

AGENDA SUPPLEMENT (2)

Meeting: Council

Place: Council Chamber - County Hall, Bythesea Road, Trowbridge, BA14 8JN

Date: Tuesday 15 October 2024

Time: 10.30 am

The Agenda for the above meeting was published on 7 October 2024. Additional documents are now available and are attached to this Agenda Supplement.

Please direct any enquiries on this Agenda to Kieran Elliott of Democratic Services, County Hall, Bythesea Road, Trowbridge, direct line 01225 718504 or email committee@wiltshire.gov.uk

Press enquiries to Communications on direct lines (01225)713114/713115.

This Agenda and all the documents referred to within it are available on the Council's website at www.wiltshire.gov.uk

- 5 **Petitions** *(Pages 3 - 10)*
 - Updated petitions report and appendix
- 6 **Public Participation** *(Pages 11 - 14)*
 - Public questions P24-28 and P24-29 from Colin Gale
- 8 **Wiltshire Local Plan Review - Submission of Draft Plan** *(Pages 15 - 32)*
 - Extract of Cabinet minutes from 8 October 2024
 - Public questions P24-24 and P24-25 from Nick Stokes
 - Public questions P24-26 and P24-27 from William Mulholland
 - Member questions 24-13 to 24-21 from Cllr David Vigar
- 9 **Enforcement Policy** *(Pages 33 - 34)*
 - Extract of Cabinet minutes from 8 October 2024
- 18 **Questions from Members of the Council** *(Pages 35 - 38)*
 - Member question 24-35 from Cllr Edward Kirk
 - Member question 24-36 from Cllr Jon Hubbard

DATE OF PUBLICATION: 14 October 2024

This page is intentionally left blank

Wiltshire Council

Full Council

15 October 2024

Petitions Update

Petitions Received

As of 2 October 2024, there have been seven new petitions received by Wiltshire Council since the last report to Council on 21 May 2024.

These are detailed in the Appendix.

Proposal

That Council notes this update on petitions.

Stuart Figini

Senior Democratic Services Officer

This page is intentionally left blank

Title	Date Received	Respondents	Action
<p>Petition from residents of Stourton Lane requesting the extension of the proposed reduction of the speed limit from 40mph to 30mph on Stourton Lane, Kilmington Wiltshire C55 to include the Stourton Parish as requested by the Stourton Parish Council.</p>	<p>29 May 2024</p>	<p>42 Signatures</p>	<p>The following response was provided by the Paul Shaddock, Senior Engineer:</p> <p><i>The Council acknowledges receipt of the petition from the residents of Stourton Lane submitted at the South West Wiltshire Area Board Meeting on the 29th May 2024 requesting that the proposed introduction of a 30mph speed limit on the C55 New Road, Kilmington should be extended to the cover the length of the C55 Stourton Lane currently subject to a 40mph speed limit.</i></p> <p><i>Kilmington Parish Council, through the South West Wiltshire Local Highways and Footways Improvement Group (LHFIG), requested the introduction of a 30mph speed limit on the C55 New Road in Kilmington. This request was supported by the LHFIG. As per the Council's agreed process a speed limit assessment was undertaken to determine whether a change was possible and if so, what level of speed limit would be considered appropriate. Again, in line with the Council's agreed process the assessment was undertaken by the Council's term consultants, Atkins. The assessment undertaken by Atkins considered the existing length of the C55 New Road, Kilmington and C55 Stourton Lane, Stourton currently subject to a 40mph speed limit. The assessment recommended the introduction of a 30mph speed limit on C55 New Road, Kilmington only. In response to the recommendation Stourton Parish Council have requested that the proposed 30mph speed limit should be extended to cover the C55 Stourton Lane, Stourton and in doing so provided information in support of their request. This request was originally submitted to the then Cabinet Member for Highways, Cllr Caroline Thomas.</i></p> <p><i>As members of Stourton Parish Council, are aware the issue over the extent of the proposed speed limit change on the C55 is longstanding. Cllr Caroline Thomas, when the Cabinet Member for Highways, instructed officers to proceed with the introduction of the speed limit</i></p>

			<p><i>change on the C55 in line with the recommendation in the original speed limit assessment report.</i></p> <p><i>The assessment completed by Atkins was done so in full consideration of the advice provided in the Department for Transport Circular 1/13 Setting Local Speed Limits. For clarity, although speed limit assessments are undertaken by Atkins before any report is issued the recommendations within it are discussed with and agreed by Wiltshire Council Highways Officers. As such the recommendations put forward in the speed limit assessment for the C55 are those of Wiltshire Council and not Atkins.</i></p> <p><i>In line with Cllr Thomas' decision the Traffic Regulation Order (TRO) paperwork is currently being drafted and the formal consultation on the speed limit change is expected to take place in July of this year. In response to Wiltshire Council. In response to that decision Stourton Parish Council contacted the current Cabinet Member for Highways, Cllr Nick Holder and resubmitted the same request to extend the proposed 30mph speed limit to cover the C55 Stourton Lane, Stourton. On the 30th April 2024, Stourton Parish Council also emailed TrafficOrderConsultations@wiltshire.gov.uk – this is the email address that comments are submitted to during formal TRO consultation periods. As the TRO consultation period has not commenced for the proposed speed limit change on the C55 Stourton Parish Council were advised of the following via email on the 5th May 2024:</i></p> <p><i>“The formal consultation on the proposed change in speed limit on the C55 in Kilmington has not yet been undertaken. The TRO paperwork is currently being drafted and the formal consultation on the speed limit change is expected to take place in July of this year. The comments that the Parish Council have submitted to the TRO Consultation email address will be held on file until such time as the TRO consultation takes place and be considered as a formal objection to the proposed speed limit change. The comments will be considered</i></p>
--	--	--	---

Appendix 1

			<p><i>by officers, alongside any others received, in a formal Cabinet Member Decision report.”</i></p> <p><i>That remains the case. The comments submitted by Stourton Parish Council to Wiltshire Council, a copy of which accompany this position, will be fully considered before any changes are made on the ground.</i></p>
<p>Petition from a local resident asking for a patch of grass and wildflowers by the Mallard Close Street sign to be kept as a small, protected haven for bees and wildlife.</p>	6 June 2024	181 Signatures	<p>The following response was forwarded to the petitioner as the parcel of land is in the ownership of Salisbury City Council:</p> <p><i>I have now received some further information about the ownership of the piece of land at Mallard Close which is the subject of your petition. I understand that Mallard Close is part of Salisbury City Council land and is their responsibility.</i></p> <p><i>I understand that your local Councillor – Cllr Brian Dalton has been in touch with you and has taken this issue up on your behalf.</i></p> <p><i>On this basis, I have closed this matter on the Wiltshire Council petition system and wish you the best in achieving the end goal of your petition.</i></p>
<p>E-Petition requesting a speed limit of 20mph on Salisbury Road, Marlborough – currently live - ePetition details - Democratic Services - Wiltshire Council</p>	30 July 2024	30	<p>The e-petition closed on 29 September 2024 and following response, provided by Steve Hind, Principal Engineer was forwarded to the lead petitioner on 4 October 2024:</p> <p><i>The Council’s existing policy on the implementation of 20mph speed limits is clear on the appropriateness of roads that may be considered, and this does not include those primarily for the movement of through traffic.</i></p> <p><i>20mph limits can be considered on roads that do not have a strategic function or where the movement of motor vehicles is not the primary</i></p>

			<p><i>function and in those areas, where significant pedestrian and cycle movements are demonstrated to take place.</i></p> <p><i>Whilst there is a degree of interpretation within the guidance, as officers, we have to apply the Policy as it stands and decisions to deviate from this sit outside of the Engineers remit.</i></p> <p><i>I note your comments that areas included within the extent of the request form part of routes to a primary and secondary school. Whilst the routes to various schools will generate foot traffic, the presence of pedestrians at limited times of the day isn't sufficient to override the needs of all road users. The guidance contained within Department for Transport Circular 01/13; Setting Local Speed Limits is clear, in that Engineering solutions to hazards should be considered before the use of speed limits. This enables solutions to be tailored to the specific hazards encountered. Examples of which would include appropriate crossing facilities such as Zebra or Light Controlled facilities such as that recently installed in George Lane, the use of warning signs, and specifically relating to schools.</i></p>
<p>E-petition requesting - Petition · Halt Industrial Developments in Neston's Green Spaces - Neston, United Kingdom · Change.org Stop Industrial development in Neston, Corsham.</p>	<p>2 September 2024</p>	<p>468</p>	<p>This is an open petition and does not appear to have a closing date.</p> <p>The following response prepared by Georgina Clampitt-Dix was forwarded to the lead petitioner:</p> <p><i>Thank you for submitting the petition about halting industrial development in Neston's green spaces and providing details about those who have signed the petition on Change.org.</i></p> <p><i>Any planning applications for industrial development on greenfield sites around Neston and Corsham will be assessed against policies in Wiltshire Council's Local Plan, as well as the Corsham Neighbourhood Plan prepared by Corsham Town Council. This includes those relating to the natural environment as well as employment. Local people will</i></p>

Appendix 1

			<p><i>be able to comment on specific proposals and those views will be taken into account when determining these.</i></p> <p><i>Both plans have and will continue to be informed by community consultation when they are reviewed.</i></p> <p><i>I would like to wish you all the best for the future.</i></p>
Letter campaign received from from parents and caregivers living in Maiden Bradley in relation to HGV impacts on children, and supporting a campaign to implement a weight limit on the B3092	19 September 2024	16	A response is being prepared by the Head of Highways Asset Management & Commissioning
Petition from Norton Ferris and Kilmington residents about the weight limit and speed limit.	19 September 2024	70	A response is being prepared by the Head of Highways Asset Management & Commissioning
<p>UP S D C</p> <p>Petition received from Amesbury Women's Institute requesting that guidelines on litter picking following the Novochock alert can now be lifted, so that they can do litter picking events in the Salisbury area.</p>	20 September 2024	39	<p>A response has been received from Public Health following contact with the UK Health Security Agency. This has been sent to the Lead Petitioner:</p> <p><i>The local authority is not the decision-making body in terms of this piece of guidance. The guidance was put in place by the Public Health England's (PHE) national clinical leads and UK Health Security Agency (UKHSA), the organisation that replaced them, continues to have oversight and responsibility for it.</i></p> <p><i>The advice from the UK Health Security Agency (UK HSA) in the Salisbury area 'if you didn't drop it, then don't pick it up' still remains in place. There is ongoing work to risk assess this position, and any changes to this advice will be communicated accordingly.</i></p> <p><i>As a precaution, UKHSA continues to advise the public not to pick up any items. The advice remains "if you didn't drop it, then don't pick it up".</i></p>

Appendix 1

			<i>The likelihood of anything being discovered is low, but we are mindful that the consequences of picking up any abandoned materials could be serious. So as a precaution UK HSA still advise that "if you didn't drop it, then don't pick it up". UKHSA are keeping the advice under review and will update it in due course.</i>

Wiltshire Council

Full Council

15 October 2024

Item 6 – Public Participation

From Colin Gale, Chairman, Rushall Parish Council

To Cllr Nick Holder - Cabinet Member for Highways, Street Scene and Flooding

Ditch Clearance, Repair and Maintenance

Preamble

Introduction:

The Church Lane ditch clearance, repair and maintenance has been a repeated ongoing issue over numerous years. Rushall PC continuously have to go round the buoy with the local WC Highways Engineers over the responsibility for the ditches with WC Highways.

The sole purpose of the ditches down Church Lane is water drainage from the Devizes Road crossroads, Church Lane and the Church Lane spur. The ditches are an integral part of the public highways and are not within the landowner's boundary.

Flooding at Rushall Bridge is an ongoing issue that was previously raised at WC Full Council on 21st May 2024. The drains were cleared and flushed on the 19th June 2024 and the response to the supplemental question on clearance of the ditch dated 3rd July 2024 stated that the ditch work would be undertaken in the next month. The month period has long past and the ditch work has not been undertaken.

Background:

There are two drains, one each side of the A342 highway junction with the C351, Pewsey Road and Church Lane which feed underneath the crossroads to a head in the ditch in Church Lane. If the drains and ditch are not kept clear the highways water floods the road at the junction and flows across the junction flooding the A342 and Church Lane.

In June 2021, Ringway, the WC Highways contractor at that time were constructing the Elm Row, Phase 1 stretch of footway from Church Lane to the Bus Shelter. Due to high levels of rainwater and lack of drainage maintenance the drains at the junction flooded the drain head in the Church Lane ditch was blocked and the flooding water disrupted the footpath



construction. Ringway in conjunction with the WC Highways Engineer arranged for the drains to be cleared and flushed and the top section of the Church Lane ditch was dug out and cleared. During this work it was identified that the drainage head in the ditch in Church Lane had collapsed and need re-constructing, see picture. The WC Highways Engineer agreed to arrange for the re-constructing of the head but it has never happened.

The drainage grips from Church Lane into the ditch have been maintained by the Parish Steward as requested by Rushall PC.



The WC Highways ditches further down Church Lane have had virtually no WC Highways Maintenance over a significant period. The drain heads in the other ditches are OK, see adjacent picture. The drainage pipes down the Church Lane Spur (leading to The Old Rectory) which feed into the ditch are blocked and have been ever since Church Lane was re-tarmacked in December 2014. A Senior WC Highways Manager was informed of this issue several times after the tarmac was completed and the Senior Highways Manager acknowledged the issue but the pipes were never un-blocked.



There are five drainage pipes along the spur section and they have all been blocked by tarmac.

Question P24-28

- a) When will Wiltshire Council acknowledge the work required to the ditch in Church Lane and rebuild the drain head and clear/digout the ditch?
- b) When will Wiltshire Council clear the drainage pipes along the Church Lane spur blocked by the re-surfacing of the Lane?

Response

- a) While there is a perception that ditches running alongside roads are the

responsibility of the Highway Authority to maintain, in the majority of cases they are in fact the responsibility of the adjoining landowner to maintain. The council does seek to take a pragmatic approach and on occasions will redig ditches to mitigate flooding.

The drainage has been inspected during heavy rain on 8th October. The drainage at Devizes Road junction was working well and surface water was passing through the headwall unrestricted. The first section of the ditch in Church Lane is heavily silted and requires regrading. A works order has been raised for this work to be carried out when resources are next available in Rushall.

- b) The drainage has been inspected during heavy rain on 8th October. Concerning the section of Church Lane running past Churchstow, there was no flooding along the section and the ditch was flowing. There are a number of side entry pipes to the ditch which are heavily silted and the pipe under the access to Churchstow is restricted. A works order has been raised to jet and clear these pipes to ensure that they are working correctly. As there is no flooding of property and no risk of aquaplaning there is no target date for this work as flooding sites will take precedence over this work.

Question P24-29

When will Wiltshire Council now come and dig out the ditch previously agreed reference the Full Council Meeting dated 21st May and associated subsequent correspondence?

Response

A works instruction has been issued for this work but as yet has not been programmed.

This page is intentionally left blank

Wiltshire Council

Full Council

15 October 2024

Item 8 - Wiltshire Local Plan Review - Submission of Draft Plan

Extract of Cabinet minutes from 8 October 2024

111 Wiltshire Local Plan Review - Submission of Draft Plan

Cllr Nick Botterill, Cabinet Member for Finance, Development Management and Strategic Planning presented the report informing Cabinet of the response to the Regulation 19 consultation on the Pre-submission Draft Plan. The report also sought Cabinet's endorsement to recommend Full Council approve the submission of the Plan for independent examination and sought delegated authority to make appropriate arrangements for the submission of the Plan and associated documents to the Secretary of State and for the independent examination of the Plan.

Cllr Botterill highlighted that the adopted Local Plan (Wiltshire Core Strategy) is nine years old. Many sites have been developed and policies were starting to become dated. This new Local Plan presents an opportunity for Wiltshire Council to update policies and site allocations to align with national policy, setting an ambitious approach to delivering the council's carbon reduction and sustainability ambitions.

He reported that the Plan will become one of Council's most important strategic documents. The Plan has been in development since 2017, with over 10,700 comments being received during the recent Regulation 19 statutory consultation. The comments of which were thoroughly reviewed, and further work carried out to ensure the Plan would be ready for examination. A Regulation 22 statement has been prepared summarising the main issues raised through the consultation and the Council's initial response. Cllr Botterill commended Cabinet for rejecting a proposal at a previous Cabinet meeting to hold a further Regulation 18 consultation as this now enabled the Council to proceed to examination using the housing number within the Plan, rather than the higher housing number being proposed by Government.

Cabinet noted that the Government has recently consulted on changes to the planning system, including changes to the National Planning Policy Framework and the way housing need is calculated. It is expected that transitional arrangements will be in place to allow the Plan to be submitted for examination in its current form.

Eleven public questions were received for the meeting and these were included in the published agenda supplement together with written responses prior to this meeting. In addition, a number of statements were received from Louise Weissel, Simon Hetzel, Jonathan Francis, and Adrian Temple-Brown, all being circulated to Cabinet members prior to the meeting and four were read out by the originators who attended the meeting.

Supplementary questions were received from:

- Brian Firth asked about any discussions held with the Planning Inspectorate prior to submission of the Plan and the process if the Plan was either withdrawn or in need of modification. Cllr Botterill explained that Officers had liaised with the Planning Inspectorate and the Plan is considered ready for examination. Further consultation would be required as part of the examination for those areas where modifications were recommended by the Inspector.
- John Potter asked for clarification on the meaning of reserve sites. The Leader and Cllr Botterill explained that these were sites that were being held in reserve in the event that other sites in the Plan did not come forward as anticipated.
- Louise Weissel asked about the demand for social housing and sought assurances that it would be provided in any new developments. She was concerned that the Local Plan did not indicate the level of demand or number of people on the housing waiting list. The Leader, Cllr Botterill and Cllr Alford explained that they sympathised with the comments being made. Affordable housing is defined by Government policy, 40% Affordable Housing as proposed in the Plan is a large portion of any housing development site and this needed to be of varying types to cater for differing needs. Cabinet members were concerned that the planning process is currently developer led rather than Plan led.
- Colin Gale asked about guidance for maintaining Village Design Statements and the process for periodic re-approval. Cllr Botterill would provide a written response after the meeting.

Cllr Alford commented on the significant investment that flows into local communities, including schools and cycleways from contributions associated with housing developments.

The Leader recognised the issues linked to the Local Plan and this is an experience that most Local Authorities experience. The Local Plan is a route to achieve net zero, economic growth, support for the military and delivery of affordable housing.

Cllr Ian Thorn, Leader of the Liberal Democrat Group, thanked officers for the effort in producing the Local Plan and acknowledged that it is the most important document produced by the Council in relation to the impact on residents' lives. He agreed with other comments about developer led development and felt this was encouraged by current Government policies, with developers holding onto plots of land in some cases

for many years. He was concerned about the Council being able to defend a 5-year housing land supply and commented on net zero building element of developments, air quality, the availability of health service infrastructure in areas of high development and the impact of the Wiltshire Design Guide on developments. The Leader and Cllr Botterill explained that the issue of land supply lies with developers holding onto parcels of land and not developing them, which then produces issues around housing supply; the building industry is slowly catching up to have a net zero build for new homes, although this needs central government intervention to move it forward; Health service infrastructure is sporadic for new development, although details within the Plan encourages the development of this form of infrastructure; Housing designs should be appropriate to the area of the build.

Members also commented on concerns about the lack of a 5-year housing land supply, especially as it appeared that other Local Authorities had achieved this; the review of Neighbourhood Plans and advice for local communities whether to progress with a review or not.

Resolved:

That Cabinet:

- 1. Endorses the submission of the draft Wiltshire Local Plan review Pre-submission Draft Plan at Appendix 1 together with relevant associated documentation for independent examination;**
- 2. Recommends to Full Council that the Wiltshire Local Plan Review - Pre-submission Draft Plan is submitted to the Secretary of State for Housing, Communities and Local Government for independent examination together with relevant associated documentation;**
- 3. Directs that submission is accompanied by a request that the Inspector appointed to carry out the examination recommends any modifications necessary to make the Plan sound and legally compliant in accordance with Section 20(7C) of the Planning and Compulsory Purchase Act 2004 (as amended); and**
- 4. Authorises the Director of Planning to take or authorise such steps as may be necessary for the independent examination of the Plan to be completed, including:**
 - a. Make appropriate arrangements for submission of the Plan and the completion and submission of all documents relating to the Plan;**
 - b. Make all necessary arrangements for examination including – the appointment of a Programme Officer; the undertaking and/or**

commissioning of other work necessary to prepare for and participate at examination; proposing main and/or minor modifications to the Plan and/or modifications to the Policies Map; entering into Memorandums of Understanding and Statements of Common Ground; and the delegation to officers and other commissioned experts to prepare and submit evidence, representations and submissions to the examination and, where necessary, appear at any hearing sessions and represent the council; and

- c. Implement any consequential actions relating to the examination, including undertaking any consultation that may be necessary, and publishing the recommendations and reasons of the person appointed to carry out the examination.**

Reason for decision:

To ensure that progress continues to be made on updating Wiltshire's Local Plan in line with the commitment set out in the council's Local Development Scheme and statutory requirements, and an efficient examination process.

Wiltshire Council

Full Council

15 October 2024

Item 8 - Wiltshire Local Plan Review - Submission of Draft Plan

From Nick Stokes (Worton Parish Council)

**To Cllr Nick Botterill - Cabinet Member for Finance, Development Management,
and Strategic Planning**

Preamble

While I welcome WCC's brownfield focus on solar power being generated from roofs of commercial and domestic property, in Wiltshire we are faced with a profusion of solar farm applications to be built on good agricultural land particularly north of the M4 and to the south and west of Devizes. These applications are causing much concern, and strong opposition, from local communities.

Question (P24-24)

- a) What is WCC's policy regarding these applications and are they intending to resist them, which is likely to lead to appeals, or do they consider that they are in line with national policy?
- b) Furthermore, what questions are they asking the applicants to find out how speculative the proposals may be. For example, can the solar farm be linked to the National Grid?

Response

- a) Solar farm applications will be considered against the Council's policies in its adopted Local Plan as well as other material considerations including the National Planning Policy Framework and associated planning guidance. Policy 42 'Standalone renewable energy installations' of the Wiltshire Core Strategy specially covers renewable energy and requires the impact on several factors to be taken into account when assessing proposals. These include those relating to landscape, biodiversity, historic environment, local transport, residential amenity and use of best and most versatile agricultural land.

Each application will be considered on its merits against all relevant development plan policies and material considerations including those in the Wiltshire Core

Strategy (the adopted Local Plan for Wiltshire). While we cannot prejudge the outcome of these, the decision-making process will carefully consider all matters before coming to a view. The planning application process also allows for local communities and parish councils to comment on any applications, and we would encourage them to fully engage so that their views can be taken into account as part of the decision-making process.

Policy 42 of the Wiltshire Core Strategy will be replaced by Policy 86 of the emerging Wiltshire Local Plan review once that plan is adopted.

- b) Any application for renewable energy development will need to be supported by evidence to address all technical matters including details regarding grid connection (either to the National Grid, or a Point of Interconnection with the Distribution Network Operator – e.g. Scottish and Southern Electricity Network).

Question (P24-25)

- a) If so, where will the energy generated be used (almost certainly not in Wiltshire)?
- b) Who will be responsible for the maintenance and safety of the site, and how will it be restored and by whom at the end of the 40 year period?

Response

- a) All energy generation that connects to the national grid, contributes to meeting national requirements. However, there may be cases where the energy being generated may be to serve a building/development via a direct connection.
- b) This is not a matter for the Local Planning Authority. Renewable energy installation owners will, as part of their business model, employ an Operation and Maintenance Contractor who will routinely visit the site during its operational life.

If site restoration is a conditional matter on a planning permission it will be the site owner's responsibility to undertake these works in accordance with a scheme approved by the Local Planning Authority.

Wiltshire Council

Full Council

15 October 2024

Item 8 - Wiltshire Local Plan Review - Submission of Draft Plan

From William Mulholland

**To Cllr Nick Botterill - Cabinet Member for Finance, Development Management,
and Strategic Planning**

Preamble

To paraphrase my previous q70 to cabinet (8th Oct), I believe there is a need for the Local Plan to make an allocation of SANG in Trowbridge to satisfy the historic requirements that are still extant.

It seems to me that the TBMS is a document which enables development to occur, through providing suitable recreational mitigation to the Bechstein bat populations in the Trowbridge area. The first part of this has been a success with all allocations having at least outline planning and some building out presently. The response I was given is that; it is not a concern that a SANG allocation is not in place because work is underway including Southwick Country Park enhancements.

Question (P24-26)

Please could the enhancements and work in progress which has been carried out to Southwick Country Park be itemised? As I live next to the Park and am not aware of anything of this nature being carried out.

We know the Bechstein bat populations here are internationally important. Wiltshire has been receiving CIL payments for delivery of SANG in Trowbridge and £500,000 from Bellway Homes on Elizabeth Way due to the fact that they could not deliver no net loss to biodiversity on site.

The answer I was previously given as to why there has not been an allocation of SANG made to satisfy the present obligations is that: "Development has not taken place at the pace anticipated and appropriate measures are being pursued to mitigate impacts."

All WHSAP2020 sites (c.1050 homes) have been granted at least outline permission. This is considerably more advanced than just a site allocation which this plan gives. Yet

this local plan does set out a large SANG allocation for Trowbridge, for considerably fewer homes than the number allocated in the WHSAP 2020.

Response

The improvements that have been delivered at Southwick Country Park include -

- Four interpretation boards installed in 2023.
- Self-guided walkway marker posts / waymarked trail posts installed in 2023.

Other works at Southwick LNR / Country Park in progress include -

- Increasing car parking capacity, such as by increasing the size of the car park off Frome Road.
- Options for tree planting.

Land has been purchased close to woodlands that are important for Bechstein's bat populations. Woodland will be planted this autumn on this land to offset the impacts from development that have not achieved no net loss of biodiversity on site.

Question (P24-27)

Does this approach not seem very inconsistent, and why is this laid back attitude deemed acceptable when the issue and bat population are acknowledged by Wiltshire to be so important, and to have such considerable requirements associated with?

Response

No, the Trowbridge Bat Mitigation Strategy delivers a package of mitigation measures designed to ensure no adverse impact on the important bat populations associated with the Trowbridge landscape as a result of the Wiltshire Housing Site Allocation Plan.

Improvements at Southwick Country Park have already been delivered, hedgerows and new woodlands planted, and a warden has been funded to help manage visitor pressure in the sensitive woodlands. This delivery will continue as new development in and around Trowbridge comes forward.

Wiltshire Council

Full Council

15 October 2024

Item 18 – Members’ Questions

From Cllr David Vigar – Trowbridge Grove Division

To Cllr Nick Botterill, Cabinet Member for Finance, Development Management and Strategic Planning

Question (24-13)

Following the finding of a planning inspector on 30 August that the Council can only demonstrate a 3.85 year supply of housing land against the current target of four years (Decision APP/Y3940/W/24/3340811 relating to Land off Storridge Road Westbury BA13 4HJ), by when does the Cabinet expect the required four year total to be restored?

Response:

We monitor the housing land supply on an annual basis as required by the NPPF. The monitoring process includes the removal of sites from the supply when they are completed or when permission lapses, the addition of new permissions into the supply, and assessing developers’ progress towards delivering committed sites (i.e. either planning permission or allocated in the development plan). Only once this complex process is completed is it able to establish whether the housing land supply exceeds the current four year target.

Factors determining housing delivery are often outside of the Council’s control – as the development industry are tasked with building houses, it is ultimately developers and housebuilders who determine how and when sites come forward, despite planning permissions being granted and sites being allocated within the development plan.

The Government’s recent consultation on proposed changes to the NPPF proposes to abolish the provisions to only require a four-year housing land supply. At present there is no indication from Government as to when the results of that consultation or a revised NPPF might be published.

Wiltshire Council

Full Council

15 October 2024

Item 18 – Members’ Questions

From Cllr David Vigar – Trowbridge Grove Division

To Cllr Nick Botterill, Cabinet Member for Finance, Development Management and Strategic Planning

Question (24-14)

Does the Council propose to issue another housing land supply statement before mid-2025?

Response:

Yes – we expect to produce an updated Housing Land Supply Statement in Spring 2025.

Wiltshire Council

Full Council

15 October 2024

Item 18 – Members’ Questions

From Cllr David Vigar – Trowbridge Grove Division

To Cllr Nick Botterill, Cabinet Member for Finance, Development Management and Strategic Planning

Question (24-15)

Given that the inspector calculated that the council can demonstrate land supply for around 7,530 homes against a target of 7,820, will the council urgently seek developable land for the shortfall of around 290 homes and issue an interim supply statement to that effect in order to limit the period when promoters of speculative applications will enjoy a presumption in favour of sustainable development?

Response:

The shortage in the housing land supply target required by the NPPF is being factored into decisions taken for housing planning applications in order to improve the housing land supply position. National policy requires the housing land supply review to be produced annually so there is no expectation that an interim position will be released prior to the 2024-based Housing Land Supply Statement anticipated to be next Spring.

Wiltshire Council

Full Council

15 October 2024

Item 18 – Members’ Questions

From Cllr David Vigar – Trowbridge Grove Division

To Cllr Nick Botterill, Cabinet Member for Finance, Development Management and Strategic Planning

Question (24-16)

The Cabinet papers issued on 30 September said: “Given the intention to submit the Plan before the end of the year, this will enable it to be examined under the September 2023 version of the NPPF (National Planning Policy Framework) and any increases in housing numbers and other policy changes would be addressed through a future Plan.” Is the reference to the September plan an error as it was the December 2023 version of the NPPF that provided for councils to demonstrate only a minimum of four years’ worth of housing land supply if they had an emerging local plan that had either been submitted for examination or had reached Regulation 18 or Regulation 19 consultation stage? Or does the Council understand the new Government policy to be that a plan under examination at or within a month of the new NPPF being published is examined under the September 2023 NPPF rather than the December 2023 one?

Response:

Paragraph 230 of the December 2023 NPPF indicates that Plans that have reached Regulation 19 stage before 19 March 2024 will be assessed against the relevant previous version of the NPPF. As the previous version of the NPPF is the September 2023 version, this is the version that the Plan will be assessed against. The NPPF provisions relating to a four-year housing land supply apply to decision-making only, not plan-making.

Wiltshire Council

Full Council

15 October 2024

Item 18 – Members’ Questions

From Cllr David Vigar – Trowbridge Grove Division

To Cllr Nick Botterill, Cabinet Member for Finance, Development Management and Strategic Planning

Question (24-17)

If the Cabinet expects to have the Local Plan examined against the December 2023 NPPF, then is its hope that the plan will be adopted with a four year housing land supply requirement?

Response:

In accordance with the NPPF and Planning Practice Guidance, the Plan will need to have a five-year housing land supply at adoption. The provisions relating to a four-year housing land supply apply to decision-making only.

Wiltshire Council

Full Council

15 October 2024

Item 18 – Members’ Questions

From Cllr David Vigar – Trowbridge Grove Division

To Cllr Nick Botterill, Cabinet Member for Finance, Development Management and Strategic Planning

Question (24-18)

If the plan is adopted with a four year requirement, by when does the Cabinet expect that the Council will begin the process of drawing up a new Local Plan under the draft NPPF proposed by the Government elected in July – and include a five year requirement?

Response:

See response to 24-17.

Wiltshire Council

Full Council

15 October 2024

Item 18 – Members’ Questions

From Cllr David Vigar – Trowbridge Grove Division

To Cllr Nick Botterill, Cabinet Member for Finance, Development Management and Strategic Planning

Question (24-19)

How long does the Cabinet expect that the next Local Plan, ie the one after the current draft, will take to draw up?

Response:

This is currently unclear due to the change in Government and potential changes to national policy. The previous Government released a policy paper in May 2022 indicating that regulations covering plan production would be amended, to require them to be drawn up over a 30-month timescale.

The current Government recently consulted on proposed changes to the NPPF and revisions to the method for assessing the Local Housing Need. This indicated that where there was a significant difference (over 200 dwellings per annum) between the local planning authority’s revised Local Housing Need figure and the emerging housing requirement (as in Wiltshire’s case) we would need to revise our plan in line with the revised NPPF, before submitting the plan for examination no more than 18 months after the publication of the revised NPPF.

Wiltshire Council

Full Council

15 October 2024

Item 18 – Members’ Questions

From Cllr David Vigar – Trowbridge Grove Division

To Cllr Nick Botterill, Cabinet Member for Finance, Development Management and Strategic Planning

Question (24-20)

The NPPF that the Government elected in July has proposed includes using a method of calculating housing supply that would raise Wiltshire’s requirement from 1,917 homes per year to 3,476. Given the possibility of the current draft Local Plan being adopted against the December 2023 NPPF requirements, does the Cabinet see any possibility of the new and higher housing targets being part of a Wiltshire Local Plan during the lifetime of the current Parliament?

Response:

See responses to 24-16 and 24-19.

Wiltshire Council

Full Council

15 October 2024

Item 18 – Members’ Questions

From Cllr David Vigar – Trowbridge Grove Division

To Cllr Nick Botterill, Cabinet Member for Finance, Development Management and Strategic Planning

Question (24-21)

While the new housing land supply requirement is challenging, does the Cabinet member agree that the county needs to seek out many more suitable sites for new neighbourhoods supported by new infrastructure if its young people are to have better chances of finding their own homes as well as catering for those moving into Wiltshire?

Response:

Should the proposed changes to the NPPF and Local Housing Need be implemented as consulted upon, we will need to assess the appropriate plan-led strategy on how to meet the revised housing need.

This page is intentionally left blank

Wiltshire Council

Full Council

15 October 2024

Item 9 – Enforcement Policy

Extract of Cabinet minutes from 8 October 2024

112 Enforcement Policy

Cllr Richard Clewer, Leader of the Council and Cabinet member for Military-Civilian Integration, Health and Wellbeing, Economic Development, Heritage, Arts and Tourism presented a report which provided an update to the Enforcement Policy for approval by Full Council.

The Leader explained that the aim of the Policy is to reinforce a ‘one council’ approach to enforcement activity across Wiltshire Council, consistent with the Regulators Code and the Council’s aim to remain focused on prevention, as an effective means of ensuring that businesses and individuals, local premises, practices and activities comply with legislation and statutory requirements.

Cabinet members welcomed the Policy update and felt that it provided a consistent and structured approach to specific problems and deals with a number of complex issues.

Cllr Graham Wright, Chair of the Overview and Scrutiny Management Committee, who had to leave this meeting prior to this item being considered, had his comments displayed at the meeting. He indicated that due to the cross-cutting nature of the Policy, all Chairs and Vice-Chairs of Select Committees received a briefing on 3 October 2024. Discussions focussing on local enforcement issues which highlighted the importance of the new Policy. Questions were asked about the scope of the Policy, how it would be communicated to residents and embedded into the work of the Council. Select Committees would follow up on proposed enforcement indicators as appropriate.

Cllr Ian Thorn, Leader of the Liberal Democrat Group welcomed the Policy.

Cllr Budden suggested the Policy required some edits and revisions to be useful. The Leader confirmed that the Policy brings together all enforcement policies and that the clarity of the Policy’s wording would be considered further.

Resolved:

To recommend that Full Council:

- 1. Adopt the Enforcement Policy as set out at Appendix 1.**
- 2. Delegate the maintenance of service specific enforcement policies (in line with the overall enforcement policy and changes to national guidance and legislation) to Directors in consultation with the relevant Cabinet Member.**

That Cabinet approve:

- 3. The incorporation of relevant Enforcement Indicators as set out on at the end of Appendix 1 into the Corporate Scorecard, subject to ongoing review by the Leader of the Council.**

Reason for Decision:

An assertive and coordinated approach to enforcement will help to increase compliance, prevent further infringements and deter other offenders (in line with the commitment in the Business Plan to 'prevention and early intervention' as a guiding theme).

Wiltshire Council

Full Council

15 October 2024

Item 18 – Members’ Questions

From Cllr Edward Kirk – Trowbridge Adcroft Division

To Ian Blair-Pilling, Cabinet Member for Public Health, Communities, Leisure and Libraries

Question (24-35)

At the Trowbridge Area Board on Thursday 3rd October, where the Cabinet Member for Leisure, Cllr Ian Blair-Pilling provided an update and asked for any questions from the Public or Councillors on the Trowbridge Leisure Centre, which is being built on the East Wing Car Park. The Cabinet Member refused/declined (failed to answer) my question on what the alternative plans were for Staff Car Parking and whether Residents/Visitors and Workers in the Town (the Public), would still receive Free Car Parking on Saturdays and Sundays in the remaining County Hall car parking spaces.

The Cabinet Member made bold statements regarding the high level of project management and planning behind this much needed Trowbridge Leisure Centre and stated that the planning application is already in and that they have a projected start date of early next year. Given these facts, I do not think it is unreasonable to have a direct answer now to the question:

What are the alternative plans for Staff Car Parking and will the Public still receive Free Car Parking on Saturdays and Sundays in the remaining Wiltshire Council Staff Car Parking spaces at County Hall?

Response

A verbal response will be provided at the meeting.

This page is intentionally left blank

Wiltshire Council

Full Council

15 October 2024

Item 18 – Members’ Questions

From Cllr Jon Hubbard – Melksham South Division

To Phil Alford, Cabinet Member for Housing

Question (24-36)

I understand that there has been a £41.8 million taxpayer funded loan from Wiltshire Council to Stone Circle Housing who have I understand so far purchased 168 homes. Can the cabinet member tell:

- a) How much of that £41.8m has been invested in properties to date?
- b) Can you provide a breakdown of the number of each of the following:
 - a. 1 bedroom flat
 - b. 2 bedroom flat
 - c. 3 bedroom flat
 - d. 4+ flat
 - e. 1 bedroom house
 - f. 2 bedroom house
 - g. 3 bedroom house
 - h. 4+ bedroom house
- c) Can you confirm if there is a repayment schedule from Stone Circle to Wiltshire Council in place, and do any repayments from Stone Circle cover the debt cost to Wiltshire Council?

Response:

- a) £39.95m as of 31/03/2024, which is the same date as the loan amount of £41.8m.
- b)
 - a. 1 bedroom flat – 0 properties
 - b. 2 bedroom flat – 0 properties
 - c. 3 bedroom flat – 0 properties
 - d. 4+ flat – 0 properties
 - e. 1 bedroom house – 0 properties
 - f. 2 bedroom house – 88 properties
 - g. 3 bedroom house – 73 properties
 - h. 4+ bedroom house – 2 properties

- c) The loan is scheduled for repayment at the end of a 50-year term. The business plan projects that the Company will be able to repay the loan by liquidating a small portion of its assets in Year 50. The repayment includes both capital and interest.