

Joint Melksham Neighbourhood Plan

Basic Conditions Statement

Submission Version

October 2020

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A Introduction

A1 Outline

- A1.1 This Basic Conditions Statement demonstrates how the Joint Melksham Neighbourhood Development Plan ('the Plan') meets the basic conditions set out in paragraph 8(2) of Schedule 4B to the Town and Country Planning Act 1990 as applied to Neighbourhood Plans by Section 38A of the Planning and Compulsory Purchase Act 2004¹.
- A1.2 The qualifying body (Melksham Town Council and Melksham Without Parish Council) is required to produce this statement in line with regulation 15(1)(d) and regulation 22 (1)(e) of the Neighbourhood Planning (General) Regulations 2012 (as amended).
- A1.3 This Basic Conditions Statement has been prepared with regard to the following guidance / legislation:
- The Planning Aid Guide 'Approaches to Writing a Basic Conditions Statement'²
 - The Planning Advisory Service 'Guide for Councils: Meeting your legal requirements for Neighbourhood Plans'³
 - The relevant extracts from the National Planning Practice Guidance⁴, and
 - The relevant Acts and Regulations which pertain to Neighbourhood Development Plans.

¹ <https://www.gov.uk/guidance/neighbourhood-planning--2#basic-conditions-for-neighbourhood-plan-to-referendum>

²

https://www.ourneighbourhoodplanning.org.uk/storage/resources/documents/Approaches_to_writing_a_basic_conditions_statement1.pdf

³ <http://www.pas.gov.uk/documents/332612/1099329/Legal+compliance+guide+NDP+March+2015.pdf>

⁴ <http://planningguidance.planningportal.gov.uk/>

B Legal Requirements

This part of the Basic Conditions Statement confirms that in the view of Melksham Town Council and Melksham Without Parish Council, the Joint Melksham Neighbourhood Development Plan meets the legal requirements for a Neighbourhood Development Plan.

B1 The plan is being submitted by a qualifying body

B1.1 The Joint Melksham Neighbourhood Development Plan will be submitted by the qualifying body – Melksham Town Council and Melksham Without Parish Council.

B2 What is being proposed is a Neighbourhood Development Plan

B2.1 The Joint Melksham Neighbourhood Development Plan relates to planning matters (the use and development of land) and has been prepared in accordance with the statutory requirements and processes set out in the Town and Country Planning Act 1990 (as amended by the Localism Act 2011) and the Neighbourhood Planning Regulations 2012.

B3 The proposed Neighbourhood Development Plan states the period for which it is to have effect.

B3.1 The Joint Melksham Neighbourhood Plan specifies the time period for which it is to have effect as 2020-2030.

B4 The policies do not relate to excluded development

B4.1 The Joint Melksham Neighbourhood Development Plan proposals do not deal with county matters (mineral extraction and waste development), nationally significant infrastructure or any other matters set out in Section 61K of the Town and Country Planning Act 1990.

B5 The proposed neighbourhood plan does not relate to more than one neighbourhood area and there are no other neighbourhood development plans in place within the neighbourhood area.

B5.1 The Joint Melksham Neighbourhood Development Plan proposals relate to the Melksham Neighbourhood Area and to no other area. There are no other neighbourhood plans relating to this neighbourhood area.

B5.2 The Joint Melksham Neighbourhood Area was designated on 14th July 2014, and amended 8th November 2017. The Neighbourhood Area encompasses Melksham Town and Melksham Without Parish.

The Neighbourhood Area boundary is shown in **Appendix 1 to this Statement** and within the Joint Melksham Neighbourhood Development Plan.

C Basic Conditions

This part of the Basic Conditions Statement confirms that in the view of Melksham Town Council and Melksham Without Parish Council, the Joint Melksham Neighbourhood Development Plan meets all of the basic conditions required for a Neighbourhood Plan.

C1 Have appropriate regard to national policy

C1.1 The National Planning Policy Framework (2019)⁵ sets out the planning policies for England, together with the National Planning Practice Guidance (NPPG)⁶. Table 1 below briefly summarises how the national policies and guidance have been taken into account for each planning policy in the Joint Melksham Neighbourhood Plan. This approach follows the format employed by Arundel District Council in their Basic Conditions Statement, as referenced in Planning Aid Guidance as good practice⁷.

Table 1- General conformity of NDP Policies with National Planning Policy Framework 2019

| Planning Policy Ref. | Planning Policy Title | Key NPPF Para. Cross Ref. | Commentary |
|----------------------|--|---------------------------|--|
| Policy 1 | Sustainable Design and Construction | 7, 148, 149, 150, 151, | <p>The policy contributes to the achievement of sustainable development and encourages highest possible standards of energy efficiency and low/zero carbon energy, to maximise carbon reduction both in terms of individual dwellings and site layout.</p> <p>This is a proactive approach to mitigating and adapting to climate change in the Melksham Neighbourhood Area which avoids increased vulnerability and helps to reduce greenhouse gas emissions.</p> <p>This policy is also supported by 'Sustainable Development and Climate Change' para 2.7 on p.19.</p> |
| Policy 2 | Local Renewable and Low Carbon Energy Generation | 148, 151, 152 | <p>The policy supports development for renewable and low carbon energy generation projects that contributes towards reductions in greenhouse gas emissions. It also provides a positive strategy for bringing forward renewable and low carbon energy generation in Melksham, by stipulating how any adverse impacts of the development should be addressed satisfactorily.</p> <p>The policy supports community-led initiatives for renewable and low carbon energy.</p> |

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https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/740441/National_Planning_Policy_Framework_web_accessible_version.pdf

6 <https://www.gov.uk/government/collections/planning-practice-guidance>

7 http://community21.org/downloads/Arundel%20Neighbourhood%20Plan_Basic%20Conditions%20Statement_Nov%202013.pdf

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| | | | This policy is also supported by 'Sustainable Development and Climate Change' para 2.7 on p.19. |
| Policy 3 | Flood Risk and Natural Flood Management | 148, 150, 155, 157 | <p>The policy takes account of the identified flood risk in the area as well as the increased risk of flooding from future development pressure in the area. By encouraging SuDS in new development, risk of flooding both on a development site and elsewhere is reduced.</p> <p>The policy directs development away from areas of high flood risk and sets out that new development should make use of opportunities to reduce the causes and impacts of flooding, where appropriate through the use of natural flood management techniques.</p> <p>This policy is also supported by 'Sustainable Development and Climate Change' para 2.7 on p.19.</p> |
| Policy 4 | Ultra Low Emission Vehicle Charging | 148, 150, 151 | <p>The policy encourages the infrastructure to enable use of ultra low emission vehicles, to reduce greenhouse gas emissions and increase the use of renewable and low carbon energy.</p> <p>This policy is also supported by 'Sustainable Development and Climate Change' para 2.7 on p.19.</p> |
| Policy 5 | Community Engagement | 39, 40, 41, 124, 128 | <p>Pre-application engagement and front-loading is identified as having significant potential to improve efficiency and effectiveness of the planning application system for all parties (para 39). The policy encourages and enables early and effective pre-application engagement between developers, communities, and other relevant stakeholders, and puts in place a coherent and consistent approach, in the form of the protocol to do that. Though it cannot be required it can be 'encouraged' where considered beneficial (para 40). The Pre-application protocol is aimed at resolving any potential issues at pre-application stage with input from the Parish Council and community of Melksham (para 41 / 42). It also enables design quality to be considered at the earliest stages and to enable the demonstration of early, proactive and effective community engagement (para 128 / 130). The 2019 Planning Practice Guidance Note on Design also emphasises the importance of community engagement: "Communities can effectively shape both design policies and development through a collaborative process of meaningful participation. Early engagement and linking engagement activities to key stages of</p> |

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| | | | design decision making and plan-making can empower people to inform the vision, design policies and the design of schemes.” (para 019). The Community Engagement Protocol forms Appendix 1 to the Plan. |
| Policy 6 | Housing in Defined Settlements | 59, 71, 117 | The policy promotes effective use of land by conforming with, and adding Melksham-specific detail to, Wiltshire Council’s strategic policy framework to support development within defined settlement boundaries. The policy also supports self and custom build projects, supporting the government’s objective of significantly boosting the supply of homes. The policy also supports sustainable development coming forward as a rural exceptions site, provided that it meets all other national and local policy requirements. |
| Policy 7 | Allocation of Land at Middle Farm, Corsham Road, Whitley | 28, 29, 60-62, 69, 119 | The policy is a non-strategic site allocation policy which is suitable to provide housing in the local area. The policy does not undermine development strategy for housing development as set out in the Local Plan. Through this site allocation, the Neighbourhood Plan takes a proactive role in identifying and helping to bring forward land that is suitable for meeting affordable housing needs in a rural part of the Neighbourhood Area. The policy requires development that comes forward on this site to deliver affordable homes in line with the requirements of the Local Plan. The allocation is also informed by a robust site assessment process which identified this site as suitable for managed development (the parameters of which are set out in the policy criteria). |
| Policy 8 | Infrastructure Phasing and Priorities | 8, 26, 28 | The policy promotes the identification and coordination of infrastructure, a key part of sustainable development’s economic objective. The policy encourages joint working between Wiltshire Council and the Town and Parish Council with regards to determining where additional infrastructure is necessary. The policy gives detail on the mechanisms for the provision of and improvements to infrastructure at the local level. |
| Policy 9 | Town Centre | 85, 87 | The policy supports the role of the Town Centre and takes a positive approach to its |

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| | | | management and adaptation. It sets criteria for the type of development that will be supported within the Town Centre and on edge of centre sites. It also recognises the important role of residential uses within the town centre by encouraging appropriate residential uses in upper floors of town centre properties. |
| Policy 10 | Employment Sites | 80, 81, 85, 87, 92 | <p>The policy helps to create conditions in which businesses can invest, expand and adapt, particularly within the Principal Employment Areas and Town Centre shown on Figure 7. It also encourages employment space to accommodate the needs of start-up and small businesses and new employment opportunities.</p> <p>Criteria B encourages appropriate development within and adjacent to the defined town centre to allow diversification in the retail and leisure industry.</p> |
| Policy 11 | Sustainable Transport and Active Travel | 98, 102, 104 | <p>The policy supports development that protects and enhances public rights of way and other key walking and cycling routes that link to key community facilities, including Melksham Railway Station, and to the surrounding countryside of Melksham Without and beyond to Lacock and Seend Parish.</p> <p>This encourages development proposals which give priority first to pedestrian and cycle movements and public transport, over those of the private car – in line with the Sustainable Transport Hierarchy. It also works to shape development to contribute towards encouraging active travel; promoting and identifying opportunities for walking and cycling.</p> |
| Policy 12 | Green Infrastructure | 91, 92, 96, 97, 98, 104 | The policy plans positively for the provision, protection and enhancement of new and existing green infrastructure in the Neighbourhood Area. Accompanying Figures 9 and 11a, 11b and 11c (and the supporting Green Infrastructure Report) identify existing green infrastructure assets and priorities, including open and recreation space, public rights of way, and trees / woodlands across the Neighbourhood Area. |
| Policy 13 | Biodiversity | 170, 171, 174, 175 | The policy contributes to the enhancement of the natural environment. Accompanying Figure 10 (and the supporting Green Infrastructure Report) also identifies important existing wildlife habitats for safeguarding, protection and enhancement. The policy plans positively to preserve and protect habitats and biodiversity in the Neighbourhood Area. It anticipates the forthcoming Environment Bill and requires new developments to improve a site's |

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| | | | biodiversity value by at least 15 per cent to gain planning consent. Biodiversity value must be calculated using the Government's biodiversity calculator otherwise known as the "Defra metric" expected to be ready for use in September 2020. |
| Policy 14 | Open Spaces | 91, 96, 97 | The policy recognises and works to protect locally important green spaces within the Neighbourhood Area, contributing to opportunities for increasing the health and wellbeing of the community. |
| Policy 15 | Community Facilities | 91, 92, 97 | The policy promotes healthy and safe communities by protecting the places that help to address health and wellbeing needs of the community. It safeguards against the unnecessary loss of the existing community facilities in Melksham, and encourages the provision of appropriate new facilities, allowing the community to continue to meet its daily needs. |
| Policy 16 | Trees and Hedgerows | 91, 124, 170, 174, 175 | Trees and hedgerows are a key part of Melksham's green infrastructure network, which this policy is seeking to enhance. The policy and accompanying Figure 13 identify important trees for safeguarding and protect against the loss of this important green infrastructure asset. |
| Policy 17 | Landscape Character | 170, 174 | <p>The policy is supported by the Local Landscape Character Report and the Green Infrastructure Report, which both identify important aspects of the landscape character of the Neighbourhood Area. The policy encourages the protection and enhancement of these valued aspects of the landscape.</p> <p>By encouraging schemes that draw on local landscape characteristics such as trees, hedgerows and the local river system, the policy works to protect and enhance biodiversity as well as landscape character in the Neighbourhood Area.</p> <p>The policy also works to protect the setting of the Kennet & Avon Canal as an important feature of green infrastructure and biodiversity value, and identifies the canal and its setting as a key wildlife corridor to be conserved and enhanced.</p> |
| Policy 18 | Locally Distinctive, High Quality Design | 124, 125, 126, 127, 128, 130 | The policy is supported by the Rapid Community Character and Distinctiveness Statement, which is a tool for the community, designers, developers and planning professionals to use in the design and consideration of planning or other applications within the Neighbourhood Area. It identifies the distinctive qualities of the Neighbourhood Area and sets out in detail how this should be reflected in new development. It also sets out a clear design |

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| | | | vision and expectation to enable as much certainty as possible about what will constitute a 'well-designed' place (para 125) with aim of avoiding poor design (para 130) within Melksham. It is informed by work undertaken on identifying positive design features and locally distinctive qualities (para 124). It enables design quality to be considered at the earliest stages (para 124). |
| Policy 18 | Local Heritage | 184, 185, 187 | <p>The policy recognises the importance of the heritage and archaeological assets of the Neighbourhood Area. It also reinforces the importance of the Melksham Conservation Area which currently does not have a Conservation</p> <p>The policy is supported by the Rapid Community Character and Distinctiveness Statement, which gives some more detail on what the special qualities of the Melksham Conservation Area are and identifies unlisted local heritage assets and other areas of heritage importance, such as The Spa.</p> <p>The policy considers the importance of heritage assets as part of sustainable development.</p> |

C2 Contributes to the achievement of sustainable development

C2.1 The below approach follows the format employed by Broughton Astley Parish Council in their Basic Conditions Statement, as referenced in Planning Aid Good Practice Guidance⁸.

C2.2 The key ways that the Joint Melksham Neighbourhood Development Plan will help to contribute to meeting the objectives of sustainable development are detailed below:

- The Neighbourhood Plan contains policies which relate to the environmental, social and economic aspects of the Neighbourhood Area (Policies: ALL)
- The Neighbourhood Plan seeks to set out a coherent local strategy for the development of the Neighbourhood Area: considering housing, employment, recreation, and community facilities. [Policies: 6, 7, 9, 10, 12, 14, 15]
- The Neighbourhood Plan supports the protection and enhancement of environmental and historic assets. [Policies: 12, 13, 14, 15, 16, 17, 18, 19]
- The Neighbourhood Plan supports the protection and enhancement of local facilities and infrastructure. [Policies: 8, 9, 10, 11, 12, 14, 15]
- The Neighbourhood Plan is positive and proactive. It seeks to shape and direct housing, employment and retail development to the most appropriate locations in line with national policy considerations. [Policies: 6, 7, 9, 10]

C3 Be in general conformity with strategic local policy

C3.1 The local policy which applies to the Joint Melksham Neighbourhood Development Plan Area can be found in the following key policy documents:

⁸ <http://broughtonastley.leicestershireparishcouncils.org/uploads/1752a98c6512905414323017.pdf>

- Wiltshire Core Strategy (adopted 2015)
- Saved policies from the West Wiltshire District Plan 1st Alteration (adopted 2004)
- The Wiltshire Housing Sites Allocations Plan (adopted 2020)
- Various minerals and waste documents prepared for Wiltshire County and Swindon Borough.

C3.2 As the Core Strategy, saved policies from the West Wiltshire District Plan 1st Alteration and Wiltshire Housing Sites Allocations Plan are strategic in nature, general conformity will be considered against these documents.

C3.3 The qualifying body considers that Joint Melksham Neighbourhood Development Plan is in general conformity with the adopted Wiltshire Local Plan. This is outlined in **Table 2** below.

Table 2 – NDP Policies General conformity with the Wiltshire Core Strategy 2015 and saved policies of the West Wiltshire District Plan 1st Alteration 2004 (WW)

| Planning Policy Ref. | Planning Policy Title | Key Local Plan Cross Ref. | Commentary |
|----------------------|--|---------------------------|---|
| Policy 1 | Sustainable Design and Construction | CP41, CP52, CP61 | <p>The policy encourages design measures to reduce energy demand, by illustrating the application of the Energy Hierarchy, to be incorporated into new development. It encourages design measures such as taking advantage of natural light and heat from the sun (solar energy).</p> <p>The policy also encourages the use of appropriate sustainability assessment tools such as BREEAM, as required by CP41, and Home Quality Mark and CEEQUAL.</p> <p>The policy recognises the positive contribution that development designed to reduce reliance on the private car, can have on the aim to become carbon neutral, well as the key role of green infrastructure within new development.</p> |
| Policy 2 | Local Renewable and Low Carbon Energy Generation | CP42 | The policy supports proposals for local renewable and low carbon energy projects, in line with policy CP42. It adds detail to policy CP42 by outlining criteria for how this would be acceptable. |
| Policy 3 | Flood Risk and Natural Flood Management | CP67 | The policy reinforces CP67 by requiring development to be located within the areas of least risk of flooding as possible. It adds detail to policy CP67 by outlining particular aspects of development to reduce the rate of rain-water run-off and incorporate SUDs that will be supported in Melksham, including the incorporation of natural flood management techniques where appropriate. |

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| Policy 4 | Ultra Low Emission Vehicle Charging | CP41 | The policy promotes the provision of ultra low emission vehicle charging points in new residential, employment, leisure and retail development, incorporating design measures to reduce energy demand in line with CP41. |
| Policy 5 | Pre-application Community Engagement | Spatial Vision for Wiltshire Wiltshire Council Statement of Community Involvement 2020, para 8.13 specifically | The policy seeks to encourage engagement between applicants and the community, reflecting Wiltshire's vision for partnership working in the Spatial Vision. This policy links to the Community Engagement Protocol, which forms Appendix 1 to the Plan. It encourages pre-application discussions between applicants and the community, reflecting Wiltshire's encouragement of this in para 8.13 specifically. |
| Policy 6 | Housing in Defined Settlements | CP1, CP2, CP15, CP43, CP45 | This policy accords with the settlement hierarchy as set out in CP1, as well as the development strategy set out in CP2 and CP15. It supports development within the settlement boundaries within the Neighbourhood Area. The policy supports the diverse provision of new homes in the Neighbourhood Area, contributing towards the housing delivery objectives defined in the Spatial Vision of the Core Strategy, and towards creating mixed and balanced communities. The policy also supports affordable housing provision in line with the proportions set out in CP43. |
| Policy 7 | Allocation of land at Middle Farm, Corsham Road, Whitley | CP1, CP15, CP52, CP45, CP57, CP60, CP61, CP67 | The policy allocates new housing in the Whitley, to help meet the local housing needs of the villages of Whitley and Shaw, as set out in CP1 and CP45. The criteria within the allocation policy requires development of the site to help to address the shortfall in affordable housing, as paragraph 5.83 of the Core Strategy sets out. The policy also requires any development of this site to retain and protect existing boundary hedgerows and trees, contributing to the aims of policy CP52. Criteria (vi) requires development of this site to be of an appropriate design, as required by CP57, and be informed by the rural character of Whitley. |

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| | | | <p>The site is located in a sustainable and criteria (viii) requires appropriate access to the site. The existing public right of way will be retained and enhanced, as required by CP60 and CP61.</p> <p>The policy requires development of the site to include appropriate flood mitigation measures as required by CP67.</p> |
| Policy 8 | Infrastructure Phasing and Priorities | CP3 | <p>This policy promotes the effective phasing and prioritising of infrastructure to address the shortfall of affordable housing Melksham, as well as the improvement of facilities such as GPs and schools that is needed, as set out in Wiltshire Core Strategy paras. 5.80-5.83.</p> <p>The policy outlines how Melksham Town Council and Melksham Without Parish Council will work to establish local priorities, as referenced in criteria (vi) of CP3.</p> |
| Policy 9 | Town Centre | <p>CP15, CP36, CP38</p> <p>Supporting text para. 5.83</p> <p>Saved WW policies SP4, SP5</p> | <p>The policy refers to the Town Centre and frontages as defined by Wiltshire Core Strategy and West Wiltshire saved policy SP4. It supports development for town centre uses within the town centre, to enhance the vitality and viability of the area, in line with the sequential approach as referred to in CP38.</p> <p>The policy supports the retainment and enhancement of retail provision, and improvement of the town centre as a priority, which is identified in the specific issues given in para. 3.83.</p> <p>It also supports appropriate complementary uses within the town centre, such as the range of active uses referred to in CP36.</p> |
| Policy 10 | Employment Sites | <p>CP15, CP34, CP35, CP36</p> <p>Supporting text para. 5.83</p> <p>Saved WW policy E1</p> | <p>This policy supports the retention, regeneration and intensification of employment sites within the Principle Employment Areas as set out in CP15 and CP35 and WW policy E1. This includes the regeneration and improvement of Bowerhill Industrial Estate, which is identified as a priority in para. 5.83.</p> <p>The policy supports the appropriate redevelopment of brownfield sites within the Principal Employment Areas and the Town Centre, as encouraged in CP36.</p> |
| Policy 11 | Sustainable Transport and Active Travel | CP15, CP60, CP52, CP61 | <p>This policy reflects the aims of CP15 to incorporate strong pedestrian linkages between new development and the town centre, within the town centre itself, and</p> |

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| | | <p>Supporting text para. 5.83</p> <p>Saved WW policy T8</p> | <p>linkages to and from the railway station and within the wider Neighbourhood Area.</p> <p>The policy supports development that is in line with the Sustainable Transport Hierarchy, prioritising pedestrian and cycle routes to and from the railway station, and establishing a safe cycle route for the town as outlined in para. 5.83. This also reflects the hierarchy set out in CP61.</p> <p>The policy promotes development that encourages alternative modes of transport to the private car, in line with the requirements of CP60.</p> <p>Improvements to the railway station and connections to it are supported by this policy, in line with WW saved policy T8.</p> <p>By working to protect and enhance the existing network of pedestrian routes in the Neighbourhood Area, the policy reflects the aims of CP52.</p> |
| Policy 12 | Green Infrastructure | <p>CP16, CP50, CP52, CP53</p> <p>Saved West Wiltshire policy C40</p> | <p>The policy is accompanied by Figure 9 which identifies key green infrastructure assets and priorities in the Neighbourhood Area, encouraging development proposals to incorporate measures to protect, manage and enhance the green infrastructure network as a whole as well as individual green infrastructure assets.</p> <p>Figure 9 illustrates existing GI assets and identifies opportunities to enhance and improve linkages between individual assets. This includes the priority Melksham Canal Link Project as set out in CP16, and supported by CP53. The Figure also identifies the indicative setting of the Kennet and Avon Canal within the Neighbourhood Area.</p> <p>Figure 9 also reinforces the proposed new tree planting schemes as identified in WW saved policy 40.</p> |
| Policy 13 | Biodiversity | CP50 | <p>The policy is accompanied by Figure 10 which identifies Key Local Wildlife sites locally important natural environment and biodiversity features, including SSSIs and Local Wildlife Sites, which must be considered as part of development proposals.</p> <p>The policy requires development proposals to demonstrate how they protect features of nature conservation</p> |

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| | | | and geological value. The policy strengthens CP50 by not only requiring development to 'seek opportunities to enhance biodiversity' but rather now to require at least 15% Biodiversity Net Gain, in line with forthcoming national legislation. |
| Policy 14 | Open Spaces | CP52, Saved WW policy R12 | The policy is supported by figures 11a, 11b and 11c, which identify locally important green spaces which are part of the Green Infrastructure network of the Neighbourhood Area, and are to be protected as part of any development (CP52). These figures identify allotments, to be protected in line with the requirements of saved WW policy R12. |
| Policy 15 | Community Facilities | CP15, CP49 | <p>The Core Strategy identifies Melksham and Bowerhill Village the 'Market Town' within the Community Area where services and facilities should be sustained and, where necessary, enhanced to promote better levels of self containment and viable sustainable communities.</p> <p>Whitley and Shaw are identified as 'Large Villages', and Beanacre and Berryfield as 'Small Villages' in the Community Area. Development in these villages is limited to that needed improve services and facilities in the village. A core part of this is retaining the existing range of facilities within the villages.</p> <p>The policy reinforces CP49 and identifies the local facilities in the Neighbourhood Area that are to be protected.</p> |
| Policy 16 | Trees and Hedgerows | CP50, CP52 Saved WW policy C40 | <p>This policy recognises Melksham's trees and hedgerows as particularly important aspects of the Neighbourhood Area's green infrastructure network to be retained and enhanced as part of new development. The policy also reinforces the proposed new tree planting schemes as identified in saved WW policy C40, as well as other areas of new tree planting, such as Shurnhold Fields, identified by the Neighbourhood Plan Steering Group.</p> <p>The policy encourages the protection and enhancement of Ancient Woodland within the Neighbourhood Area; key areas of valuable habitats and biodiversity.</p> |
| Policy 17 | Landscape Character | CP51 Saved WW policy C3 | The policy expects development to protect, conserve and where possible enhance the distinct landscape character of the Neighbourhood Area. The policy is supported by the Green Infrastructure |

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| | | | <p>Report and Local Landscape Character Report which identify those distinct characteristics.</p> <p>Figure 14 which sits alongside the policy also identifies the Special Landscape Area, as identified in saved WW policy C3, to be conserved and enhanced.</p> |
| Policy 18 | Locally Distinctive, High Quality Design | CP57 Saved WW policy CF7 | <p>The policy requires development to take account of the local context and characteristics of the Neighbourhood Area, specifically the Character Area which the development relates to (as defined on Figure 15 and elaborated on in the evidence base).</p> <p>Positive design features of the Neighbourhood Area are detailed in the Rapid Community Character and Distinctiveness Statement (supplementary design guidance, which is encouraged in Core Strategy paragraph 6.132).</p> <p>The policy requires high quality design for all new developments; enhancing local distinctiveness, responding positively to the existing characteristics of its location, respecting and enhancing the historic and natural environment.</p> |
| Policy 19 | Local Heritage | CP57, CP58 | <p>This policy conforms with and adds local detail to CP58 which aims to ensure that Wiltshire's important monuments, sites and landscapes and areas of historic and built heritage significance are protected and enhanced. It is supported by the Rapid Community Character and Distinctiveness Statement which identifies areas of local heritage importance and unlisted local heritage assets to be considered by new development which may affect them.</p> |

C4 Be compatible with EU obligations

C4.1 The Neighbourhood Plan is compatible with EU obligations around human rights, habitat protection and environmental impacts. Specifically:

- i) Those who are affected by the proposals within the Neighbourhood Plan have been adequately consulted and have had the opportunity to comment on the proposals. The details of consultation that has been carried out on the Plan are outlined in the **Consultation Statement**.
- ii) The Joint Melksham Neighbourhood Development Plan group has prepared an evidence base which includes well documented evidence to underpin the policy approach. A list of the local evidence prepared to support the Neighbourhood Plan is given in Appendix 2 of the Neighbourhood Plan.
- iii) Wiltshire Council, in line with the requirements of the European Directive 2001/42/EC, has an obligation to determine whether the Plan is likely to have significant environmental effects. To this end, Wiltshire Council carried out a Strategic Environmental Assessment (SEA) screening on the draft

Neighbourhood Plan, and prepared a SEA screening determination report for the Neighbourhood Plan in July 2020 (see **Appendix 2**). Wiltshire Council considers that the Joint Melksham Neighbourhood Plan is unlikely to have significant environmental effects and therefore a **Strategic Environmental Assessment is not required**.

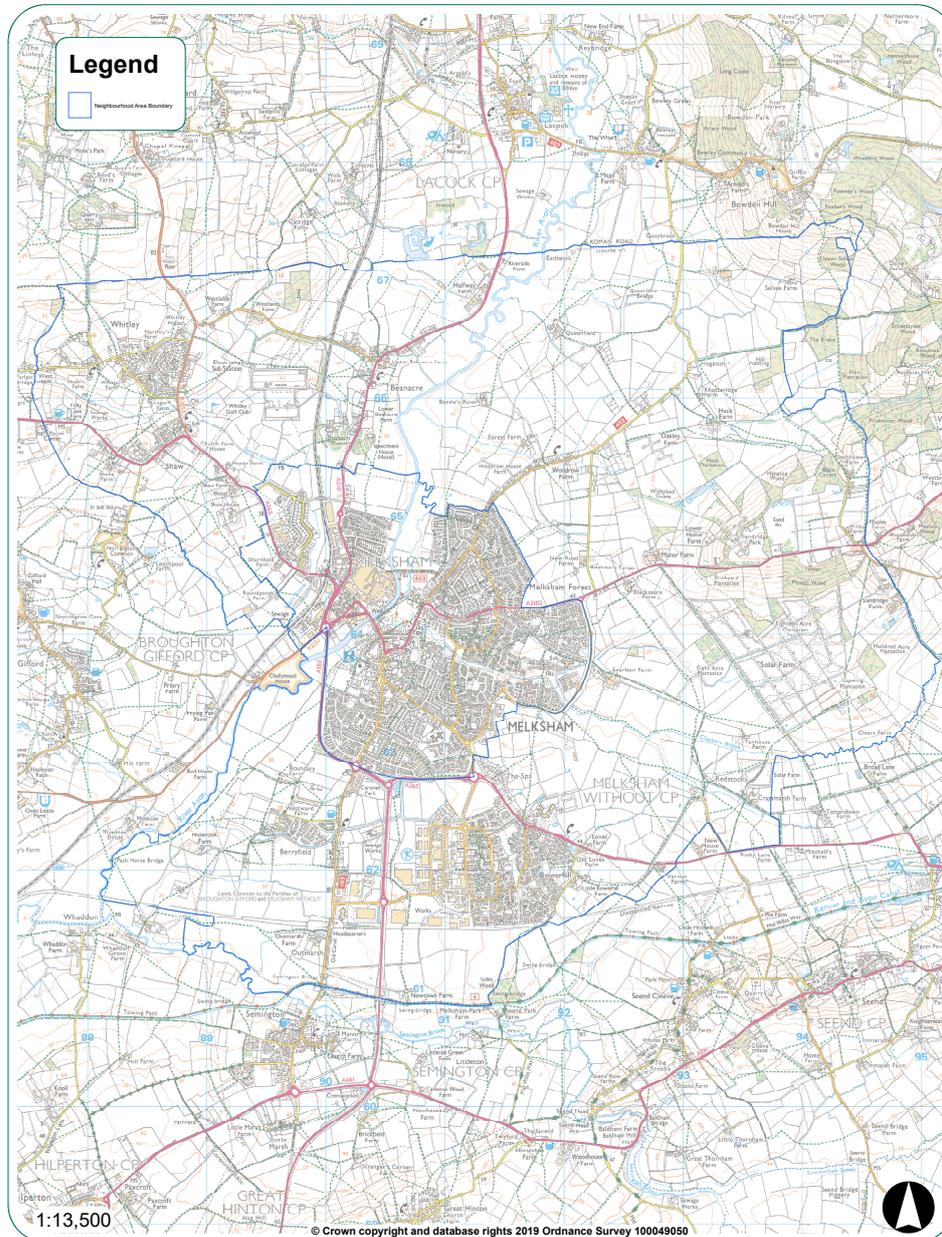
- iv) In line with the requirements of Article 6(3) of the EU Habitats Directive, Wiltshire Council also has an obligation to determine whether the Neighbourhood Plan is likely to have any harmful effects on any European Designated sites, including Special Protection Areas and Special Areas of Conservation. The Joint Melksham Neighbourhood Plan Habitats Regulations Assessment was prepared in February 2020 and is included as **Appendix 3** to this document. The Assessment concludes that the Joint Melksham Neighbourhood Plan will **not result in a likely significant effect on any European Sites or their qualifying features** either alone or in-combination with other plans or projects.

C5 Not breach the requirements of Chapter 8 of Part 6 of the Conservation of Habitats and Species Regulations 2017(d)

- C5.1 The Habitats Regulation Assessment prepared by Wiltshire Council in February 2020 (see **Appendix 3**) screens the Joint Melksham Neighbourhood Plan under the Conservation of Habitats and Species Regulations and determines that no further assessment is required and therefore that **the requirements of Chapter 8 of Part 6 of the Conservation of Habitats and Species Regulations are not breached by the Neighbourhood Plan**.

Appendices

Appendix 1: Map of designated Neighbourhood Plan Area



Appendix 2: SEA Final Screening Determination for the Joint Melksham Neighbourhood Plan July 2020

Appendix 2A: Advice referenced with the revised Screening Report from the Wiltshire Conservation Officer which state that no significant effects (upon heritage assets) are likely and there is no reason which 18 units shouldn't be achievable on the site that is allocated in Policy 7.

Appendix 3: Melksham Neighbourhood Development Plan Habitats Regulations Assessment, February 2020