** encourages proposals for new development to make provision for charging facilities for staff and other users.

4.37 **Policy 11: Sustainable Transport and Active Travel** advises that applications for major development should accompanied by an effective Travel Plan that demonstrates how sustainable transport modes are maximised and that safe and suitable movement can be achieved for all people.

4.38 **Policy 13: Biodiversity** states that development proposals will be expected to deliver at least 10% improvements in "biodiversity value" within and, where appropriate, beyond the site.

4.39 **Policy 16: Trees and Hedgerows** advises that development proposals should ensure no damage to or loss of trees of good arboricultural and amenity value. Existing trees and hedgerows on development sites should be retained where possible and incorporated as placemaking features in new development. New tree planting in development proposals will be supported in principle.

4.40 **Policy 17: Landscape Character** states that development proposals should contribute and respond to local landscape character through integration of trees and hedgerows, drawing on local landscape characteristics and responding sensitively to the transition between settlement edge and countryside.

4.41 **Policy 18: Locally Distinctive, High Quality Design** states that development proposals that contribute positively to the conservation, enhancement and extension of the quality and local distinctiveness of Melksham and Melksham Without will be supported. Regard should be had to the Melksham Rapid Community Character and Distinctiveness Statement.

5. HOUSING LAND SUPPLY

5.1 The supply of available and deliverable sites for housing in Wiltshire is a material consideration in determining the weight to accord to relevant policies for the supply of housing. Paragraph 11 and footnote 8 of the NPPF states:

> *Plans and decisions should apply a presumption in favour of sustainable development.*
>
> *…*
>
> *For decision-taking this means:*
>
> *c) approving development proposals that accord with an up-to-date development plan without delay; or*
>
> *d) where there are no relevant development plan policies, or the policies which are most important for determining the application are out-of-date[8], granting permission unless:*
>
> > *i. the application of policies in this Framework that protect areas or assets of particular importance provides a clear reason for refusing the development proposed; or*
> >
> > *ii. any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole."*
>
> *[8]This includes, for applications involving the provision of housing, situations where the local planning authority cannot demonstrate a five year supply of deliverable housing sites (with the appropriate buffer, as set out in paragraph 74)*

5.2 The NPPF requires local planning authorities (LPAs) to demonstrate a continued supply of land to meet five years' worth of housing requirements, with a delivery buffer of either 5%, 10% or 20% (moved forward from later in the plan period) depending on past performance. Local authorities should also make every effort to redress previous underperformance within the immediate 5 year period (commonly referred to as the 'Sedgefield Approach') and the delivery buffer should be applied to both the requirement and the accrued backlog.

The Council's Housing Land Supply Position

5.3 The Council currently claims that, set against a 5-year requirement of dwellings, with a 5% buffer, it is able to demonstrate a **4.6 year** housing land supply position at a base date of April 2022[1].

Land at Longleaze Lane

5.4 Therefore the application for development at the Site should be determined in accordance with the tilted balance of paragraph 11d(ii) of the Framework, i.e. that planning permission should be granted unless the adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in the Framework as a whole.

5.5 The provision of up to 86 elderly-care bedrooms at the Site will make a material contribution to housing supply in Wiltshire within the next five years, equating to around 47 dwellings (based on the Housing Delivery Test Measurement Rulebook relating to communal accommodation; i.e. a ratio of

[1] Housing Land Supply Statement for Wiltshire, May 2023 - Housing_Land_Supply_Statement_2022.pdf (wiltshire.gov.uk)

1.8:1) therefore helping to address the immediate lack of a five-year supply of deliverable housing sites.

6. ECONOMIC DEVELOPMENT AND EMPLOYMENT BENEFITS

6.1 At the heart of the NPPF is the aim of achieving sustainable development. The NPPF identifies three overarching objectives which are interdependent and need to be pursued in mutually supportive ways so that net gains can be secured.

6.2 In defining the 'economic' objective, the planning system is required to:

> *"… help build a strong, responsive and competitive economy, by ensuring that sufficient land of the right types is available in the right places and at the right time to support growth, innovation and improved productivity; and by identifying and coordinating the provision of infrastructure."*

6.3 The 'social' objective is required to:

> *"… support strong, vibrant and healthy communities, by ensuring that a sufficient number and range of homes can be provided to meet the needs of present and future generations; and by fostering a well-designed and safe built environment, with accessible services and open spaces that reflect current and future needs and support communities' health, social and cultural well-being."*

6.4 The economic and social benefits of development are therefore confirmed in the NPPF as a key dimension to achieving sustainable development. Paragraphs 7 to 223 set out the government's approach to delivering sustainable development through the planning system. Paragraph 81 states that:

> *"Planning policies and decisions should help create the conditions in which businesses can invest, expand and adapt. Significant weight should be placed on the need to support economic growth and productivity, taking into account both local business needs and wider opportunities for development."*

6.5 In decision-making, significant weight should therefore be given to the economic and social benefits of development and this is twinned with the need to boost the supply of housing. Locally, within Wiltshire, there is the aspiration to improve the performance of the economy in line with the wider region to help achieve economic growth as well as meet housing needs and providing a continuous five year housing land supply.

6.6 The proposal will represent a substantial multi-million-pound investment into the settlement of Melksham. Not only will there be the direct short-term economic benefits arising from the construction phase for the development, there will also be direct long-term economic benefits arising from the employment opportunities associated with the day-to-day operation of the care home.

6.7 In addition, there will also be indirect economic benefits arising from employment and activity in the supply chain companies providing support services for the care home. Also, an induced economic benefit will also arise through expenditure from employees spending their income on goods and services in the local economy. This delivers an alternative economic use, and therefore contributing to the resilience of a local economy.

6.8 The general socio-economic benefits can be summarised as follows, which taken together should be given **substantial positive weight** in favour of the development:

- **Contribution to the delivery of elderly care facilities at a local level** – The development would provide up to 86 elderly care bedrooms in an area with recognised need for additional facilities, as outlined within the Care Home Need Assessment (June 2023) prepared by HPC

- **Development in a sustainable location** – The development is within close proximity to local shops and services as well as residential developments in various stages of planning or construction.

- **Creation of direct employment opportunities** – based on similar care home models, it is anticipated that the proposal for an 86-bed care home will have a direct job creation impact of around 40 full time equivalent (FTE) jobs, with the potential to offer many of these as flexible part-time opportunities.

- **Indirect economic benefits** – arising from employment and activity in the supply chain for companies providing support services for the care home. An induced economic benefit will also arise through expenditure from employees spending their income on goods and services in the local economy. This delivers an alternative economic use, and therefore contributing to the resilience of a local economy. In addition, in the light of the HBF Homes for Later Living: Healthier and Happier Report, other indirect economic benefits will include annual savings to the NHS and Adult Social Care budgets.

- Finally a total CIL receipt can be calculated from the development utilising Wiltshire Council's CIL Charging Schedule, which identifies a figure of either £30/sqm or £55/sqm of floor space, depending on whether the development is viewed as "strategically important". With indexation, assuming a grant of permission in 2023 this results in a **CIL payment of approximately £196,200, or £359,750**[2], which can be used to benefit infrastructure provision in Melksham.

[2] Wiltshire_CIL_Charging_Schedule_May_2015.pdf

7. PLANNING CONSIDERATIONS

7.1 Section 4 of this Statement has identified all relevant national policy guidance and Development Plan policies that are pertinent to this development. This section assesses the proposal against those requirements.

Principle of Development

7.2 The development proposals seek to deliver an elderly care development containing up to 86 ensuite bedrooms. This will make a material contribution towards Wiltshire's minimum housing requirement and supporting the National Government policy for significantly boosting the supply of housing, as advised at paragraph 60 of the NPPF.

7.3 The Site sits on the edge of the Market Town of Melksham, a settlement which generally encourages development that will support and enhance its role as a "local service centre", as outlined within Core Strategy policy CP1. As the key settlement within the Melksham Community Area, it provides a number of key community facilities (e.g. shops, doctors surgeries etc). It is therefore considered to be a sustainable location for further residential-type development.

7.4 It is recognised that the Site has not been allocated for development in the Wiltshire Core Strategy (WCS) or the Melksham Neighbourhood Plan (MNP). It is technically outside the defined built-up area of the Town.

7.5 The Council cannot currently demonstrate a five-year housing land supply and in these circumstances, the development should be granted permission unless any adverse impacts of doing so would significantly and demonstrably outweigh the benefits. It is considered that no such adverse impacts exist that would outweigh the significant benefits accruing from the development.

7.6 In terms of assessing the development against policies in the WCS, with regard to policy CP1 it is the case that the character of the area surrounding the Site has changed substantially since the WCS was adopted in 2015, through the provision of major residential development currently under construction to the south and east. As the Council's pre-application response of 31st March 2023 (**Appendix 2**) makes clear:

> *The site is technically outside of but abutting the CP1 limits of development on the edge of Melksham where an urban extension has been granted permission and is at an advanced stage in delivery. The location is considered sustainable given the proximity to Melksham. I have had an informal discussion with the Council's Spatial Planning Team Manager who considers that to all intents and purposes the site could be considered for inclusion within development limits through a boundary review in the event that an acceptable proposal for development is forthcoming.*

7.7 WCS policy CP46 advises that specialist accommodation proposals will be considered which are located outside but adjacent to the Principal Settlements and Market Towns, subject to three specific criteria. Taking each in turn, these are assessed as follows:

7.8 With regard to demonstrating a genuine evidenced need, the applicant commissioned a detailed needs assessment from Healthcare Property Consultants (HPC). This assessment, dated June 2023 and submitted with this planning application, has concluded a strong need for additional elderly care bed spaces in the area, with analysis indicating a current need for a further 626 ensuite bedrooms across Wiltshire as a whole and a shortfall of 112 bedspaces within the Melksham locality. The application site is considered to represent a suitable location to assist in meeting some of this need.

7.9 With regard to ensuring that environmental and landscape considerations will not be compromised, as has been mentioned above the Site is not covered by any sensitive environmental or landscape designations and lies within Flood Zone 1. This is covered in more detail below.

7.10 With regard to accessibility, the site lies on the edge of the Market Town of Melksham and is within easy walking distance of a number of community facilities, as well as public transport routes in and around Melksham and beyond. This is considered in more detail below.

7.11 Finally, it is considered that the scale and type of development is considered to be appropriate to the character and setting of this part of Melksham. The prevailing character of the area is residential, comprising traditional architecture in the form of 2/2.5 storey development with pitched/gabled roof forms. A variety of external materials may be seen including brick and stone, roofs are typically of plain tiles. The proposed building form is considered to be in keeping with this; further commentary is provided within the submitted Design & Access Statement.

7.12 Therefore, taking all of the above into account, it is considered that the principle of developing the Site for a new elderly care development is acceptable in policy terms as it complies with the principle policy CP46.

Design

7.13 The application is accompanied by a Design and Access Statement (DAS), which explains the design rationale behind the development.

7.14 The DAS concludes that the building is well articulated in plan form and with a varied roof line. The position and high-quality design of the proposed building will ensure no unacceptable adverse impact on the well landscaped street scene to Longleaze Lane.

7.15 As referred to above at paragraph 7.11, the height of the building is considered to acceptable having regard to its context. It sits comfortably in the plot with generous separation maintained to the neighbouring dwellings and ample garden space available to the sides and rear of the building. The proposal will not unacceptably affect the amenities of adjoining residents to either side in respect of light, outlook, privacy or overbearance.

7.16 The landscape screening to the southern boundary is retained and where necessary landscaping will be planted along the boundaries. There will be no loss of good quality trees and additional boundary landscaping will be provided.

7.17 Therefore, the proposal is considered to comply with WCS policy 57 and MNP Policy 18.

Landscape and Visual Impact

7.18 The site is located in an established residential area with a current urban extension being built out to the south and east of the site. The site is not covered by any specific landscape sensitivities or designations. The nearest AONBs are the North Wessex Downs approximately 8km to the east and the Cotswolds AONB some 9km to the west. There is a Special Landscape Area approximately 2km to the north east of the site.

7.19 The proposal will be visible from The Acorns relief road and the adjoining medical centre however its proposed location between the medical centre and 382 Longleaze Lane, set back from the main road and at maximum height of 2.5/3 storeys in the context of major urban residential development will result in a limited impact in terms of landscape. Therefore, it is considered that the proposal will not compromise the existing landscape character and setting of the locality, especially when the major residential development to the south and east is operational.

7.20 Whilst the proposal will result in the removal of a small number of trees to allow for the upgrading of the site access and car park provision, these trees are not of high quality. In order to mitigate for this loss, a significant number of new trees will be planted around the site. The majority of the existing hedgerows bordering the site will be retained, with significant additional native species planting taking place around the site boundaries. A landscaping plan for the site is submitted as part of the planning application.

7.21 Based on this, it is considered that the development complies with WCS policies CP51 and CP52 and MNP policies 16 and 17.

Ecology

7.22 An Ecological Assessment accompanies this application, concluding that there are no likely impacts on any statutory or non-statutory nature conservation sites. In respect of habitats, the Site supports those that are common and widespread in the local area and appropriate recommendations have been put forward to safeguard other protected and notable species present within the site.

7.23 Important hedgerows around the site are to be retained, with additional native species planting provided around the site edges and areas set aside for wildflower meadow. Native trees will be planted across the Site, to mitigate for the loss of trees required to provide the improved site entrance. This has resulted in an overall net gain in biodiversity across the site.

7.24 To that end, the proposal is considered to comply with WCS Policy 50, MNP Policy 13 and paragraphs 170 and 175 of the NPPF.

Highways and Accessibility

7.25 The proposals seek to retain the existing access to the site, situated at an angle from Longleaze Lane and close to the junction with Snowberry Lane. As illustrated on submitted drawing 2023/6804/002, the proposal would include the reprioritisation of Longleaze Lane to serve the development, with the remainder of the lane retained as existing to serve the small number of dwellings to the east.

7.26 The proposals also include alterations to the Longleaze Lane/Snowberry Lane junction to provide a simple bell-mouth with suitable geometry (4.8 metres) to allow for two-way vehicle movements and space for deliveries to the care home. This arrangement would preserve the status of much of the lane whilst providing safe and suitable access to the proposed care home.

7.27 The development provides 27 car parking spaces (0.36 spaces per bedroom), including 2 disabled (blue badge) parking bays. A separate area would be provided for ambulance and mini-bus parking as well as infrequent deliveries. Given the excellent accessibility of the site to facilities and public transport provision, and the shift patterns associated with staffing of the care home, this level of parking is considered to be sufficient. Further information is provided within the accompanying Transport Statement.

7.28 In addition, a Staff Travel Plan has been prepared to assist prospective staff and visitors with opportunities to travel sustainably, including through the promotion of on-site infrastructure (such as cycle parking and electric vehicle charging provisions) and the dissemination of public transport information.

7.29 The development is therefore considered to comply with WSC Policy CP62, MNP policies 4 and 11, and Paragraphs 104 and 108 of the NPPF.

Flooding and Drainage

7.30 The Site sits within Flood Zone 1 and is therefore at the lowest risk of flooding. A Flood Risk Assessment and Drainage Strategy accompanies this application, which has concluded that the Site is at either very low or low risk of flooding from the sources assessed (fluvial, tidal, reservoirs, canals, surface water, groundwater and sewers).

7.31 The Surface Water Drainage Strategy has been designed in accordance with current sustainable development best practice and meets the requirements of Wiltshire County Council (as the Local Lead Flood Authority).

7.32 Discharge from the site will be controlled to the site-specific greenfield QBar run-off rate. Attenuation storage will be provided in the form of rain gardens and geocellular tanks that are supplemented by a planted depression for exceedance management. SuDS Management Trains will provide suitable treatment of run-off by removing pollutants prior to discharge.

7.33 Foul flows from the proposed development will discharge via new connection(s) to the existing public foul sewer. Design alternatives and constraints have been noted in the Drainage Strategy report to be reviewed at the next design phase. A developer enquiry has been received from Wessex Water which identifies capacity in the receiving network.

7.34 Safe access and egress will be available to and from the Site for events up to and including the 1 in 100 year plus climate change flood events

7.35 The proposal therefore complies with WCS policy CP67, MNP Policy 3 and Paragraph 165 of the NPPF.

Heritage and Archaeology

7.36 The application is accompanied by a Heritage Statement, prepared by Wessex Archaeology. This has concluded that the Site does not contain any heritage assets and does not lie within the setting of any listed buildings, Scheduled Ancient Monuments or Conservation Areas. Therefore, the proposed development is unlikely to result in any adverse impacts to the significance of known designated and non-designated heritage assets due to a change in their settings.

7.37 With regard to archaeology, a Geophysical Survey of the Site was undertaken in June 2023. This highlighted several features of potential archaeological origin. One of these closely aligns with an old field boundary visible in historic maps, although it likely dates to the post-medieval period, and would be of low significance.

7.38 The age and nature of the other possible features is not known, however, given that a Roman settlement was found just 80m to the east of the site, it is possible that these features are Roman in origin. Furthermore, the proximity of this settlement to the site increases the likelihood of Roman period finds within it, such as pottery, coins and animal bones. There was also evidence of metal-working within the vicinity of the Roman settlement in the form of slag, though the actual production site was not found.

7.39 Given that a geophysical survey of the site has identified potential archaeological features within it, it is possible that further archaeological investigations may be required by the Wiltshire Council Archaeology Service advising the local planning authority on archaeological matters. This will be discussed with the Council in more detail as the application progresses.

Sustainable Energy

7.40 WCS Policy 41 requires that all major development is accompanied by an Energy Strategy report that outlines the low-carbon strategy for the proposal.

7.41 The supporting Energy Statement and BREEAM Pre Planning Assessment considers the proposal against the recognised energy hierarchy to "Be Lean, Be Clean, Be Green", i.e. to minimise the building's energy usage before applying low carbon technologies/renewables to the design.

7.42 By following the energy hierarchy, with the inclusion of a full air source heat pump solution, additional BMS control measures, electrical power correction and circa 50m² Photovoltaic array, the development is compliant against Part L2:2021. It achieves a BREEAM target of "Very Good".

7.43 The proposal therefore complies with WCS policy CP41 and MNP Policy 1.

8. PLANNING BALANCE AND CONCLUSIONS

A Summary of Case and Identified Benefits and Harm

8.1 This outline planning application is made in the context of the government's requirement to boost housing land supply and the presumption in favour of sustainable development, as outlined within the NPPF.

8.2 The Council cannot demonstrate a five-year housing land supply, stating a supply of **4.6 years** at the base date of April 2022. This proposal will assist the overall housing land supply for Wiltshire and the identified need for additional elderly care beds in the District.

8.3 Construction at the Site is likely to begin within the next three years and will increase the supply and choice of elderly care provision at a sustainable location on the edge of Melksham. The principles outlined within the Design and Access Statement would secure a high quality scheme.

8.4 The supporting material, assessments and reports submitted with the application demonstrate that there are no technical or environmental constraints that would preclude the development of the Site, subject to planning conditions and/or obligations where relevant/necessary.

8.5 The relevant material considerations in this case are:

- The Council cannot demonstrate a five-year supply of deliverable housing land;
- The Site is suitable for Class C2 development in terms of location and characteristics, and it is not of high environmental value;
- There are no significant and demonstrable adverse impacts arising from the development;
- The provision of elderly care facilities in an area of identified need is a significant benefit in circumstances where pressing need is not currently being met.

Benefits

8.6 The table below highlights some of the key benefits arising in respect of the application proposal:

Elderly care provision	It will deliver much-needed elderly care ensuite bedspaces in a suitable and sustainable location, and will assist the Council in providing a five-year supply of deliverable housing sites
Jobs and the Economy	Immediate Impacts The proposal will represent a substantial multi-million-pound investment into the settlement of Melksham. There will be direct short-term economic benefits arising from the construction phase for the development Lasting Impacts It is anticipated that the proposal for an 86-bed care home will have a direct job creation impact of around 40 full time equivalent (FTE) jobs,

	with the potential to offer many of these as flexible part-time opportunities Indirect economic benefits arising from employment and activity in the supply chain for companies providing support services for the care home. An induced economic benefit will also arise through expenditure from employees spending their income on goods and services in the local economy. Annual savings to the NHS and Adult Social Care budgets.
Environmental Benefits	Biodiversity of the Site will protect and maintain existing natural features where possible, through new hedgerow and tree planting and delivery of new formal and informal green spaces. This will lead to a biodiversity net gain.

8.7 The above benefits, when taken together, carry **substantial** weight in favour of the proposal

Harm

8.8 The supporting material, assessments and reports demonstrate that there are no unacceptable adverse impacts associated with the scheme.

8.9 As with any greenfield site, the development will introduce changes to the area and some urbanising effects and it will involve the loss of some open land. However, this is to be expected and the scheme can be delivered without unacceptable wider landscape and visual impacts, particularly as a result of the significant additional residential development taking place adjacent to the site.

8.10 Overall, there will be no harm arising through the development as proposed.

Planning Balance and Conclusions

8.11 The proposal is considered to be in conformity with Development Plan policies as a whole and principally policy CP46, which allows for the provision of specialist accommodation outside but adjacent to the Principal Settlements and Market Towns, subject to a number of criteria. It is considered that this proposal meets all of the criteria referred to. It is also generally consistent with local development plan policies contained within the Melksham Neighbourhood Plan (MNP).

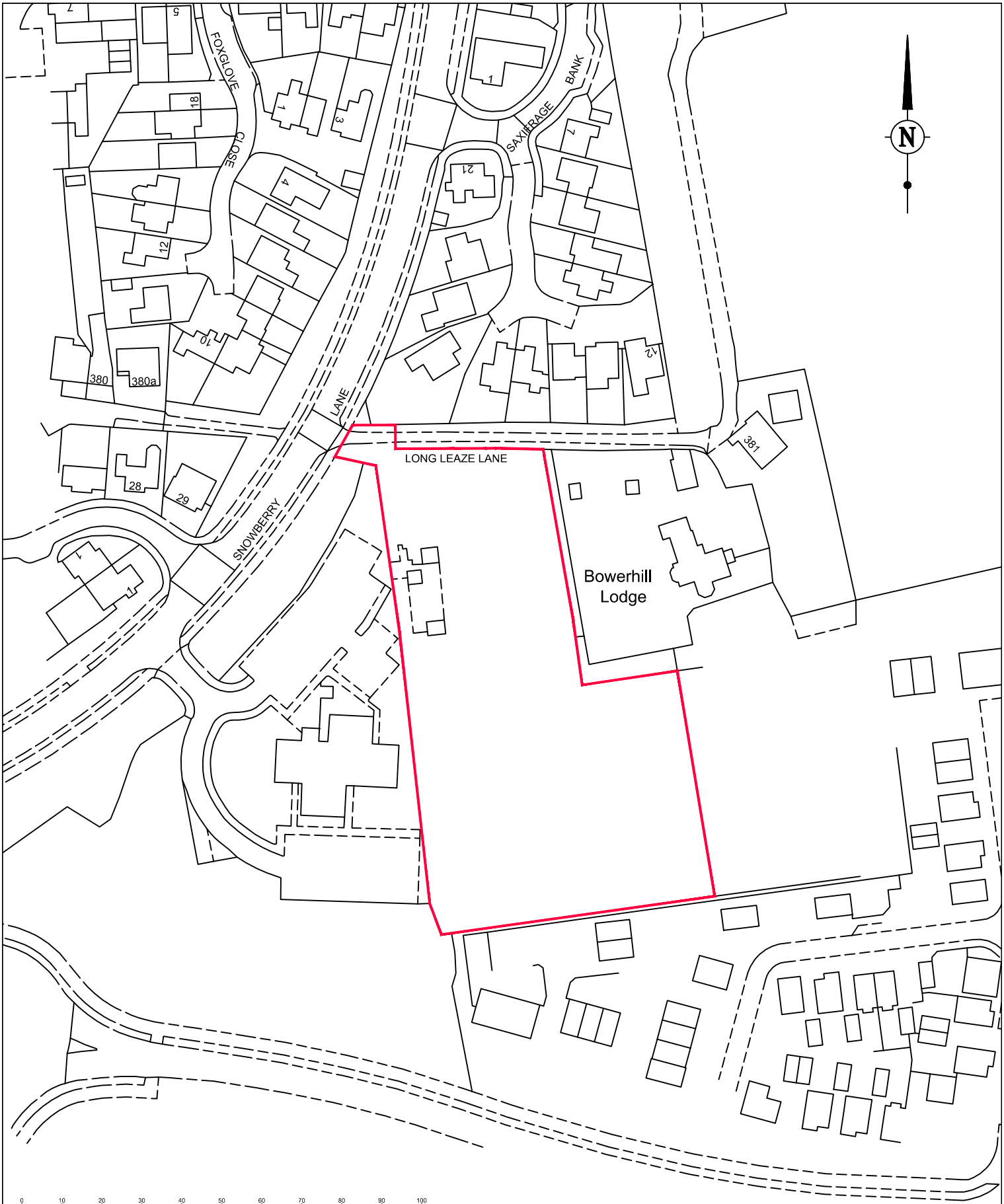
8.12 In addition, as a result of the Council's inability to demonstrate a five-year housing land supply, the NPPF policies on the delivery of sustainable development carry significant weight. The delivery of the proposed development would support housing and economic development objectives and meet the aims and objectives of sustainable development, in compliance with all three strands of sustainable development (social, economic and environmental).

8.13 There are no technical or environmental impacts that would significantly and demonstrably outweigh the significant benefits of the proposal outlined above, and specific polices of the Framework and development plan do not indicate that development should be restricted.

8.14 In accordance with paragraph 11d of the NPPF, the development proposal clearly constitutes 'sustainable development', and this planning application should be granted without delay.

Appendix 1

Site Location Plan



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ASPIRE
LAND | PLANNING | PROPERTY
Aspire LPP
Castle Court,
41 London Road,
Reigate, Surrey,
RH2 9RJ
Tel: 01737 735005

CLIENT

PROJECT
LAND AT:
382 LONGLEAZE LANE
MELKSHAM
SN12 6QJ

DRAWING TITLE
LOCATION PLAN

Do not scale from this drawing, except for planning purposes.
All dimensions to be checked by the Contractor prior to commencement of works on site. Any discrepancy or suggested modification to be reported to Aspire LPP immediately.

CHECKED PROPOSAL	APPROVED PROPOSAL	CLIENT APPROVED	ENGINEER APPROVED	DRG STATUS.
				PLANNING

DRAWN BY:	SCALE	JOB REFERENCE:	DRG No.	REV.
GF	1:1250 A4	ASP-CH-034	PL-001	

Appendix 2

Wiltshire Council pre-application advice

Wiltshire Council

Aspire - FAO Ryan Nicholls

Development Services
Wiltshire Council
Tel: 0300 456 0114
Email:developmentmanagement@wiltshire.gov.uk
www.wiltshire.gov.uk

31 March 2023

Dear Sir/Madam,

Application No:	ENQ/2023/00064
Application Type:	Pre-Application enquiry
Proposal	Demolition of existing outbuilding and erection of an 86 bed (C2) care home for the elderly
Site Address	Land At 382 Long Leaze Lane, Melksham, Wiltshire
On Behalf of:	

I refer to your pre-application enquiry which was lodged/registered on 12 January 2023.

In response to your enquiry I hope that you will find the following information helpful.

Please note that this advice represents an officers' informal opinion based upon the information you have provided. It is given without prejudice to any decision the Council may make on any subsequent formal planning application. In particular, a planning application will be the subject of publicity and consultation in accordance with the Council's procedures which may bring to light additional issues, and as you will be aware, advice offered is based on the planning policies that apply at the time of writing.

Summary of Officer View

The proposal is considered to be acceptable in principle. This response outlines areas that will need to be addressed in any application.

Proposal and Site Description/Constraints:

This pre-application enquiry seeks pre-application planning advice for the erection of an 86 bed (C2) care home for the elderly. The site is located to the southeast of Melksham outside of but abutting the settlement boundary to the west of Bowerhill Lodge (considered to be a non designated heritage asset) and the east of The Spa Medical Centre. Bowerhill Lodge Farmhouse a Grade II listed building is located some 140m to the north east of the site separated from the site by Longleaze Lane, Bowerhill Lodge and the residential development of Saxifrage Bank. The site is situated circa 120 metres to the north-west of a Romano-British settlement site that was discovered and excavated ahead of construction in 2014-15. It is not within a Conservation Area.

The site is located within Flood zone 1 and the Strategic Flood Risk Assessment indicates there is no evidence of surface water flooding on site although there is some suggestion that there may be ground water flooding. The site is accessed off Long Leaze Lane which itself is accessed from Snowberry Lane to the west and serves 5 existing dwellings. There are no Public Rights of Way on the site or in proximity. The site is classed as Grade 3 Agricultural Land and there are no sensitive landscape or ecological designations on the site although there have been confirmed sightings of Great Crested Newts in the vicinity at the adjacent site of Bowerhill Lodge in 2015.

The site itself is a blunt 'L' shape (see snip below) and has a generally flat topography. It comprises maintained agricultural paddock land and has a gated vehicular access on to Long Leaze Lane in the north-west corner. The northern boundary is formed by a hedge adjacent to Long Leaze Lane. The western boundary, shared with the Spa Medical Centre, is defined by a fence with some hedging and planting. The medical centre is a two storey commercial building set adjacent to the southern half of the western boundary of the site. The southern boundary comprises a tall mature established Leylandii hedge with consented residential development on the other side which sits at a higher ground level. The north eastern boundary is shared with Bower Hill Lodge comprising retained gardens and an established tall hedge acting as boundary treatment. The south eastern boundary edge comprises a wooden fence the other side of which is the residneitla garden area associated with Bowerhill Lodge beyond which is land approved for more residential development under the urban extension scheme.

Relevant Planning History:

There is no planning history for the site itself however there are numerous permissions granted for a major residential extension of Melksham on land to the south, south west and east of the proposed site. The key applications are set out below:

14/10461/OUT - Outline application for up to 450 dwellings with associated access and engineering operations, land for extension of medical facilities or community facility, and extension to Eastern Relief Road from Thyme Road to The Spa - Snowberry Lane -Approved with Conditions

18/04644/REM - Approval of Reserved Matters in Respect of Landscaping, Appearance, Layout and Scale for the Erection of 447 Dwellings, Car Parking Including Garages, Internal Access Roads, Public Open Space and Associated Infrastructure and Engineering Works Following Outline Permission 14/10461/OUT Approved with Conditions.

There are a number of associated applications (MMA, NMA and Discharge of Conditions) associated with these main planning permissions.

Relevant Planning Policies:

The National Planning Policy Framework (NPPF)

National Planning Policy Guidance (NPPG)

The 2015 adopted Wiltshire Core Strategy (WCS), especially core policies namely;

CP1 – Settlement Strategy;

CP2 – Delivery Strategy;

CP3 – Infrastructure Requirements;

CP15– Melksham Community Area;

CP41- Sustainable Construction Techniques and Low Carbon;

CP43- Providing Affordable Homes;

CP45 - Meeting Wiltshire's Housing Needs;

CP46 - Meeting the needs of Wiltshire's vulnerable and older people;

CP50 – Biodiversity and Geodiversity;

CP51 – Landscape;

CP52 – Green infrastructure;

CP55 – Air Quality;

CP56 – Contaminated Land;

CP57 – Ensuring High Quality Design and Place Shaping;

CP64 – Demand Management;

CP67 – Flood Risk (includes surface water disposal)

West Wiltshire District Plan 1st Alteration 2004 – U1a – Foul Water Disposal.

Wiltshire Groundwater Management Strategy 2016

Wiltshire's Community Infrastructure Levy – Planning Obligations Supplementary Planning Document (Planning Obligations SPD)

Wiltshire's Community Infrastructure Levy - Charging Schedule (Charging Schedule)

Wiltshire's Community Infrastructure Levy - Regulation 123 List (123 List)

Wiltshire Local Transport Plan 2011-2026 Car Parking Strategy

Joint Melksham Neighbourhood Plan 2020 -2026 Made July 2021

DCLG – Technical Housing Standards – Nationally Described Space Standards 2015

Assessment

- Principle of development
- Impact on the scale and character of the area/existing dwelling
- Impact on the significance of heritage assets, such as listed buildings/conservation areas/archaeology
- Impact on neighbour amenity
- Highway matters – including road safety /Parking
- Drainage (SuDs for major developments)

Principle of Development:

The Wiltshire Core Strategy (WCS) sets out a 'Settlement Strategy' and 'Delivery Strategy' for development across the county. WCS Core Policy 1 refers to the Settlement Strategy, and identifies four tiers of settlement – 'Principal Settlements', 'Market Towns', 'Local Service Centres', and 'Large and Small Villages'. Within the Settlement Strategy, Melksham is defined as a market town and therefore has good access to a range of services and facilities.

The WCS sets out the Council's sustainable plan-led approach to delivering development that responds to and reflects economic, social and environmental needs for Melksham and the Melksham Community Area. Paragraph 5.82 of the WCS outlines that the strategy for Melksham will be to ensure an appropriate and balanced mix of housing and employment growth is managed to provide contributions to the town centre improvement and delivery of enhanced services in the town and service provision, along with residential development as part of sustainable growth.

5 year supply position

Wiltshire Council cannot currently demonstrate a robust 5 year land supply. It is noted that the information provided as part of the pre-application submission makes reference to care home beds being able to be counted towards meeting a Council's housing need with a ratio of 1.8 based on recent ONS Census household numbers data. As such the applicant states that the proposal for an 86 bed care home would be equivalent to 47 units. The Spatial Planning team were consulted on this and confirmed that Planning Practice Guidance does indicate that care homes can contribute to the housing supply with a recent appeal confirming this point.

The Housing Enabling Team has also been consulted and have confirmed that on the basis that bedrooms with en suites are being provided rather than self contained units, they shall not be seeking an affordable housing contribution in connection with the scheme.

In terms of principle policy, Core Policy 46 is applied. It states that in meeting the needs of Wiltshire vulnerable and older people, “the provision, in suitable locations, of new housing to meet the specific needs will be required.” The key section of the policy states that such accommodation should be provided in sustainable locations, where there is an identified need, within settlements identified in CP1 where there is good access to services and facilities.

In exceptional circumstances the provision of special accommodation outside but adjacent to the markets towns will be considered, provided that a genuine and evidenced need is justified, landscape will not be compromised, facilities and services will be accessible and the scale and type is appropriate to the nature of the settlement and will respect the character of that settlement.

The site is technically outside of but abutting the CP1 limits of development on the edge of Melksham where an urban extension has been granted permission and is at an advanced stage in delivery. The location is considered sustainable given the proximity to Melksham. I have had an informal discussion with the Council's Spatial Planning Team Manager who considers that to all intents and purposes the site could be considered for inclusion within development limits through a boundary review in the event that an acceptable proposal for development is forthcoming.

Notwithstanding that the site could arguably be considered to be within the development limits in the long term, given that the site remains technically outside the current development limits the proper assessment should include the following:

that a genuine and evidenced need is justified

WCS CP15 does not identify requirements or priorities for the provision for accommodation for the elderly or those in need of care in this respect. Further, the Melksham Neighbourhood Plan contains no evidence for or details assessing local identified need for C2 care homes.

A detailed covering letter supports the pre-application submission and contains a good amount of data from Carterwood analytics assessing whether there is a current need for a new carehome at this location. That the catchment area for such an assessment has been undertaken at 5miles is welcomed; and also that it takes into account recent planning applications where formal proposals for a care home have been submitted.

It is noted that the Assessment suggests that there is a quantifiable need for a new high quality carehome at this location. The supply figures are accepted and are reasonably easy to check. The demand assessment has been based on age range with limited details about the demand and this leaves a high variable for the accuracy of the data. This is especially so as the snippets and assessment do not clearly indicate the basis or methodology of the population growth estimates.

It is therefore recommended that in the event of a formal application being submitted, a detailed report providing a full justification of the need for C2 care home bed spaces for the elderly should be included as part of the submission, based on the most recent Census data available and including details regarding the basis and methodology of population growth estimates including where possible information relating to in and out-migration.

It is understood that this proposal will be focused on supporting people with dementia and as such any report should drill down into more local details of Melksham and its immediate surroundings in terms of actual dementia sufferers and demand where possible.

Notwithstanding this, it is accepted that the population in the surrounding area in the elderly age range is growing with more frequent dementia diagnoses highly likely and there is clearly a limited amount of existing care home supply that meets the required needs for caring for elderly people with dementia.

Accordingly, in absence of any evidence to the contrary, it is accepted that this covering letter and the report to which it refers report do identify a highly possible need for such provision in the area and it is considered that at this time on the basis of this evidence that there a genuine evidenced need for such a proposal could well be adequately evidenced at formal application stage.

the landscape will not be compromised

The site is located in an area of established built urban form with a current urban extension being built out in proximity with no specific landscape sensitivities or designations. The nearest AONBs are the North Wessex Downs approx 8km to the east and the Cotswolds AONB some 9km to the west. There is a Special Landscape area approx 2km to the north east of the site.

This proposal will be visible from the bypass and the medical centre however its proposed location between the medical centre and Bowerhill Lodge, set back from the main road and at maximum height of 2.5/3 storeys in the context of major urban residential development is likely result in a limited impact in terms of landscape. Indeed, it is likely to be read in the context of the new built form in this location from both near and longer views. As such it is considered that the proposal is unlikely to compromise the existing landscape of the locality, especially when the major residential development to the south and east is operational.

I note that the proposal would not remove any trees and whilst the indicative sketches are devoid of much landscaping detail additional trees are indicated and this is welcomed. A robust detailed landscaping plan for the site would be required and is likely to be conditioned. There is no evidence to suggest that landscape would be compromised and as such, I am of the opinion that the proposal can meet this requirement.

facilities and services will be accessible

From the indicative plans together with the site's location in proximity to Melksham Market Town and the urban extension, it is considered that appropriate facilities and services will be provided and accessible. The Highways Officer raises no objection and considers the location sustainable although details showing links to sustainable transport services would be required as part of any future application. More details on the highways considerations are set out below.

the scale and type is appropriate to the nature of the settlement and will respect the character of that settlement.

As mentioned above, this site is set in the context of an urban extension within an area of established built form in close proximity to Melksham Market Town. It is noted that the immediate medical centre to the west is 2 storeys and bowerhill lodge is 2.5-3 storeys. The submitted street sections show that the proposed development would be commensurate with the existing scale and as such at 2.5/3 storeys this proposal could, provided that it is well designed, fit comfortably into this existing built form. I would suggest that 3 storeys (c.12m) is the maximum height the LPA would be willing to see here. The general design principles set out in the accompanying paperwork have been thought through and are justified in relation to the context.

As such in my opinion, it is considered that the principle of the development would be acceptable in this location subject to the technical considerations below.

Design & Impact on character of the area:

Core Policy 57 requires ‘a high standard of design in all new developments. of particular relevance to householder extensions is paragraph (iii) which requires development to respond positively to the existing townscape and landscape features in terms of building layouts, built form, height, mass, scale, building line, plot size, elevational design, materials, streetscape and rooflines to effectively integrate the building into its setting’.

The NPPF states at paragraph 126 that The creation of high quality, beautiful and sustainable buildings and places is fundamental to what the planning and development process should achieve. Good design is a key aspect of sustainable development, creates better places in which to live and work and helps make development acceptable to communities.

Paragraph 130 states Planning ... decisions should ensure that developments:

a) will function well and add to the overall quality of the area, not just for the short term but over the lifetime of the development;

b) are visually attractive as a result of good architecture, layout and appropriate and effective landscaping;

c) are sympathetic to local character and history, including the surrounding built environment and landscape setting, while not preventing or discouraging appropriate innovation or change (such as increased densities);

d) establish or maintain a strong sense of place, using the arrangement of streets, spaces, building types and materials to create attractive, welcoming and distinctive places to live, work and visit;

e) optimise the potential of the site to accommodate and sustain an appropriate amount and mix of development (including green and other public space) and support local facilities and transport networks; and

f) create places that are safe, inclusive and accessible and which promote health and well-being, with a high standard of amenity for existing and future users; and where crime and disorder, and the fear of crime, do not undermine the quality of life or community cohesion and resilience.

Core Policy 51 of the adopted Wiltshire Core Strategy also states that “great weight will be afforded to conserving and enhancing landscapes and scenic beauty” and CP52 seeks to retain and where possible enhance Green Infrastructure.

Core Policy 41 seeks to help to reduce Wiltshire’s contribution to climate change through improved design and construction methods. The policy states that: “New development, building conversions, refurbishments and extensions will be encouraged to incorporate design measures to reduce energy demand. Development will be well insulated and designed to take advantage of natural light and heat from the sun and use natural air

movement for ventilation, whilst maximising cooling in the summer.

As observed above, the proposed scale and height and general design of the building shown on the indicative proposals are considered generally acceptable given that a medical facility of some 2.5/3 storeys is next door and it is adjacent to a mixed use residential area. Given that this is a place for people to reside in a residential fashion, having a building that has too much of a commercial appearance may not be appropriate for such a use or such a location so the fact that the design tries to reflect more residential nature is welcomed and where possible this would be enhanced.

It is noted that the architectural proportions draw on large residential buildings in the area and in my view this is welcomed. The front elevation fo the proposal in terms of vertical alignment was discussed at the meeting as was the need to give some thought to improved elevational interest in terms of materials and breaking up the brick facades. Focus on honing the design to include softer elevational /gable /dormer details incorporating interesting yet unobtrusive elevations that crucially do not give rise to inter visibility and retain residents, and adjacent occupiers' privacy is important. The general layout of the proposal with the softened curved edges is also welcomed

more so that the more blunt and block style approach reviewed through the design evolution contained in the submission.

This proposal is a different design approach to the one taken on the adjacent sites, but in my view the general design approach is satisfactory given the nature of the proposal and the key differences in function and aesthetics. As such in my professional view, the design approach taking its lead from other large residential buildings in the locality is a good approach and acceptable.

The indicative materials are considered acceptable in terms of the palette range and whilst obviously, commercial viability is an important consideration, high quality materials are extremely important and a plain/pastiche finish should be avoided.

As discussed at the meeting, a highly important element of this proposal is how it would incorporate sustainable construction techniques, low carbon energy standards and should include renewable technologies. It should be built to at least Building Regulations 2025 standards and if possible exceed these. Electric car charging points should be provided and the use of PV panels, intelligent insulation and ventilation systems and air source heat pumps etc should be included where viable as well as rainwater harvesting and appropriate energy-saving lighting. This is required by Policy CP41 and tackling Climate change and aiming for zero carbon developments is a high priority for Wiltshire Council and forms a strategic objective of the Core Strategy.

CP41 is very much one of the key policies relevant to the determination of a proposal such as this. The developer should be encouraged to make this a key development driving principle behind the scheme. This can be achieved by having an energy strategy that has been informed by a study of the site opportunities and constraints and then drives the design of the scheme. An energy strategy is a validation requirement under CP41.

Regard to embodied carbon and operational emissions of carbon in buildings is key in the journey to net zero carbon development. Developers are encouraged to exceed current building regulations standards which if applied are only resulting in buildings that add to current high levels of carbon emissions and therefore add to climate change.

In terms of operational carbon, a fabric first approach to development is prudent to drive down energy demand in the first place. This needs to consider issues such as insulation, lighting and passive ventilation measures. Then low-carbon and renewable technologies such as heat pumps and roof mounted solar panels should be utilised to meet (and where possible exceed) the energy needs from the development. For example, the flat roofs provide a relatively large area for a solar array. Heat pumps would be little different to any standard kit that would be installed for cooling the building. This simple and relatively well established approach can lead to net-zero operational carbon, and be achieved with a relatively low uplift in building costs. With rising and volatile energy costs such costs will be recouped over quite short payback periods. This strategy makes economic as well as social and environmental sense.

The developer is encouraged to set out their own approach within their energy strategy explaining how they are exceeding building regulations.

In terms of embodied carbon, this is more challenging, however it is important that developers start to consider this to help support the transition over the coming decades by building up supply chains and creating a circular economy. A good starting point is to carefully consider building materials, with timber for example being a carbon store that can offset more carbon intensive materials such as steel. Further information should be provided in the energy strategy within an embodied carbon section.

Adapting to climate change will be important as well. Consideration needs to be had to avoiding overheating in the summer months and future proofing the buildings from increasing temperatures. Passive cooling measures are to be encouraged. Additional cooling can be achieved with building measures and/or landscaping. Additional future proofing measures around water efficiency and water harvesting could also be shown on the plans.

Whilst residents will not require car parking, staff and visitors will. In order to future proof the scheme it is important that some EV charging facilities are provided at the site. Furthermore, facilities for safe, secure and convenient cycle storage would allow for more active travel choices. To really support staff in such decisions a small staff room with changing and shower facilities should be provided.

In summary, the proposal as submitted does not tackle the issue of climate change and this must be addressed as part of any application. The council have acknowledged the climate emergency and is seeking to make the county carbon neutral.

Details of recycling facilities refuse collection and storage of waste and materials together with their collection will be required for a full application.

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<u>Impact on the significance of heritage assets, such as listed buildings/conservation areas/archaeology</u>

From the point of view of the historic environment the main statutory tests are set out within the Planning (Listed Building and Conservation Areas) Act 1990. Sections 16 (LBC) and 66 (PP) require that special regard be given to the desirability of preserving listed buildings, their settings or any features of special architectural or historic interest which they possess.

The NPPF outlines government policy for planning. It sets out three overarching objectives for the planning system in the interests of achieving sustainable development – an economic objective of building a strong economy; a social objective of fostering well-designed, beautiful and safe places

and an environmental objective of protecting and enhancing our natural, built and historic environment.

Chapter 16 of the NPPF 'Conserving and enhancing the historic environment' sets out policies concerning heritage and sustainable development and requires a balanced approach to decision making with harm weighed against the public benefits resulting from proposals.

National Planning Practice Guidance provides guidance on interpreting the NPPF.

The Council's Core Strategy Policy CP58 'Ensuring the conservation of the historic environment' requires that "designated heritage assets and their settings will be conserved, and where appropriate enhanced, in a manner appropriate to their significance."

Historic England Advice Note 2 – Making changes to Heritage Assets illustrates the application of policies set out in the NPPF in determining applications for PP and LBC.

Designated & Non-Designated Heritage Assets

The site has no heritage assets on site and is not located within a Conservation Area. Bower Hill Lodge can be considered as a Non Designated heritage asset. Paragraph 203 of the NPPF states that the effect of an application on the significance of a non-designated heritage asset should be taken into account in determining the application. In weighing applications that directly or indirectly affect non-designated heritage assets, a balanced judgement will be required having regard to the scale of any harm or loss and the significance of the heritage asset.

There is also a listed building (Bowerhill Lodge Farmhouse) some 140mn to the northeast however it is acknowledged that the impact on the setting of this building is likely to be limited especially given the separation distance and intervening built from of Long Leaze Lane, residential development and the new residential development that surrounds it. This will likely have already eroded the significance of the setting of the listed building and any Heritage Statement and Assessment only needs to be proportionate to the significance.

Archaeology

The crucial aspect in terms of heritage relating to this site is archaeology. The site of the proposed care home is located on previously undeveloped land and is situated circa 120m to the north west of a Romano-British settlement site that was discovered and excavated ahead of construction in 2014-15. Considering the generally good potential for later prehistoric, Roman and medieval activity in the Melksham area it is considered that further, as yet unrecorded, archaeological sub-surface features and/or deposits are likely to have survived within the footprint of the proposed development.

It is therefore advised that any future planning application is accompanied by a heritage statement. This statement should assess all known heritage assets from within the site and up to 1km from its boundaries, assess its likely archaeological potential and the impact the proposals would have upon that potential. It is also advised that a geophysical survey is carried out across the site with the results incorporated into the Statement. the results of. A trial trench evaluation is likely to be requested to be carried out prior to the determination of any future planning application in order to ground-truth the results of the desk-based work as well as the remote sensing.

Following the submission of the heritage statement and the geophysical survey report, the LPA will then be in a position to offer you a fully-informed opinion on the archaeological potential of the site, whether this potential would constitute an overriding constraint to development, or whether any impact created by the development can be mitigated via further fieldwork, work that can be secured via a condition to be attached to any planning permission that may be issued. For further information and advice please contact the Assistant County Archaeologist Neil Adam by email : neil.adam@wiltshire.gov.uk or phone: 01249 705502.

Impact on residential amenity:

Core Policy 57 of The WCS states that applications for new development must be accompanied by appropriate information to demonstrate how the proposal will make a positive contribution to the character of Wiltshire through having regard to the compatibility of adjoining buildings and uses, the impact on the amenities of existing occupants, and ensuring that appropriate levels of amenity are achievable within the development itself, including the consideration of privacy, overshadowing, vibration, and pollution (e.g. light intrusion, noise, smoke, fumes, effluent, waste or litter).

As we discussed at the meeting, the design of the internal layout should be considered closely with the needs of those suffering from dementia to ensure it is legible and not confusing. It should ensure minimum space standards are met for both private and communal areas and these should be exceeded where possible. Outdoor private enclosed landscaped areas such as small garden areas and outdoor courtyard with native planting should be incorporated to provide an element of private outdoor amenity space for the residents to enjoy. Such spaces are indicated on the plans provided here and this is welcomed.

I have already noted that intervisibility and loss of privacy to future, existing and neighbouring occupiers should be avoided. I note that some of the eastern elevations do not have any windows above ground floor level and I note form our meeting and the plans that the top level windows closest to BowerHill will have plant room storage rather than habitable rooms. I note that the distances range form 40-50m between facades of Bower Hill Lodge and this distance is acceptable. There is likely going to be some overlooking of the garden by the residents but this is unlikely to result in a sufficient harm to the amenity of the occupiers to warrant refusal.

I note on the western elevation that the distance is some 20m between the medical centre at two storey level and the western façade of the proposal. Whilst the medical rooms are not habitable as such, these are likely to be occupied and likewise the nature of the carehome would indicate that the rooms opposite will also be used by residents as such I would request that windows are spaced out of alignment with those on the medical centre and that some tree planting is proposed to act as screening/visual interruption between these two elevations. I don't think it would be sufficient to warrant refusal on its own but it is certainly a consideration.

Similarly on the south elevation it is noted that there is a mature established evergreen hedge offering screening although I have some concern about the potential of overlooking private gardens of the development to the south.

Plans showing sectional details and angles of sight would be useful.

The mature hedge on the southern boundary may result in blocking natural light form the windows in the south elevation during the winter months but on the other hand it is acknowledged that this hedge is also likely to provide some welcome shade in the hotter months.

I have checked the proposal on suncalc and this online webtool gives an estimate as to the likely shadowing of proposed structures in certain places. It estimates that between November and February the proposed development at c.12 meters in height would cast a shadow over the medical centre in the early hours until about 9am and over bower Hill Lodge between 1pm and 3pm resulting in some loss of light to the western elevation habitable rooms and garden. Notwithstanding this, it is considered that provided such intrusion is temporary and the height of the proposal is kept as low as possible that such a temporary shadow would not be reason for refusal on its own, but it will require consideration and acknowledgement in any future application.

It is considered that the proposed development given its location, siting, form and scale is unlikely to result in an overbearing impact on neighbouring occupiers. This is especially so in relation to the properties to the south as they are on a higher ground level and as such the proposed height of the building would be unlikely to be significantly intrusive.

Given the context of the site close proximity of the bypass and surrounding residential development, as well as the permanent residential nature of the development and vulnerability of the likely residents, an appropriate ventilation system to ensure reduced air pollution and offer good ventilation to the occupiers is strongly encouraged and recommended to be considered and should be submitted with any future application.

<u>Highways:</u>

Paragraph 110 (b) of the NPPF requires that in assessing... specific applications for development, it should be ensured that...safe and suitable access to the site can be achieved for all users.

Paragraph 111 of the NPPF states that 'development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe'.

Paragraph 112 (c) of the NPPF also states that ...applications for development should create places that are safe, secure and attractive - which minimise the scope for conflicts between pedestrians, cyclists and vehicles.... and respond to local character and design standards.

CP57 (ix) of the WCS requires new development to ensure "that the public realm including new roads and other rights of way are designed to create places of character which are legible, safe and accessible..." and CP57 (xiv) requires development to meet "the requirements of CP61 (Transport and New Development)".

CP61(ii) of the Wiltshire Core Strategy requires new development to be "capable of being served by safe access to the highway network" and within the supporting text for CP61, the Council recognises that it is critically important for good planning and safe highway interests for new development to benefit from a suitable connection to the highway "that is safe for all road users".

CP64 requires sufficient parking to be provided in new development in line with residential parking standards and requires a reduction in reliance on the use of the private car where possible.

It is noted that this site is located outside development framework boundary outlined in the Wiltshire Core Strategy. However, considering the extent of development that has taken place to the east of the boundary, it is considered that there are no grounds to object on transport sustainability grounds and the site is accepted as a sustainable location.

Detailed Matters:

A residential development of 86 units requires a full Transport Assessment and Travel Plan to be submitted as part of any future planning application. Below are some key issues that will need to be addressed:

Land ownership / access: The red line of the application site is noted. This would appear to show that the widening works to the Long Leaze Lane access/ junction with Snowberry Lane are outside of the application site red line. The works are also not outlined within blue land either, land

within control of the applicant. The alterations to the access/ highway / widening of Long Leaze Lane must be contained with the application site or at least within blue land associated with the proposal with relevant landowners formally notified as part of the application process and their details included on the application form and certificates.

Width of access: The width of the access would appear to be 4.5m. It is considered to be in close proximity of the access with Snowberry Lane and as such this needs to be increased to a minimum width of 5m with suitable radius and footway provision.

Maintain footway: The design of the access should be created to maintain priority for pedestrians on the footway. The footway should link into the pedestrian access of the site – not simply terminate at the car parking. Any future application should show the links for pedestrian access through the site not across the car parking area.

Visibility splay: The access with Snowberry Lane via Long Leaze will need accord with MfS guidelines and this will need to be demonstrated on plan. The visibility splay will need to be in accordance with the speed limit 30mph – 43m is required (contained within the Public Highway).

Swept Path Analysis: Any future application should come forward with swept path analysis / turning facilities of a refuse vehicle / fire tender / ambulance. Clarity is requested in relation to arrangements of servicing.

Refuse and deliveries: The proposal needs to come forward clearly outlining the arrangements for refuse. Will this be a management company and private arrangement? The development is unlikely to be adopted, therefore it is unlikely that council refuse vehicles will enter site, unless access rights and a specific agreement with council refuse team. A suitable turning head for refuse vehicles is required (10.8m x 2.6m). This will also need cater for deliveries and emergency vehicles. It is assumed that bed linen may be washed and cleaned off-site commercially and turning space will also be required. Medical vehicles will also be required to attend the site regularly. Therefore the planning application/ TA will need to be accompanied with swept path analysis to demonstrate turning facilities for all vehicles regularly attracted to the site.

Car Parking: It appears that the proposal is a care home of the sort where individual rooms provide a high level of care meeting all activities of daily living. On this basis a car parking standard of C2 Nursing homes would be applied (1 per 4 beds + 1 per 2 members of staff). This would require the following:

- 86 - 1 bedrooms will require = 21.5 spaces

- The cover letter states 50 FTE employees = 25 car parking spaces required.

On this basis the proposal will require = 47 spaces. This requirement is a significant increase to the 27 spaces proposed.

It is noted in the covering letter accompanying the pre-application that parking for the residents would not be required as they don't tend to drive but they will, one hopes, have visitors and it is reasonable to assume that at least quarter of the residents will be visited at least a few days a week. If the parking requirements cannot be met in full, this needs to be robustly demonstrated and detailed.

Cycle Parking - Provision for staff car parking is required in accordance with Wiltshire Local Transport Plan Cycling Strategy.

Electric Vehicle Charging - The proposal will need to come forward with full details of how the proposal satisfies Building Regulations and provides satisfactory electric charging point infrastructure.

A Construction, Transport and Environmental Management Plan would also be required.

Ecology:

CP50 of the WCS adopted 2015 states that "development proposals must demonstrate how they protect features of nature conservation and geological value as part of the design rationale. There is an expectation that such features shall be retained, buffered, and managed favourably in order to maintain their ecological value, connectivity and functionality in the long-term.

Where it has been demonstrated that such features cannot be retained, removal or damage shall only be acceptable in circumstances where the anticipated ecological impacts have been mitigated as far as possible and appropriate compensatory measures can be secured to ensure no net loss of the local biodiversity resource, and secure the integrity of local ecological networks and provision of ecosystem services.

The applicant's intention to obtain a Preliminary Ecological Assessment (and any additional required further surveys), to establish the current value of the site to wildlife and protected species is noted. This is welcomed and required in support of any future application. Particular attention to great crested newts (GCN) should be given, as they are known to be prevalent in the local landscape.

The results of the surveys should inform an impact assessment and recommended measures for mitigation and enhancements must be included in the application drawings and plans.

Any future application should include provision of an unlocked Defra Metric calculation to demonstrate that the proposal results in no net loss for biodiversity.

An arboricultural impact assessment and root protection zone plan should be submitted with any future application to demonstrate which trees will be lost/retained and how the retained vegetation will be protected during construction works.

A Landscape and Ecological Management Plan is advisable to accompany any future application and could be conditioned in the event of approval.

Drainage & SuDs

Policy CP67 of the WCS requires that all new development will include measures to reduce the rate of rainwater runoff and improve rainwater infiltration to soil and ground (sustainable urban drainage). Paragraph 163 NPPF states that development should not increase flood risk elsewhere.

The site is located in flood zone 1 with no evidence of surface water or ground water flooding.

Any application for development should be accompanied by a robust flood risk assessment with a detailed Drainage Strategy for foul and surface water drainage.

The drainage team have not commented on this pre-app however Wessex Water has advised that there are no known assets within the proposed boundary of the site. Below is a snippet of the plan sent by them showing the WW assets in proximity to the site:

The plan shows that the north of the site is crossed by a 100mm pitch fibre public foul sewer running east to west. This sewer was previously private but transferred to S105A public status under the 2011 private sewer transfer legislation. Our records are incomplete for the condition of this sewer and downstream route, but it is expected that it does connect to the 225mm foul sewer in Snowberry.

There must be no building or structures within 3 metres either side of the public 100mm sewer. No tree planting within 6 metres. The manholes must remain in open access areas with unrestricted access for Wessex Water to maintain the sewer network. It may be possible to divert the public

sewer to suit the development layout under a Section185 sewer diversion application and subject to maintaining existing hydraulic capacity.

Foul Drainage

WW will accept the foul only flows from the development in to the public sewer network. Point of discharge will be dependent on the size of the applicant's proposed sewer connection and proposed discharge rate:

- for a 100mm dia. connection it could be to the 100mm dia. public foul sewer crossing the site,
- or if a 150mm diameter connection is necessary, then a connection to the 225mm public sewer in Snowberry would be the nearest 'size for size' point of discharge.

Developers fund the cost of connecting to the nearest 'size for size' sewer and Wessex Water will manage the sewer network to accommodate foul flows from granted development. WW fund this through our infrastructure charging arrangements.

It may be possible to utilise an existing private connection, this would be subject to proof of condition and capacity to meet building control approvals and in consultation with Wessex Water.

Surface Water Drainage

A surface water drainage plan and strategy will be required with any application. Surface water to be disposed of in accordance with Suds Hierarchy and NPPF Guidelines and should be directed to local land drainage systems. The SuDS philosophy is to replicate as closely as possible the natural drainage from a site before development. SuDS is designed within the opportunities and constraints of the site to deliver the most benefits for water quantity, quality, amenity and biodiversity. These 4 pillars of a sustainable drainage system should be given equal weight through the design process to achieve the maximum possible benefits. Further details are available at Water UK.

If higher methods in the SuDS hierarchy are proven not viable then WW will consider a surface water discharge to the 450mm surface water sewer in Snowberry at a restricted greenfield rate. Fully separated systems of drainage are required, no surface water to the foul sewer, either directly or indirectly. No land drainage or groundwater must discharge to the public sewers either directly or indirectly.

Water Supply

A water supply can be made available to the development with a point of connection to the 180mmPE water main in Snowberry. WW will need to review the applicants proposed daily demand and agree peak flow rates. Developers fund the cost of connecting to the nearest 'size for size' water main and Wessex Water will manage the water network to accommodate demand from granted development. WW fund this through the infrastructure charging arrangements

These comments are based upon known circumstances prevailing at the time of writing (Feb 2023). A review of the contents of this is required where 18 months or more have elapsed since issue, or in the light of significant changes likely to impact on any response such as development numbers or phasing. Please email review requests to planning.liaison@wessexwater.co.uk

Ground Conditions

Given the proposed more vulnerable use of the site it may be that an assessment of the ground conditions will be required and a GI investigation report to ensure that there is no contamination on the site would be helpful and is advisable. Further, in the event that any significant earthworks are required, this will have to be set out clearly with detailed plans, especially in view of the bypass proximity.

Consultation

It is highly recommended that pre-application public consultation is undertaken and a statement of community involvement explaining the public engagement process and how the development has taken this on board is strongly encouraged. Support at a local level from the Parish Council and the Local Ward Member Cllr Mike Sankey as well as Cllr Phil Alford who is Cabinet Member for housing Strategic Assets and Transfer who is local to Melksham and ward member for Melksham Without North & Shurnhold and part of the Melksham Neighbourhood Planning Group would also be beneficial for any application that may be submitted. Early engagement with the Parish Councillor and local Member is recommended.

CIL

The proposed development would likely be liable to CIL because the Wiltshire Council CIL Charging Schedule 2015 sets out that residential development includes for the purposes of CIL C2 and C2A uses as chargeable development.

The Charging Schedule makes a distinction between strategically important sites (ie those allocated) and those that are not (not strategically important sites). This site is peculiar in that whilst it sits on and arguably forms part of a strategically important site due it being within the allocation for the urban extension such additional development as a care home was not envisaged and as such it is unclear to me whether the Council will consider it as strategically important or not at this time. I can check with the Council's CIL officer and send an update when I have received their views. Notwithstanding this, I can confirm that the Charging Schedule indicates that the site is within Charging Zone 2 such that the charging fee would be either £55 per sqm or £30 per sqm. Please note that these figures will be liable to indexation surcharges.

Conclusion

In light of the above it is considered that there is potential for the Council to support a 86 bed care home on this site. There are a number of technical considerations and the detailed design will be important. There is willingness from the LPA to positively consider a care home in this location subject to the detailed considerations.

Advice regarding Building Regulations

This proposal may require separate approval under the Building Regulations. Wiltshire Council's Building Control department can be contacted on 0300 456 0113 and are happy to provide you with free Building Regulation advice on this proposal and discuss this project further. This will help to ensure that the final decisions are compliant with the Building Regulations and may help save you time and money.

Advice regarding submitting an application

Wiltshire Council has adopted local validation checklists, which need to be reviewed when preparing and submitting an application for planning permission. These will provide you with a list of documents that are required, as well as setting out the relevant scaled drawings. Further information is available online at: https://www.wiltshire.gov.uk/planning-submit-planning-application

For the avoidance of any doubt, all submitted plans will need to be drawn to scale, with a clearly marked scale bar.

Yours faithfully
Head of Development Management

Officer's Name: Gen Collins
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