

06 March 2026
Submitted via Planning Portal

Ref. MOOT3001

Planning Department
Wiltshire Council
County Hall
Bythesea Rd
Trowbridge
BA14 8JN

Dear Sir/Madam

FULL PLANNING APPLICATION FOR CHANGE OF USE FROM USE CLASS SUI GENERIS TO RESIDENTIAL (CLASS C3) AT BLOCK D, AVONSIDE BUSINESS PARK, MELKSHAM

On behalf of Moonraker (Melksham) Ltd, we are pleased to submit a full planning application for the change of use of Units F6, F7 and F8 at Block D from sui generis to residential (Class C3) at Avonside Enterprise Park, Melksham, SN12 8AD.

The application proposal is described as follows:

“Full Planning Application for change of use of units on first floor of Block D from Use Class Sui Generis to Use Class C3 (Residential)”

The application has been submitted via Planning Portal (ref. P14237748) and comprises the following documents in addition to this covering letter:

Document / Plan	Author	Document Reference
Completed Application Forms and Certificates	Turley	Dated October 2025
Ecological Impact Assessment Report	Wildwood Ecology	WWE25110 EcIA
Internal Daylight & Sunlight Report	David Patman Redler	S02/E03/2025/05/27
Noise Report	Ion Acoustics	A2327 R01
Flood Risk Appraisal	Vectos	227166/FRA/NB
Design Note Part 1	BGY Architects	Dated November 2025
Design Note Part 2	BGY Architects	Dated November 2025
Design Note Part 3	BGY Architects	Dated November 2025
Transport Statement and Tracking	Connect Consultants	TS/1

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Document / Plan	Author	Document Reference
Site Location Plan Change of Use	BGY Architects	1275_PL_S-001, Rev P1
BLOCKS A-G Proposed First Floor Plan	BGY Architects	1275_PL_GA-01 (A-G), Rev P1
Blocks A-G Proposed Elevation 08	BGY Architects	1275_PL_GE-08, Rev P1
Blocks A-G Proposed Elevation 09	BGY Architects	1275_PL_GE-09, Rev P1
Blocks A-G Proposed Section CC	BGY Architects	1275_PL_GS-CC, Rev P1
Blocks A-G Proposed Section DD	BGY Architects	1275_PL_GS-DD, Rev P1
Blocks A-G Proposed Section FF	BGY Architects	1275_PL_GS-FF, Rev P1
Blocks A-G Proposed Roof Plan	BGY Architects	1275_PL_GA-RF, Rev P1
Proposed Site Plan	BGY Architects	1275_PL_GA-00, Rev P1
BLOCKS A-G Existing First Floor Plan	BGY Architects	1275_PL_EX-01 (A-G), Rev P1
BLOCKS A-G Existing Elevation 08	BGY Architects	1275_PL_EE-08, Rev P1
BLOCKS A-G Existing Elevation 09	BGY Architects	1275_PL_EE-09, Rev P1
Existing Site Plan	BGY Architects	1275_PL_EX-00, Rev P1
Blocks A-G Existing Section AA	BGY Architects	1275_PL_ES-AA, Rev P1
Blocks A-G Existing Ground CC	BGY Architects	1275_PL_ES-CC, Rev P1
Blocks A-G Existing Ground DD	BGY Architects	1275_PL_ES-DD, Rev P1
Blocks A-G Existing Ground FF	BGY Architects	1275_PL_ES-FF, Rev P1
Blocks A-G Existing Roof Plan	BGY Architects	1275_PL_EX-RF (A-G), Rev P1
Unit Types – 1B/2P Change of Use	BGY Architects	1275_PL_UT-03, Rev P1
Unit Types – 2B/3P Change of Use	BGY Architects	1275_PL_UT-04, Rev P1
Unit Types – Studio Change of Use	BGY Architects	1275_PL_UT-Studio, Rev P1

The requisite application fee of £2,352.00 (+ £85.00 Service Charge) has been paid via the Planning Portal.

APPLICATION CONTEXT

Moonraker completed the phased acquisition of Avonside Enterprise Park ('Avonside') in August 2022 (having purchased the first two buildings in July 2019). It has brought the estate into single ownership. Moonraker has worked with occupiers, undergone significant marketing and invested in improving the buildings and spaces on site. This has included re-decoration of external buildings facades, improved maintenance and alterations to commercial spaces to best suit existing and prospective new tenant occupiers at the site.

The investment made by Moonraker to date include:

- The redecoration of external facades to improve the appearance of the estate as a cohesive and attractive destination in Melksham.
- The refurbishment of a circa 3,000 sq ft space on the second floor of Block A to accommodate a cyber security business as a new occupier on the estate.
- The refurbishment of a circa 3,000 sq ft space on the first floor of Block A to secure occupation by a financial services business.

Avonside has a diverse range of active commercial and employment generating uses. These fall largely into Use Class E as defined in The Town and Country Planning (Use Classes) (Amendment) (England) Regulations 2020. They also

include some falling into a class of their own (*sui generis*). The range of uses continues to evolve at the site, including in response to the investment by Moonraker. The active uses are predominantly focused on the ground floor level of the estate.

Moonraker has consulted with its occupiers, agents in the market and Melksham Town Council in the years since August 2022. It participated in the preparation of the Melksham Neighbourhood Plan. Feedback received during this consultation has reflected positively on the estate and its:

- Prominent edge-of-centre location of the site.
- Status as an important mixed-use destination in Melksham.
- Heritage significance of local importance associated with the buildings and stack fronting Bath Road.
- Contribution to the overall vitality and viability of the town centre and wider settlement.

The feedback highlighted the opportunity to build positively on this contribution through continued investment in the buildings and spaces at the estate. Stakeholders wanted to see the retention of the focus on commercial and employment generating uses at the heart of the estate. This focus should be complemented by a continued diversification in the mix of uses, particularly on upper floors. Residential uses that introduce greater activity at the site and improved footfall throughout the day in this edge-of-centre location between the town centre and railway station were actively supported.

A combination of this feedback and experience of the market in seeking (and successfully attracting) new occupiers to the estate in recent years has informed the Moonraker vision for Avonside. The opportunity for the significant planned investment is balanced with pragmatism in the face of the current market conditions. This balance has resulted in the plan for a phased implementation of the planned investment to deliver the vision in the coming years. Sequential investment on a priority basis will best build on the successful investments in improving the estate to date.

The proposal and this sequential approach to investment will underpin the commercial and employment generating core of the estate. It will improve existing ground floor commercial spaces to better suit the needs of existing occupiers and maximise the prospects of attracting new entrants into the estate. The focus here is improved spaces, interaction with the external spaces and a high quality hard and soft landscaping scheme that will transform the attractiveness of the estate and its contribution to this important edge-of-centre destination.

The reality is that the large areas of the upper floors of the estate are currently under utilised and vacant. It has not been viable to bring these spaces back into active occupation despite active marketing and investment by Moonraker since August 2022. The upper floor spaces will continue to decline without a step change in investment and approach. In turn, this will undermine ongoing investment and planned activity across the wider estate. Ultimately, this position will limit the scope for investment and regeneration of the estate.

The vacant upper floors offer the opportunity for the major enhancement and regeneration of the estate without any loss in its core commercial and employment generating function. They are the opportunity for a step change in investment to deliver a greater diversification in the mixed-use site. The planned introduction of residential uses on upper floors will deliver this step change in a direction welcomed in the local feedback received to date and towards greater activity and footfall at the site and into the town centre throughout the day.

The phase of planned investment to introduce a mix of high-quality residential accommodation on upper floors will complement its core function. Parking provision will be rationalised to service the new mixed-use operation of the site. Buildings will be demolished and external elevations upgraded as part of a carefully considered design focus including new hard and soft landscaping to positively transform the appearance of the site.

This phased and pragmatic approach will regenerate Avonside in a resilient, carefully considered, and comprehensive

manner. It will build on the enhancements already delivered in continuing the progress towards re-establishing Avonside as a landmark location for Melksham, its town centre and the local community. Avonside will become a hugely improved mixed use asset with a significantly enhanced public realm at an established and prominent destination in the heart of Melksham. The regenerated estate will make fantastic contribution to the town.

The proposals to achieve this phased regeneration are the subject of the following planning application being submitted for determination by Wiltshire Council:

- Planning application 1 – Change of use from sui generis to residential (Use Class C3).
- Planning application 2 – Prior approval for change of use from Class E to residential (Use Class C3).
- Planning application 3 – Full planning application for external alterations, including hard and soft landscaping works.
- Planning application 4 – Prior notification of demolition for proposed selective demolition on site.
- Advertisement consent application – new signage for the ground floor commercial units.

The applications should be read and considered together. This Design Note presents a detailed analysis of the proposed design, including in response to the constraints and opportunities of the site and its surrounding context.

SITE CONTEXT

The site is located immediately south of New Broughton Road (A3102), within the town of Melksham, Wiltshire, and falls under the administrative area of Wiltshire Council. The wider Avonside Enterprise Park site covers approximately 1.07 hectares.

The land is entirely brownfield and is surrounded by a mix of uses. To the north lies a Lidl supermarket, while the northeast is bordered by residential properties and industrial units, including facilities formerly operated by the Cooper Tire and Rubber Company. To the south, the site is bounded by the River Avon.

Vehicular access to the site is directly from New Broughton Road (A3102). The site benefits from pedestrian footpaths that support active travel, including a cycleway/path (surfaced) on Bath Road. Melksham railway station is located approximately 0.4 miles away roughly a ten-minute walk, and offers direct services to Chippenham, with onward connections to London Paddington. Additional public transport options are available from the Avonside Enterprise Park bus stop, which is served by routes 14, 15, 68, 68A, and 69. These bus routes provide access to nearby towns including Chippenham, Bath, Trowbridge, and Corsham. The range of destinations accessible via public transport offers strong connectivity for traveling to other towns and cities for work, education, and other purposes.

The building (Block D) is three storeys high. The ground floor is not materially affected by the proposed development other than the insertion of a new residents' access, foyer and route to the upper floors. The upper floors are vacant having formerly been occupied by the Angels Swingers Club, with a lawful planning use classified as Sui Generis. The space has been vacant for a period of over two years.

PLANNING HISTORY

The wider site's planning history dates to 1984. The subject units (F6, F7 and F8 in Block D) have the following relevant planning history:

- Full planning permission for the change of use of Units F6 and F7 from a pole dancing studio (D2 use) to an extension of Unit F8, Angels Swingers Club (sui generis), was granted in January 2015 (ref. 14/09336/FUL);
- Full planning permission was granted for a change of use of Unit F8 to a Private Members Club (ref. W/11/03275/FUL) in March 2012.

The permissions and former successful occupation of the units as the swingers club confirm the lawful established use as sui generis.

PROPOSED DEVELOPMENT

It is proposed to change the use of Units F6, F7, and F8 to create 4 residential dwellings. The proposed scheme includes 4 different bedroom types, creating 2 one-bedroom and 2 two-bedroom residential units. The table below sets out the proposed unit mix.

Unit Type	Quantity	Bedrooms
1.06 (Unit Type 2B)	1	2 Bedroom
1.07 (Unit Type 2C)	1	2 Bedroom
1.08 (Unit Type Studio)	1	Studio
1.09 (Unit Type 1E)	1	1 Bedroom
Total	4	

The application includes the creation of new structural openings in the façade to accommodate additional black-framed windows.

Future residents will enter Block D located within the open public realm to the south. Pedestrian access is available through the landscaped public realm or via the pavement along New Broughton Road. To the west of Block D, vehicle parking is provided for residents and visitors.

The ground floor and Level 2 of Block D are subject to a separate planning application for permitted development rights to change the use from Class E (Commercial) to Class C3 (Residential), supporting the site's transition into a mixed-use neighborhood.

Block D includes a dedicated bin store designed to accommodate all household waste types required in Melksham, including blue-lidded recycling bins, black recycling boxes, and general waste. Bin collection will follow the local bi-weekly schedule, with the collection point located directly southwest of Block D, adjacent to four disabled parking bays.

A secure resident cycle store is located immediately northeast of Block C, promoting sustainable transport options.

The wider redevelopment will provide 25 car spaces for the residential units. The remaining 98 spaces within the onsite car parking areas will be available for use by staff and visitors associated with the existing commercial units on the Site. Six disabled spaces will be created. This expansion ensures sufficient parking capacity to meet the needs of future residents and visitors.

PLANNING POLICY CONTEXT

The site is located within the administrative boundary of Wiltshire Council. The Development Plan for the site comprises:

- Wiltshire Core Strategy Development Plan (adopted 20th January 2015);
- Joint Melksham Neighbourhood Plan (2021)

CORE STRATEGY

The key policies from the Wiltshire Core Strategy (2015) most relevant to the application site are outlined below:

- Core Policy 1 confirms Market Towns are defined as settlements that have the ability to support sustainable patterns of living in Wiltshire through their current levels of facilities, services, and employment opportunities. Melksham is defined as a Market Town.
- Core Policy 2 confirms Wiltshire has an overall housing target of 42,000 homes. It sets out the indicative housing requirement for each settlement. Melksham's housing requirement is a total of 2,370 homes.
- Core Policy 15 relates to the Melksham Community Area. It recognised Avonside Enterprise Park as an existing Principal Employment Area. It also confirms that over the plan period approximately 2,370 new homes will be provided, of which about 2,240 should be at Melksham. Approximately 130 homes will be provided in the rest of the Community Area. Supporting paragraph 5.80 states that the town centre needs regeneration, and the retail offer has suffered for a number of years. Supporting paragraph 5.83 states growth should contribute towards town centre regeneration.
- Core Policy 35 states Wiltshire's Principal Employment Areas (as listed in the Area Strategies) should be retained for employment purposes within use classes B1, B2 and B8. Proposals for the redevelopment of land or buildings currently or last used within use class B1, B2 or B8 must demonstrate that they meet a certain criterion. This proposal will not result in the loss of employment units. The upper floors are vacant having formerly been occupied by the Angels Swingers Club, with a lawful planning use classified as Sui Generis. The space has been vacant for a period of over two years.
- Core Policy 41 encourages energy-efficient building design and the use of renewable energy technologies.
- Core Policy 43 states on sites of five or more dwellings; affordable housing provision of at least 30% (net) will be provided within the 30% affordable housing zone and at least 40% (net) will be provided on sites within the 40% affordable housing zone. Only in exceptional circumstances, where it can be proven that on-site delivery is not possible, will a commuted sum be considered.
- Core Policy 45 ensures well-designed market and affordable housing is provided within housing developments, reflecting local needs and offering a mix of types, tenures, and sizes to support balanced, inclusive communities.
- Core Policy 50 confirms the protection and enhancement of natural habitats, requiring development to avoid or mitigate harm to biodiversity.
- Core Policy 51 states that development proposals protect, conserve, and, where feasible, enhance the character of the landscape. Proposals must avoid causing harm to landscape character, and where adverse impacts are unavoidable, they should be mitigated through sensitive design and appropriate landscape measures. This approach ensures that development respects and reinforces the distinct qualities of the local environment.
- Core Policy 52 ensures that development proposals safeguard and enhance Wiltshire's green infrastructure network.
- Core Policy 57 states that the design of all new developments and alterations should foster a strong sense of

place, reflecting and complementing the character and context of the local area.

- Core Policy 60 promotes walking, cycling and public transport, aiming to reduce car dependency and carbon emissions.
- Core Policy 61 requires transport assessments and travel plans for major developments to ensure sustainable access.
- Core Policy 67 requires that proposals located within Flood Zones 2 and 3 demonstrate that no suitable alternative sites exist in areas of lower flood risk.

JOINT MELKSHAM NEIGHBOURHOOD PLAN

The key policies from the Joint Melksham Neighbourhood Plan (2021) that are considered most relevant to the application site are outlined below:

- Policy 1 promotes environmentally responsible building through green design standards.
- Policy 3 requires flood prone developments to include mitigation measures.
- Policy 6 supports sustainable housing which provides a mix of homes based on local needs, and respects and integrates with the surrounding character.
- Policy 20 states that proposals should contribute positively to the conservation, enhancement, and extension of the quality and local distinctiveness of the neighborhood area.

OTHER MATERIAL CONSIDERATIONS

NATIONAL PLANNING POLICY FRAMEWORK

The NPPF was last updated in December 2024¹ and sets out the Government's planning policies for England and how these are expected to be applied. The key paragraphs from the NPPF of relevance to the proposed development are considered are outlined below:

- At the core of the NPPF is a presumption in favour of sustainable development (**Paragraph 10**). To achieve this, the NPPF cites three overarching independent but mutually supportive objectives (**Paragraph 8**):
 - An economic objective – to build a strong and competitive economy by ensuring the right land is used at the right times to support growth, innovation, and improved productivity; and by coordinating the provision of infrastructure;
 - A social objective – to support 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 well- designed places, with accessible services and open spaces that reflect current and future needs, supporting communities' health, social and cultural well-being; and
 - An environmental objective – to protect and enhance our natural, built, and historic environment; including making effective use of land, improving biodiversity, using natural resources prudently,

¹ Additional clarifying amendments were made in February 2025 but these were stated to specifically not change the policy contained in the December 2024 version.

minimising waste and pollution, and mitigating and adapting to climate change, including moving to a low carbon economy.

- **Paragraph 11** identifies the NPPF's presumption in favour of sustainable development. For decision-taking, this presumption means approving development proposals which accord with the development plan without delay and where the development plan is absent, silent, or relevant policies are out-of-date, permission should be granted unless:
 - Any adverse impacts of doing so would considerably and demonstrably outweigh the benefits having particular regard to key policies for directing development to sustainable locations, making effective use of land, securing well-designed places and providing affordable homes, individually or in combination; or
 - Specific policies within the NPPF provide a strong reason for why development should be restricted.
- **Paragraph 61** confirms that the Government's objective of substantially boosting the supply of homes requires a sufficient amount and variety of land coming forward where it is needed. The paragraph confirms that the overall aim should be to meet an area's identified housing need, including with an appropriate mix of housing types for the local community.
- **Paragraph 73** recognises that small and medium sized sites can make an important contribution to meeting the housing requirement of an area.
- **Paragraph 78** is focused around significantly boosting the supply of housing. It states that Local Planning Authorities should maintain and updated annually a 5-year supply of deliverable sites.
- **Paragraph 124** confirms that planning policies and decisions should support development that makes effective use of land.
- **Paragraph 125 b)** places substantial weight on the importance of utilising suitable brownfield land within settlements to meet housing and other identified needs. It supports the approval of such proposals unless they result in significant harm. Furthermore, it encourages appropriate opportunities to remediate land that is despoiled, degraded, derelict, contaminated, or unstable, thereby promoting sustainable development and regeneration.
- **Paragraph 135** states that planning policies and decisions should ensure that developments function well and add to the overall quality of the area as well as being visually attractive and sympathetic to local character, history, the surrounding built environment, and landscape setting.
- **Paragraph 187** states that planning policies and decisions should contribute to and enhance the natural and local environment by; minimising impacts on ecological and environmental assets, and providing net gains for biodiversity.

PLANNING PRACTICE GUIDANCE

The Planning Practice Guidance (PPG) was published in March 2014 and supports the NPPF and provides guidance on housing and economic development needs and availability assessments, the consideration and determination of planning applications, and various other technical and procedural matters, supporting the overall implementation of the policy contained within the NPPF.

SUPPLEMENTARY PLANNING DOCUMENTS

The most relevant Supplementary Planning Document to the application is the Wiltshire Design Guide (2024). The document seeks to ensure a high standard of design that reflects the local context and character. This proposal supports the principles of sustainability, health and wellbeing which are underpinned within the SPD.

FIVE YEAR HOUSING LAND SUPPLY

The Council's 5 Year Housing Land Supply (5YHLS) Position is set out in the Wiltshire's Housing Land Supply Statement² published June 2025. It provides an assessment of the Council's housing land supply for the five-year period April 2024 to March 2029. A summary of the Council's position is set out below. It confirms the Council has just 2.42 years supply, with a shortfall of 9,561 homes.

Annual Local Housing Need (LHN)	5-year Housing Requirement	5-Year Housing Requirement plus buffer	Deliverable Supply 2024-2029	Number of Years Deliverable Supply
3,525	17,625	18,506	8,945	2.42

EMERGING WILTSHIRE LOCAL PLAN 2020 - 2038

Wiltshire Council is developing a new local plan that is expected to replace the existing Local Plan. It is proposed to set out a vision and framework for Wiltshire for the period to 2038. Inspectors held a Focused Hearing Session considering the Duty to Co-operate on Tuesday the 24th of June and a letter was published on 4th July 2025 confirming that examination can proceed to stage 2. As the plan has not yet been adopted, it is considered to have limited weight in the consideration of the application.

SUMMARY: PRESUMPTION IN FAVOUR OF SUSTAINABLE DEVELOPMENT

The Council's 5 Year Housing Land position confirms that the adopted development plan is out of date. The plan is more than 5 years old and the Council can't demonstrate a five-year housing land supply, as required by paragraph 78 of the NPPF. The application should be determined against the presumption in favour of sustainable development at paragraph 11 d).

The presumption at paragraph 11 d) of the NPPF means planning permission should be granted, unless:

- i. the application of policies in this Framework that protect areas or assets of particular importance provides a strong reason for refusing the development proposed; or
- ii. any adverse impacts of doing so would considerably and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole, having particular regard to key policies for directing development to sustainable locations, making effective use of land, securing well-designed places and providing affordable homes, individually or in combination.

Parts of the site are currently at risk of flooding. Footnote 7 to paragraph 11 of the NPPF confirms that this can disengage the presumption in favour of sustainable development if the harm is a strong reason for refusal.

ASSESSMENT OF THE APPLICATION

PRINCIPLE OF DEVELOPMENT

²https://www.wiltshire.gov.uk/media/17422/Wiltshire-Housing-Land-Supply-Statement-2024/pdf/Housing_Land_Supply_Statement_2024.pdf?m=1750250132067

Core Policy 2 confirms Wiltshire has an overall housing target of 42,000 homes. It sets out the indicative housing requirement for each settlement. Melksham's housing requirement is a total of 2,370 homes. The application proposals (particularly alongside the permitted development proposal under a separate application) would positively contribute towards meeting this need.

Core Policy 1 confirms Market Towns are defined as settlements that have the ability to support sustainable patterns of living in Wiltshire through their current levels of facilities, services and employment opportunities. Melksham is defined as a Market Town. The site lies within the defined settlement boundary. Core Policy 2 confirms that there is a presumption in favour of sustainable development at Market Towns.

Avonside Enterprise Park is designated as a Principal Employment Area under Core Policy 35. The policy states proposals for the redevelopment of land or buildings currently or last used for activities falling within use classes B1, B2 and B8 must demonstrate that they meet certain criteria. It is important to recognise that under planning permissions 14/09336/FUL and W/11/03275/FUL, the Council granted the change of use of units F6, F7 and F8 to Sui Generis (Angels Swingers Club and Private Members Club).

The existing lawful use of the site sits outside of the employment use classes listed within the policy. The policy wording is clear – it applies to the redevelopment of land or buildings currently or last used for activities falling within use classes B1, B2 and B8. Given the extant permissions for these units is Sui Generis, the proposal would not result in loss of existing employment uses. As such, it is considered the proposal is not in conflict with Core Policy 35. The brownfield site is under-utilised. It is highly accessible by a range of modes of transport, including convenient access to local services, facilities, and amenities on foot and by public transport. Introducing residential uses in this highly sustainable location will complement the ground floor commercial uses. It will create footfall and directly support the comprehensive regeneration of the increasingly dated and run down enterprise park. This is especially the case when considered alongside the other planning application submitted simultaneously at the site.

The Development Plan offers strong in-principle support for the development. In this context, the planning merits of the proposal must be assessed on the key development management policies relating to residential proposals in this location. This assessment is set out below.

REGENERATION OPPORTUNITY

The proposed transformation of Avonside Enterprise Park into a vibrant mixed-use neighbourhood integrating residential and commercial spaces represents an investment in an established destination at the heart of Melksham, aligning with local planning policy objectives. This forward-looking development will help shape a dynamic, inclusive, and economically resilient future for both the town and the wider Wiltshire region. The proposal will contribute positively to the strategic regeneration of Melksham.

High Quality Homes

There is clear national planning policy imperative to considerably boost the supply of homes (under Paragraph 78 of the NPPF). The Council also confirms there is shortfall in the supply of homes in the next 5 years. In this context, contribution this scheme can make towards meeting housing needs and shortfalls in Wiltshire should be afforded significant weight. This is particularly in the context of the site's sustainable location within the boundary of Melksham.

Ecology

The application is supported by an Ecological Impact Assessment prepared by Wildwood Ecology.

The assessment concludes that, without appropriate mitigation, the proposed development may result in adverse

effects on key ecological receptors, namely the River Avon Special Area of Conservation (SAC) and foraging and commuting bats. While Block D has been confirmed to lack suitable roosting features for bats, mitigation during the construction phase remains essential to safeguard bat activity in the area.

To address potential impacts on the River Avon SAC, a Construction Environmental Management Plan (CEMP) will be required to ensure that construction activities are carefully managed to avoid or mitigate ecological harm.

Subject to the implementation of these mitigation measures, the proposal is considered ecologically acceptable. It complies with Core Strategy Policy 69, and accords with the principles set out in paragraphs 185 to 188 of the National Planning Policy Framework (NPPF), which promote the conservation and enhancement of the natural environment, including habitats and biodiversity.

The ecology assessment confirms there are no protected habitats on site. In this context, there is no requirement to demonstrate Biodiversity Net Gain [BNG]. The development is exempt from BNG.

Noise

The application is accompanied by a noise report prepared by Ion Acoustics.

The report confirms that external noise levels at the façade of Block D fall within the high-risk category as defined by the Professional Practice Guidance on Planning and Noise (ProPG). The existing residential properties on both sides of the road are subject to similar noise levels. This demonstrates that the location remains suitable for residential development. Notwithstanding this context, appropriate mitigation measures are proposed as part of the proposal.

The report confirms the glazing requirements for background ventilation. It assesses each façade of the existing building and provides corresponding color coding. The 'Red' (overlooking the A3102) and 'Orange' (internal façade) facades discussed in the report are relevant to this application. In summary:

- **Red Façade:** The rooms overlooking A3102 have the highest requirements for bedrooms and living room/kitchens on all floors. Heavy thermal double-glazed windows will be required. An alternative approach is installing secondary glazing with a deep cavity behind a standard thermal double-glazed panel may achieve similar results, depending on the cavity available. Mechanical ventilation is required for the rooms overlooking A3102 and to the west. Given that the building is existing and being converted, mitigation measures described in ProPG are limited and therefore heavy windows and mechanical ventilation is a reliable option
- **Orange Façade:** The rooms on the orange façade include bedrooms and living room/kitchens on both floors. The façade is shielded from the A3201 but does have line of sight to the bridge. Reflections, angle of view, and distance loss has been considered in the calculation. Noise levels are quite low and therefore the internal levels with windows open are compliant with the standard internal BS8233 limits. Therefore not all of the scheme needs to have mechanical ventilation. The windows can have standard double glazing in the and can have an acoustic trickle vent.

With the inclusion of the stated mitigation, the proposal is acceptable from a noise perspective and aligns directly with Core Strategy Policy 57.

Flood Risk and Drainage

The application is accompanied by a Flood Risk Appraisal prepared by Vectos.

The appraisal assesses potential flooding from all relevant sources, including the sea, rivers, surface water, groundwater, and reservoirs. It concludes that the River Avon is the only significant source of flood risk to the site.

Based on Environment Agency data, the lowest-lying external areas in the west of the site are likely to flood in events with a return period of between 1 in 20 and 1 in 50 years, while the eastern external areas are likely to flood in events with a return period of between 1 in 50 and 1 in 75 years. Internal flooding is only expected in more extreme events, with a return period of between 1 in 100 and 1 in 200 years. There is a 2% chance that a 1 in 100-year flood will occur over the next 2 years.

The proposal relates to the upper floors of a significant established building on a brownfield site. It will not increase any flood risk on or off-site. There is an active flood warning system on the River Avon. The application ensures the safety of residents in the event of a flood, including through safe refuge at home or by safe means of escape. All identified floor risks are not materially different to the existing situation on site.

The proposal is acceptable from a flood risk perspective, aligning with Core Strategy Policy 67.

Sunlight and Daylight

The application is accompanied by an Internal Daylight and Sunlight Report prepared by DPR.

The report evaluates daylight and sunlight provision to all habitable rooms within the wider proposals, applying the methodologies set out in the BRE Guide (2022 edition). The assessment confirms that all habitable rooms (100%) meet the recommended daylight criteria, ensuring that every dwelling will benefit from good levels of natural light.

The proposed dwellings comply with the BRE guidelines on sunlight, each containing at least one habitable room capable of receiving a minimum of 1.5 hours of sunlight on 21 March. It is noted that the BRE guidance is advisory rather than prescriptive, and its numerical targets should be applied with flexibility. As acknowledged in the NPPF, greater flexibility is appropriate in urban locations such as this, where the delivery of new homes in a town centre context is a key planning objective.

The proposal is acceptable from a daylight and sunlight perspective, aligning with reference to Core Policy 57.

Design

The application is supported by a Design Note and architectural plans prepared by BGY Architects.

The proposed design for Block D introduces a blue-painted façade element, offering a subtle yet enhancement to the building's appearance. Another side of the Block retains the existing brickwork to ensure visual continuity with the wider Avonside Business Park.

The design maintains a balanced and symmetrical form, with active frontages at ground level to promote engagement at street level. The proposal has been thoughtfully developed to integrate sensitively with its surroundings and contribute positively to the overall character of the scheme. Proposed residents will enjoy a high-quality level of accommodation with excellent amenity.

Transport

This application is accompanied by a Transport Statement prepared by Connect Consultants.

The report confirms:

- The Site is in central Melksham and is surrounded by the town centre pedestrian network that provides access to a range of services/facilities within walking distance.
- The area local to the Site is conducive to cycling, with a wide range of services and amenities within cycling distance, and there are good opportunities for residents to make their journeys by bike.
- The bus stops local to the Site are served by frequent bus services, which provide access to / from a variety of destinations.

- Melksham rail station is also within walking distance of the Site; some longer journeys to/from the proposed development can be made by train.
- The Site also has a prominent location relative to the local highway network, and the recent local collision records indicate that there is no existing road safety problem in the vicinity of the Site.
- Overall, the site has a good level of accessibility by all relevant transport modes.

The existing vehicular accesses to the Site will be rationalised to just two access points, creating a one-way route through the Site; entering through the eastern access and exiting through the western access. The existing vehicle access in the eastern corner of the Site will become a non-car access for pedestrians and cycles only. Pedestrian movements are accommodated within the internal site layout.

The proposed residential car parking is in accordance with the adopted local standards. Cycle parking for the residents will be provided within secure covered cycle stores conveniently located for the residential units, accommodating at least one space per bedroom. Swept path analysis shows that the access arrangements and layout of the proposed development are suitable for the largest vehicles that are expected to use the Site.

The industry-standard TRICS database has been used to identify the average vehicle trip rates for both the fallback position based on the existing uses and proposed development.

The TRICS data shows that the proposed change of use would result in a reduction in the number of peak-hour vehicle trips associated with the Site. Even ignoring the fallback position, the proposed residential flats are shown to generate an average of 5-6 vehicle movements in the weekday peak hours, which is a negligible number of additional vehicle movements.

The proposal accords with Core Policies 60-64 of the Wiltshire Core Strategy, and with Policies PS6 and PS12 of the Wiltshire Local Transport Plan, and with paragraphs 115 to 118 of the NPPF.

SUMMARY

The foregoing analysis has demonstrated that the Development Plan is out of date. In absence of an up-to-date plan or in the absence of a sufficient five-year supply, any policies that would restrict otherwise sustainable development from coming forward, must be given reduced weight. The application must be determined against the 'tilted balance' of Paragraph 11 (d) of the NPPF (i.e. whether any adverse impacts of granting permission would considerably and demonstrably outweigh the benefits, when assessed against the policies in the NPPF taken as a whole).

When considering that balance, this Statement confirms that there are no adverse impacts that would significantly and demonstrably outweigh the benefits in this case. As such, the application proposals would accord with and are supported by the presumption in favour of sustainable development and so would accord with the development plan when read as a whole.

The significant public benefits of the application proposals are:

- Delivery of high-quality homes.
- Making effective use of brownfield land.
- Contribution to Wider Regeneration.
- Promoting Active Travel and alternative forms of transport.
- Employment Opportunities, including during the construction phase of the development.

The benefits of the proposal are underlined when considered in the context of the overall planned investment by Moonraker across the simultaneous planning applications submitted for determination at the site.

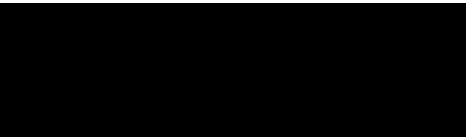
The technical assessment documents that are submitted in support of the planning application demonstrate that this site can accommodate this development suitably and sustainably. There are no environmental or technical constraints to developing this site, which is suitable for residential development. The proposal complies directly with the Development Plan and the balance of material considerations weight heavily in favour of granting planning permission.

CONCLUSION

This application seeks full planning permission for the change of use of Units F6, F7, and F8 (First Floor, Block D) from Sui Generis to Class C3 residential. The proposal aligns with national and local planning policy objectives, contributes to housing delivery, and makes effective use of previously developed urban space. When considered against the Development Plan and the NPPF the benefits of the scheme clearly outweigh any residual negative impact and there are no up to date policies to indicate that development should be resisted in this location. As such, this application is considered acceptable when considered against the Development Plan and NPPF when read as a whole.

We trust that you have everything you require to validate and determine this application, though please do not hesitate to make contact if you have any queries.

Yours sincerely



Owen Francis

Director, Head of Planning Wales

