

# SUMMONS

Meeting: Council

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

Date: Tuesday 15 October 2024

Time: 10.30 am

All Members are summoned to attend a meeting of the Council at the time, location and date listed above.

**Members are reminded to sign the attendance sheet before entering the Council Chamber, and if leaving before the closing of the meeting.**

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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](mailto:committee@wiltshire.gov.uk)

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

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## **Public Participation**

Please see the agenda items on following pages for details of deadlines for submission of questions and statements for this meeting.

For extended details on meeting procedure, submission and scope of questions and other matters, please consult [Part 4 of the council's constitution](#).

The full constitution can be found at [this link](#).

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For assistance on these and other matters please contact the officer named above for details

## **PART I**

*Items to be considered while the meeting is open to the public*

1 **Apologies**

To receive any apologies for absence.

2 **Minutes of Previous Meeting** (Pages 7 - 32)

To approve as a true and correct record and sign the minutes of the last meeting of Council held on 24 July 2024.

3 **Declarations of Interest**

To receive any declarations of disclosable interests or dispensations granted by the Standards Committee or Monitoring Officer.

4 **Chairman's Announcements**

To receive any announcements through the Chairman.

5 **Petitions** (Pages 33 - 40)

- a) To receive presentation of any petitions submitted for the meeting
- b) To receive an update on any petitions received by the council since the last meeting.

6 **Public Participation**

The Council welcomes contributions from members of the public.

Statements

If you would like to make a statement at this meeting on any item on this agenda, please register to do so at least 10 minutes prior to the meeting. Members of the public are encouraged to register to speak earlier.

Up to 3 speakers are permitted to speak for up to 3 minutes each on any agenda item. Statements must be relevant to the agenda item.

Questions

To receive any questions from members of the public received in accordance with the constitution. No person or organisation may submit more than two questions to the meeting. No question may be sub-divided into more than two related parts.

Those wishing to ask questions are required to give notice of any such questions in writing to the officer named above (acting on behalf of the Proper Officer) no later than 5pm on 8 October 2024 in order to be guaranteed of a written response. Questions submitted no later than 5pm on 10 October 2024 may receive a verbal response. Questions may be asked without notice if the Chairman decides that the matter is urgent.

Details of any questions received will be circulated to Members prior to the meeting and made available at the meeting and on the Council's website.

Please contact the officer named on the first page of this agenda for further advice.

### **ANNUAL UPDATES**

7 **Annual Update on the Council's Response to the Climate Emergency**  
*(Pages 41 - 124)*

To receive a report from the Corporate Director - Place.

### **POLICY FRAMEWORK**

8 **Wiltshire Local Plan Review - Submission of Draft Plan** *(Pages 125 - 520)*

To receive a report from the Corporate Director - Place.

9 **Enforcement Policy** *(Pages 521 - 604)*

To receive a report from the Corporate Director - Place.

10 **Statement of Licensing Policy** *(Pages 605 - 656)*

To receive a report from the Director, Environment.

11 **Statement of Gambling Principles** *(Pages 657 - 716)*

To receive a report from the Director, Environment.

### **ITEMS FOR COUNCIL**

12 **Senior Management Structure - Changes and Designation of the statutory function of Director of Children's Services (DCS)** *(Pages 717 - 726)*

To receive a report from the Director - HR & OD.

### **MOTIONS FROM MEMBERS OF THE COUNCIL**

13 **Notices of Motion**

To consider the following notices of motions:

13a) **Motion No. 2024-05 - Winter Fuel Payments** *(Pages 727 - 728)*

To consider the Motion from Cllrs Elizabeth Threlfall and Pauline Church.

13b) **Motion No. 2024-06 - Private Motor Vehicles** *(Pages 729 - 730)*

To consider the Motion from Cllrs Dominic Muns and Nick Holder.

13c) **Motion No. 2024-07 - Five-Year Land Supply** *(Pages 731 - 732)*

To consider the Motion from Cllrs Nick Botterill and Philip Whitehead.

13d) **Motion No. 2024-08 - Wiltshire's Rivers** (Pages 733 - 734)

To consider the Motion from Cllrs Robert MacNaughton and Ashley O'Neill.

13e) **Motion No. 2024-09 - Resurfacing Works, Western Way, Salisbury**  
(Pages 735 - 736)

To consider the Motion from Cllrs Ricky Rogers and Caroline Corbin.

13f) **Motion No. 2024-10 - Salisbury Transportation Strategy** (Pages 737  
- 738)

To consider the motion from Cllrs Ricky Rogers and Sam Charleston.

## **CONSTITUTION**

14 **Proposed Changes to the Constitution** (Pages 739 - 770)

To receive a report from the Director - Legal & Governance.

## **OTHER ITEMS OF BUSINESS**

15 **Appointments Report** (Pages 771 - 774)

To receive a report from the Director – Legal and Governance.

16 **Announcements from Cabinet and Committees**

To receive any other appropriate announcements from the Leader, Cabinet Members, or Chairmen of Committees.

17 **Membership of Committees**

To determine any requests from Group Leaders for changes to committee membership in accordance with the allocation of seats to political groups previously approved by the Council.

To consider any requests from Members in respect of S.85 of the Local Government Act 1972.

18 **Questions from Members of the Council**

Members were required to give notice of any questions in writing to the Proper Officer on the first page of this agenda no later than 5pm nine clear working days before the meeting, 1 October 2024, in order to be guaranteed a written response.

Any question received after 5pm on 1 October 2024 and no later than 5pm four clear working days before the meeting 8 October 2024, may only receive a verbal response at the meeting. Any questions received after this date will be received at the next meeting.

Questions may be asked without notice if the Chairman determines the matter is urgent.

Details of any questions received will be circulated to Members prior to the meeting and made available at the meeting and on the Council's website.

## **PART II**

*Items during consideration of which it is recommended that the public should be excluded because of the likelihood that exempt information would be disclosed.*

**None**

### **Proper Officer**

Lucy Townsend  
Chief Executive  
Wiltshire Council  
Bythesea Road  
Trowbridge  
Wiltshire  
BA14 8JN

## Council

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### MINUTES OF THE COUNCIL MEETING HELD ON 24 JULY 2024 AT COUNCIL CHAMBER - COUNTY HALL, BYTHESEA ROAD, TROWBRIDGE, BA14 8JN.

#### **Present:**

Cllr Bridget Wayman (Chairman), Cllr Christopher Newbury (Vice-Chairman), Cllr Phil Alford, Cllr Liz Alstrom, Cllr Helen Belcher OBE, Cllr Chuck Berry, Cllr Ian Blair-Pilling, Cllr Nick Botterill, Cllr David Bowler, Cllr Richard Britton, Cllr Allison Bucknell, Cllr Richard Budden, Cllr Clare Cape, Cllr Trevor Carbin, Cllr Daniel Cave, Cllr Mary Champion, Cllr Sam Charleston, Cllr Pauline Church, Cllr Ernie Clark, Cllr Richard Clewer, Cllr Zoë Clewer, Cllr Mark Connolly, Cllr Caroline Corbin, Cllr Brian Dalton, Cllr Jane Davies, Cllr Andrew Davis, Cllr Dr Monica Devendran, Cllr Nick Dye, Cllr Adrian Foster, Cllr Sarah Gibson MP, Cllr Gavin Grant, Cllr Howard Greenman, Cllr Ross Henning, Cllr Sven Hocking, Cllr Nick Holder, Cllr Ruth Hopkinson, Cllr Jon Hubbard, Cllr Peter Hutton, Cllr Tony Jackson, Cllr Mel Jacob, Cllr Simon Jacobs, Cllr George Jeans, Cllr Johnny Kidney, Cllr Carole King, Cllr Gordon King, Cllr Jerry Kunkler, Cllr Jacqui Lay, Cllr Kathryn Macdermid, Cllr Robert MacNaughton, Cllr Dr Brian Mathew MP, Cllr Dr Mark McClelland, Cllr Ian McLennan, Cllr Dr Nick Murry, Cllr Nabil Najjar, Cllr Stewart Palmen, Cllr Bill Parks, Cllr Sam Pearce-Kearney, Cllr Tony Pickernell, Cllr Horace Prickett, Cllr Nic Puntis, Cllr Tamara Reay, Cllr Pip Ridout, Cllr Rich Rogers, Cllr Ricky Rogers, Cllr Tom Rounds, Cllr Paul Sample JP, Cllr Jonathon Seed, Cllr James Sheppard, Cllr Martin Smith, Cllr Caroline Thomas, Cllr Ian Thorn, Cllr Elizabeth Threlfall, Cllr Jo Trigg, Cllr Mark Verbinnen, Cllr David Vigar, Cllr Iain Wallis, Cllr Stuart Wheeler, Cllr Philip Whitehead, Cllr Suzanne Wickham, Cllr Christopher Williams, Cllr Graham Wright and Cllr Robert Yuill.

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#### 40 **Apologies**

Apologies for absence were received from Cllrs Steve Bucknell, Kevin Daley, Laura Mayes, Charles McGrath, Dominic Muns, Kelvin Nash, Paul Oatway QPM, Andrew Oliver, Ashley O'Neill, Antonio Piazza, Mike Sankey, Tim Trimble, and Derek Walters.

#### 41 **Minutes of Previous Meeting**

The minutes of the meeting held on 21 May 2024 were presented for consideration.

Subject to a minor amendment to include the prefix 'Cllr' for all appointees to the Dorset and Wiltshire Fire Authority in resolution Q of Minute 32, it was,

#### **Resolved:**

**That the minutes of the meeting held on 21 May 2024 be approved and signed as a true and correct record.**

## 42 **Declarations of Interest**

In relation to Minute 51 - Notice of Motion 2024-04: Housing Associations - there were the following declarations of disclosable interest.

Cllr Adrian Foster declared a Non-Registerable Interest by virtue of his wife being a trustee of the White Horse Housing Association. He stated he would not participate in the debate. Cllr Foster voted on the application following its amendment to refer to specific housing associations, which did not include White Horse, meaning the interest was no longer directly relevant.

Cllr Ross Henning declared an Other Registerable Interest by virtue of holding shares in Green Square Accord. He declared he would not speak or vote on the item.

Cllr Philip Whitehead declared a Disclosable Pecuniary Interest by virtue of being a non-executive Director for Selwood Housing. Cllr Whitehead left the room for the debate on the item, but returned once the motion was amended to refer to specific housing associations, which did not include Selwood Housing, as the interest was no longer directly relevant to the motion. Accordingly, he participated in debate and voted on the item.

## 43 **Chairman's Announcements**

The Chairman made the following announcements.

### a) **Members of Parliament**

It was noted that at the General Election on 4 July 2024 Cllrs Sarah Gibson and Dr Brian Mathew were elected as Members of Parliament.

Cllr Gibson is the Unitary Member for the Bradford-on-Avon South Division and was elected to represent the Chippenham Constituency. Cllr Mathew is the Unitary Member for the Box & Colerne Division and was elected to represent the Melksham and Devizes Constituency.

On behalf of the Council the Chairman offered congratulations to Cllrs Gibson and Mathew on their success.

### b) **Chairman's Engagements**

A list of recent engagements attended by the Chairman from May 2024 were detailed as set out below:

- 19 June 2024 - Armed Forces Day, with flag raising ceremony and signing of Armed Forces Covenant, at Chippenham Town Council.
- 7 July 2024 - Fovant Badges Drumhead Service, East Farm, Fovant.
- 11 July 2024 - Royal visit by HM Queen Camilla to Lacock C.E. (VC) Primary School to mark its 200th anniversary. Lacock
- 18 July 2024 - Wiltshire Scout Council AGM and celebration of Wiltshire Scouting. Potterne Wick, Devizes.



A list of recent engagements attended by the Vice-Chairman from May 2024 were detailed as set out below:

- 22 May 2024 - Chippenham Town Council Mayor's Investiture.
- 30 May 2024 - Funeral and service of thanksgiving for John Bush CVO OBE KstJ, Edington Priory Church, Edington.

c) King's Birthday Honours

The Chairman noted that the following Wiltshire and Swindon residents were honoured in His Majesty The King's Birthday Honours:

CBE

Stephen Hicks, Edington  
Brian Kingham, Marlborough  
Prof. Ian White, Rudloe  
David Wright, Marshfield

OBE

Dr Olivia Chapple, Bishopstone  
Prof. Anthony Fooks, Salisbury

MBE

Beverly Clarke, Swindon  
Simon Dunn, Trowbridge  
Alicia Hempleman-Adams, Holt  
David McNulty, Bradford on Avon  
Hassan Pillai, Bradford on Avon  
Peter Thompson, Barford St Martin

BEM

Carole Bush, Winsley  
Janice Moore, Corsley Heath

d) Staff Announcements

The Chairman noted that as set out at item 8 of the agenda the Council would be asked to appoint a new Chief Executive following the current Chief Executive, Mr Terence Herbert, taking up a position with Surrey County Council later in the summer.

As noted at the last meeting the Chairman stated Mr Herbert joined Wiltshire Council in 2011, holding a variety of positions relating to Children's Services, and that under his tenure the service went from 'Requires Improvement' to 'Outstanding'. The Chairman also noted that Mr Herbert was the first sole Chief Executive the council had appointed since 2012, assuming that responsibility during the very challenging aftermath of the council's response to the Covid-19 pandemic.

The Chairman placed on record her thanks and best wishes to Mr Herbert on behalf of the Council as he moved on from Wiltshire Council.

44 **Public Participation**

The Chairman explained the procedure that would be followed for public participation at the meeting in accordance with the constitution.

Details of eight questions submitted from Members of the Public were set out in Agenda Supplement 2.

It was outlined that the submitted questions would be received under the relevant agenda item.

45 **Petitions**

On receipt of the petitions report, it was,

**Resolved:**

**That Council note the update on petitions.**

46 **Annual Report of the Corporate Parenting Panel**

The Chairman invited Cllr Peter Hutton, Portfolio Holder for Safeguarding and Chairman of the Corporate Parenting Panel, to introduce the annual report of the Corporate Parenting Panel. Cllr Hutton moved the recommendations set out in the report, which was seconded by Cllr Mel Jacob.

Cllr Hutton thanked Panel members, officers, key strategic partners, and in particular young people who had input, and detailed the priorities which had been agreed to deliver for young people. Challenges were highlighted, including ensuring sufficient placements close to a young person's home. Cllr Hutton explained how the Panel would work with the Children's Select Committee to improve scrutiny of the relevant services. He also reminded the meeting that all 98 Members were corporate parents for the children and young people in the council's care.

Joanne Londors, a Wiltshire Foster Carer, then addressed the meeting on her experiences in particular as a single foster carer.

Group Leaders were then given the opportunity to comment.

Cllr Richard Clewer, Leader of the Council, welcomed the report on the activity which was taking place, and noted the recent positive Ofsted inspection of the service. He stated outcomes for looked after children in Wiltshire was better than the national average, but the goal needed to be to ensure those outcomes were the same as other children and the council needed to work to achieve this.

Cllr Ian Thorn, Leader of the Liberal Democrat Group, stated the annual report was uplifting and positive. He paid tribute to the Members and Officers providing support, as well as the many foster parents, and agreed with the Leader much still remained to achieve.

Cllr Ernie Clark, Leader of the Independent Group, added his thanks to all those involved with supporting the council's looked after children. Cllr Ricky Rogers, Leader of the Labour Group, highlighted the incredible work of foster carers, noting the long-term dedication the role required.

The item was then opened up to general debate. Tributes were made to the work of foster carers and the officers providing support to looked after children, such as the Child and Youth Voice team. Whilst positive action was being taken it was emphasised further support needed to be made to deliver the council's ambitions for the children and young people in its care. It was noted that there was a council policy on interview guarantees for care experienced young people who met essential criteria for council positions, but that only a very limited number were then appointed, and whether this could be approved. The importance of ensuring the voices of young people were heard across the council in multiple areas was noted.

At the conclusion of debate Cllr Hutton welcomed the comments made. He stated it was important the council listened to young people, and that it worked with partners for opportunities including employment, but that the council should lead the way with such efforts.

It was then,

**Resolved:**

**That Full Council:**

- 1) Receive and note the Annual Report and the work of the Corporate Parenting Panel to date, its functions and impact of its work and to ratify the improvements required to further strengthen Corporate Parenting in Wiltshire.**
- 2) Receive and note the Annual Report of the Child and Youth Voice Team from April 2023 to March 2024, attached as appendix 4 to this report.**

**47 Appointment of Chief Executive**

The Chairman invited Cllr Richard Clewer, Leader of the Council and Chairman of the Officer Appointments Committee, to introduce the report and recommendation. Cllr Clewer moved the motion, seconded by Cllr Andrew Davis.

Cllr Clewer detailed the lengthy and comprehensive formal process which had taken place for the recruitment of a new Chief Executive. It was explained there had been four excellent candidates at the final interview stage, and that after careful deliberation they had concluded Lucy Townsend should be appointed. He thanked partners and stakeholders who had taken part in several of the stages ahead of the formal interviews by the Officer Appointments Committee.

Cllr Clewer also expressed thanks to Terence Herbert for his years as Chief Executive starting during the Covid-19 pandemic. He stated Wiltshire Council was going against the trend of local government in many areas, in part due to Mr Herbert's corporate leadership.

Other Group Leaders were then given the opportunity to comment.

Cllr Ian Thorn, Leader of the Liberal Democrat Group, congratulated Ms Townsend on her appointment, noting her critical role in the council for many years most recently as Corporate Director, People, and was confident she had the opportunity to be an enormous success. He praised the appointments process as robust and offered his thanks to Mr Herbert for his performance in a very challenging period as Chief Executive.

Cllr Ernie Clark, Leader of the Independent Group, congratulated Ms Townsend and looked forward to working more closely with her and gave his own thanks to Mr Herbert for his years of service to Wiltshire Council.

Cllr Ricky Rogers, Leader of the Labour Group, wished Ms Townsend well with the challenges ahead and offered his support and congratulations. He gave thanks to Mr Herbert for his service to Wiltshire Council and its residents and wished him well in the future. Cllr Rogers also took the opportunity to pay tribute to Mike Osment, who had served the county for 37 years as a social worker in youth justice and offending.

The item was then opened to general debate. Comments were made about Ms Townsend's work in children's services and how the service had recently been rated as Outstanding by Ofsted, her positive engagement with overview and scrutiny of the services in her remit, and record of delivery. Tributes were paid to Mr Herbert as outgoing Chief Executive, his leadership, and his support to the council.

At the conclusion of debate Cllr Clewer noted he would miss Mr Herbert's dry sense of humour and looked forward to working with Ms Townsend even more in the future.

It was then,

**Resolved:**

**That Full Council:**

- 1) Appoint Lucy Townsend as Chief Executive and Head of Paid Service of Wiltshire Council.**
- 2) Designate Lucy Townsend as the Returning Officer (RO) and Electoral Registration Officer (ERO) for Wiltshire Council.**

## 48 Treasury Management Outturn Report 2023-24

The Chairman invited Cllr Nick Botterill, Cabinet Member for Finance, Development Management, and Strategic Planning, to introduce the report and recommendation.

Cllr Botterill noted the projected underspend set out in the report, and that the high needs reserve would be increased due to the pressures on SEND being one of the major financial risks for the council. It was emphasised that the remaining projected underspend would be directed to other priorities, with a further £5m allocated for Highways, bringing the additional highways funding to over £20m.

It was also stated that the council was in control of its finances due to clarity of purpose from the administration, a clear business plan to deliver on priorities including investment in transformative and preventative actions. Attention was also drawn to improvements in capital budget forecasting and prudent financial management to reduce the cost of borrowing.

Cllr Botterill moved that the report be noted, which was seconded by Cllr Richard Clewer.

Group Leaders were then given the opportunity to comment.

Cllr Richard Clewer, Leader of the Council, highlighted the importance of prudent financial management to enable long term financial health, lower borrowing costs, and permit additional needed investments. He noted many councils were experiencing budgetary difficulties, in part due to poor treasury management.

Cllr Ian Thorn, Leader of the Liberal Democrat Group, welcomed the report, though also suggested revenue and capital outturns could also be received at Council as well as Cabinet. He supported praise for the council's officers and the positive treasury management which had taken place, and welcomed increased investment in highways, noting the group had raised the problem particularly with potholes previously.

Cllr Ernie Clark, Leader of the Independent Group, added his thanks to officers for their treasury management work.

Cllr Ricky Rogers, Leader of the Labour Group, welcomed the report particularly in the economic climate many councils were facing. He hoped that there was capacity to take on the additional highways works funding would permit.

The item was then opened to wider debate. In addition to the recommendation Members raised points relating to general financial management, revenue, and capital outturns.

Comments were made praising the budgetary underspend and associated increased investment in highways, with details provided of the number of

projects which could be advanced and the work which would be undertaken on C and unclassified roads. However, there were also comments on the current state of the roads and how it had developed to that point, whether funding could also go towards reducing backlogs with local highways projects, the need for additional investment in youth services, and other priorities for the council such as cultural support.

There were also comments on loans from the Public Works Loan Board, the opportunities taken to borrow at low interest rates, the council's stable financial position, and high engagement with scrutiny and clear reporting.

At the conclusion of debate Cllr Botterill responded to comments made, including that some of the underspend was due to one off factors, that the council was spending additional resource in the most effective areas and priorities, that capacity constraints had an impact on delivery, and further stressed the importance of treasury management resulting in lower borrowing costs.

It was then,

**Resolved:**

**That Full Council note that the contents of the report are in line with the Treasury Management Strategy 2023/24.**

*In accordance with the Constitution there was a recorded vote.*

*Votes for the motion (80)*

*Votes against the motion (0)*

*Votes in abstention (1)*

*Details of the recorded vote are attached to these minutes.*

49 **Gypsies and Travellers Development Plan Document**

The Chairman invited Cllr Nick Botterill, Cabinet Member for Finance, Development Management, and Strategic Planning, to introduce the report and recommendation.

Cllr Botterill stated that it was intended to progress the Draft Gypsy and Traveller DPD alongside the Local Plan review, and if approved after consultation would be considered by inspectors in 2025. The Plan would bring the provision of pitches and other sites into a more controlled state, with professionally assessed demand and consideration of appropriate sites, where possible through expansion of existing sites. He stated the consultation would enable local people to raise material concerns with any proposed or expanded sites, including raising any errors or omissions in the information. All responses would be carefully considered.

Cllr Botterill moved that the Draft Plan be approved for publication and consultation as set out in the report, which was seconded by Cllr Richard Clewer.

A number of public questions have been received relating to the item, with written responses detailed in the agenda supplements.

Geoff Minsell asked a supplementary question to question P24-16, asking if changes could be made to the Plan in response to the consultation comments and findings. Cllr Botterill confirmed changes could be made if the consultation response justified this, though he could not predict in advance where changes might be made.

Geoff Minsell asked a supplementary question to question P24-17 asking how the council would carry out necessary ecological, engineering surveys and impact assessments on the settled community. Cllr Botterill the planning process would assess such details, as it could be possible a site was deemed appropriate in the plan but the practicalities were not then addressed.

Caroline Minsell asked a supplementary question to question P24-18 asking for details of surveys and tools used to determine selection of sites and if this information would be available. Cllr Botterill stated the details would be available as part of the consultation.

Caroline Minsell asked a supplementary question to question P24-19 asking for details of consultation with parish councils on inclusion of sites around Lea and Cleverton and Somerford. Cllr Botterill confirmed parish councils were notified at earlier stages, though not all will have responded, and all would be able to respond further to the consultation and all responses would be available for the public to see.

Haydn Reynolds asked a supplementary question to question P24-20 asking for whether the council intended to buy any sites proposed within the plan, and if there had been discussion with landowners. Cllr Botterill stated all but two of the sites proposed were already owned by Wiltshire Council, with those two identified through standard procedures following the council seeking information about site interest.

Jeanne Reynolds asked a supplementary question to question P24-21 asking about enforcement notices active for a site which is included in the Plan. Cllr Botterill stated that Plan was about site allocation for pitches, whereas enforcement was a separate matter.

Kit Beazely asked a supplementary question to question P24-23 asking whether the council had a separate obligation to provide for Boaters, and provision for Boaters did not impact the number of assessed demand for Gypsy and Traveller pitches. Cllr Botterill confirmed this was the case.

Group Leaders were then given the opportunity to comment.

Cllr Richard Clewer, Leader of the Council, noted that in any Plan led process there would be contention in relation to some sites. He stated it was important to control the allocation of sites, identifying the best possible locations for people to live, and without a Plan appeals would be approved for other less sustainable sites due to a lack of supply. The need for planning evidence in any comments on sites was emphasised, and the first step was to consult to gather that evidence.

Cllr Ian Thorn, Leader of the Liberal Democrat Group, stated it was important to engage with communities who felt concern about any proposals, as well as provide for the needs of the Traveller and settled communities. He criticised the delay in bringing the Plan forward, but supported bringing the draft forward to public consultation.

Cllr Ernie Clark, Leader of the Independent Group, agreed there was a need to progress to the Regulation 19 consultation. He stated if the consultation was for 6 weeks he hoped this would not begin during the school holiday period.

Cllr Ricky Rogers, Leader of the Labour Group, sought reassurance the consultation period would be adequate, and noted the importance of assessing the comments that would arise from that consultation.

Cllr Jerry Kunkler, Chairman of the Environment Select Committee, stated the Committee had looked the Plan in general terms though not site-specific details, and were content with the need for it to progress. He added personal comments on the positive contributions to communities from many Travellers he had known.

The item was then opened to general debate, with comments including but not limited to the following points.

There were comments that a full Plan for Gypsy and Traveller sites was long overdue and therefore welcomed, though there was also some criticism about local councils or residents not being informed about potential sites earlier. Several comments were made by Members raising issues with existing sites in their local areas, the need for adequate building control and maintenance on any approved sites, dealing with unauthorised encampments, provision of emergency sites, noting recent decisions granting approval for sites and whether these were included within the draft Plan demand figures.

A comment was also made that there was much misinformation regarding the Travelling community. It was also argued that the council would need to consider removing some sites from the Plan if the consultation evidence demonstrated they were unsuitable.

In response to comments made during debate Cllr Botterill stated the consultation period would be longer than the statutory 6 week period to account for it starting during the holiday period, and that due to timing of meetings and the need to assess responses in detail it could not be extended further if timetables were to be met. He confirmed that the figures within the Plan had



been updated in response to recent permissions granted, and stated that tenants and others locally could not be informed of the details of the draft plan until it was prepared for public circulation.

At the conclusion of debate, it was then,

**Resolved:**

- 1) **That the Gypsies and Travellers Plan - Pre-submission Draft Development Plan Document at Appendix 1 (subject to modification in (2) be approved for publication in line with Regulation 19 of the Town and Country Planning (Local Planning) (England) Regulations 2012 (as amended), for a period of at least six weeks public consultation.**
- 2) **To authorise the Director for Planning in consultation with the Director for Legal and Governance and Cabinet Member for Finance, Development Management and Strategic Planning: to make any necessary minor changes to the Pre-submission Draft Development Plan Document before it is published; to finalise the associated evidence documents for publication alongside the Plan; and to make arrangement for and undertake statutory consultation.**

*In accordance with the Constitution there was a recorded vote.*

*Votes for the motion (79)*

*Votes against the motion (0)*

*Votes in abstention (0)*

*Details of the recorded vote are attached to these minutes.*

*A break was taken from 13:10-14:00.*

50 **Wiltshire Cultural Strategy**

The Chairman invited Cllr Richard Clewer, Leader of the Council, to introduce the report and recommendation. It was explained the strategy would sit alongside the public arts policy, and was intended to act as a framework for the county and supportive of the wide array of cultural activities and organisations. The strategy was designed to be sustainable and facilitate actions, rather than having an extensive budget allocation, though it was stated that Wiltshire was continuing to support arts and culture, unlike many other authorities, due to their weaker financial positions.

Cllr Clewer moved that the strategy be adopted, confirmed as a policy framework item, and to authorise the Leader to make changes if appropriate in response to comments made by the Environment Select Committee. This was seconded by Cllr Ian Blair-Pilling.

Other Group Leaders were then given the opportunity to comment.

Cllr Ian Thorn, Leader of the Liberal Democrat Group, agreed with the Leader that cultural activity was very important, and expressed support for the commitment of the council to cultural activities. However, he stated he could not support the strategy as it currently stood. He also raised criticisms of the Wiltshire Towns App in relation to Calne.

Cllr Ricky Rogers, Leader of the Labour Group, supported the strategy, and also raised the ongoing issue of Salisbury City Hall and ongoing efforts to enable it to operate once again as an entertainment venue.

The item was then opened to wider debate.

Comments in support of the motion included that the strategy was a positive documentation of the cultural situation in Wiltshire, that the purpose of the document was not to fund specifics but act as an enabling framework for voluntary and other organisations, and asking where specific funding would be taken from if that was proposed, welcomed provision of officers to support the strategy, and noting the outcome of the scrutiny meeting which had discussed the strategy.

Comments in opposition to the motion included that the strategy lacked tangible deliverables or a dedicated budget, did not specifically reference young people sufficiently, and that without additional funding the strategy would be ineffective

Other comments included raising the ongoing work related to Salisbury City Hall and a proposed cultural quarter for Salisbury, how Area Boards and communities could engage with arts and culture, and potential of S.106 agreement funding.

At the conclusion of debate Cllr Clewer responded to comments made, stating the strategy would help develop a long-term model to support culture, that the council was investing significant funding in various ways, and that City Hall, Salisbury needed to be sustainable in the long term without being reliant on public funding.

It was then,

**Resolved:**

**That Council**

- 1) Adopt the Cultural Strategy.**
- 2) Include the Cultural Strategy at Part 3B Paragraph 1.2 of the Constitution as a Policy Framework item.**
- 3) Delegate authority to the Leader to make a decision to, if appropriate, amend the strategy in response to the resolutions of Environment Select Committee on 18 July 2024.**

*In accordance with the Constitution there was a recorded vote.*

*Votes for the motion (54)*

*Votes against the motion (9)*

*Votes in abstention (14)*

*Details of the recorded vote are attached to these minutes.*

51 **Notice of Motion No.2024-04 - Housing Associations**

On invitation of the Chairman Cllr Nick Botterill proposed the motion as set out in the Summons, which was seconded by Cllr Allison Bucknell.

Cllr Botterill stated he was used to working with housing associations in a cooperative way, noting the homes built and occupied had a social purpose. He had received many communications identifying unacceptable communications and actions from some associations, and he had felt it necessary and appropriate to bring the matter to Full Council to bring the issue to light and express the council's dissatisfaction with some of the performance they had seen.

Cllr Phil Alford, Cabinet Member for Housing, endorsed the motion, speaking about the council's own actions to deliver high quality housing, and the reliance on housing associations to support many residents in Wiltshire, to invest in their stock, and deliver on their social purpose. He accepted some stock would need to be sold, but that even with financial challenges scaling back from villages was causing challenges for many communities.

A statement was then received from Cllr Lisa Farrell, Marlborough Town Council, in support of the motion, stating she was concerned some associations were putting profit before other considerations.

The Chairman moved that the Council debate the motion, which was seconded by the Vice-Chairman.

Group Leaders were then invited to comment on the motion.

Cllr Richard Clewer, Leader of the Council, noted there were some good housing associations, but that others were too focused on behind simply developers. He spoke of the importance of social rent housing in villages throughout Wiltshire, and that the issue of poor provision needed to be raised with MPs and at national level.

Cllr Ian Thorn, Leader of the Liberal Democrat Group, agreed action needed to be taken on the issue but suggested the motion's wording could be more focused on specific housing associations rather than imply all acted in the same manner.

Cllr Ernie Clark, Leader of the Independent Group, stated many Members had problems with Green Square Accord in their Divisions, and supported the motion though considered the wording could be adjusted slightly.

Cllr Ricky Rogers, Leader of the Labour Group, supported the motion, also noting that fortunately Salisbury District Council had not sold off its housing stock.

The Chairman then opened the item for general debate.

During debate Cllr Gavin Grant proposed additional wording to the motion as follows.

*This Council expects Housing Associations which own homes in Wiltshire to be putting their social purpose first and foremost, as is the case with those homes owned by Wiltshire Council. There is a desperate need for social and affordable properties for rent in Wiltshire and we are concerned by the recent reports of future property sales, **poor maintenance, and excessive charges** by GreenSquare Accord as well as a number of cases where Aster tenants have been removed from their homes so that demolition can take place before properties are rebuilt for sale on the open market.*

*Selling social and affordable homes in our towns and villages will undermine the social fabric of the area. We therefore call on **these** Housing Associations to invest in their older stock in Wiltshire and not be disposing of it on the housing market in the anticipation of buying cheaper replacements in our towns or in other local authority areas.*

*We request the **Director responsible for housing Leader of the Council** write to all **relevant** Housing Associations in Wiltshire, **the Secretary of State, all six Wiltshire MPs, and the Social Housing Regulator** setting out this motion.*

This would be to focus the motion more precisely on those associations considered to be performing poorly rather than proposing to write to all associations.

Following an adjournment to consider the precise wording of the amendments, the mover and seconder of the original motion accepted the proposed alterations as a friendly amendment, without the need for a seconder for the amendment.

With consent of the meeting the motion was then further altered by the mover and seconder as follows:

*We request the Leader of the Council write to all relevant Housing Associations in Wiltshire. **Should no acceptable response be received, to write to the Secretary of State, all six Wiltshire MPs, and the Social Housing Regulator** setting out this motion.*

This would be to provide a means of escalating action in the event the housing associations did not engage with the initial response.

Before and after the amendments, comments in support of the motion included highlighting the vital importance of social housing, that several though not all housing associations had reduced the quality of their service, questioning whether all were building more homes than they were demolishing, and citing instances of poor communication with residents from some associations.

There were a great many comments from Members across Wiltshire drawing attention to what they regarded as unacceptable behaviour from housing associations, in particular Green Square Accord and Aster, raising issues such as poor quality or absent maintenance, raising of fees, poor treatment of tenants, the need for central government action, limitations on social housing, as well as positive comments against some other associations such as Selwood.

Cllr Alford as relevant Cabinet Member then had the opportunity to respond to the debate. He welcomed the comments from Members about the problems in their areas, stating he would continue to challenge associations appropriately.

At the conclusion of the debate Cllr Botterill as mover of the motion was given the opportunity for further comments.

It was then,

**Resolved:**

**This Council expects Housing Associations which own homes in Wiltshire to be putting their social purpose first and foremost, as is the case with those homes owned by Wiltshire Council. There is a desperate need for social and affordable properties for rent in Wiltshire and we are concerned by the recent reports of future property sales, poor maintenance, and excessive charges by Green Square Accord as well as a number of cases where Aster tenants have been removed from their homes so that demolition can take place before properties are rebuilt for sale on the open market.**

**Selling social and affordable homes in our towns and villages will undermine the social fabric of the area. We therefore call on these Housing Associations to invest in their older stock in Wiltshire and not be disposing of it on the housing market in the anticipation of buying cheaper replacements in our towns or in other local authority areas.**

**We request the Leader of the Council write to all relevant Housing Associations in Wiltshire. Should no acceptable response be received, to write to the Secretary of State, all six Wiltshire MPs, and the Social Housing Regulator setting out this motion.**

*In accordance with the Constitution there was a recorded vote.*

*Votes for the motion (79)*  
*Votes against the motion (0)*  
*Votes in abstention (0)*

*Details of the recorded vote are attached to these minutes.*

## 52 **Proposed Changes to the Constitution**

Cllr Richard Clewer, Leader of the Council, introduced the report on proposed changes to the constitution. The changes had been considered and proposed by the Constitution Focus Group and Standards Committee, and related to Part 10 - Contract and Procurement Rules - and Protocol 11 - Arrangements for dealing with Code of Conduct Complaints. The motion to approve the changes was seconded by Cllr Richard Britton.

No comments being received from Group Leaders or in debate, it was then,

### **Resolved:**

**That Council approve the following updated sections of the Constitution:**

- 1) Part 10 - Contract and Procurement Rules**
- 2) Protocol 11 - Arrangements for dealing with Code of Conduct Complaints.**

*In accordance with the Constitution there was a recorded vote.*

*Votes for the motion (48)*  
*Votes against the motion (0)*  
*Votes in abstention (0)*

*Details of the recorded vote are attached to these minutes.*

## 53 **Announcements from Cabinet and Committees**

It was noted that the date of Full Council in October 2024 had been changed from 22 October 2024 to 15 October 2024.

## 54 **Membership of Committees**

On the motion of the Chairman, seconded by the Vice-Chairman, and following input from group leaders on proposed changes to membership of committees, it was,

### **Resolved:**

**To make the following changes to Committees:**

- That Cllr Pip Ridout be removed as a Member of the Standards Committee.**

- That Cllr Christopher Newbury be added as a Member of the Standards Committee.
- That Cllr Bridget Wayman be added as a Substitute for the Health Select Committee.
- That Cllr Dominic Muns be added as a Substitute for the Corporate Parenting Panel.
- That Cllr Sarah Gibson MP be removed as a Member of the Strategic Planning Committee.
- That Cllr Stewart Palmen be added as a Member of the Strategic Planning Committee.
- That Cllr Dr Brian Mathew MP be removed as a Member of the Northern Area Planning Committee.
- That Cllr Clare Cape be added as a Member of the Northern Area Planning Committee.
- That Cllr Dr Brian Mathew MP be removed as a Member of the Wiltshire Police and Crime Panel.
- That Cllr Ian Thorn be added as a Member of the Wiltshire Police and Crime Panel.

55 **Questions from Members of the Council**

No questions within scope of the constitution were received for the meeting.

(Duration of meeting: 10.30 am - 5.00 pm)

The Officer who has produced these minutes is Kieran Elliott of Democratic Services, direct line 01225 718504, e-mail [committee@wiltshire.gov.uk](mailto:committee@wiltshire.gov.uk)

Press enquiries to Communications, direct line 01225 713114 or email [communications@wiltshire.gov.uk](mailto:communications@wiltshire.gov.uk)

## Full Council Meeting – 24 July 2024 – Members’ Attendance

Councillor Name	Time in (Meeting start – 10.30)	Time Out (Meeting close – 17:00)
Phil Alford	10:30	Meeting close
Liz Alstrom	10:30	Meeting close
Helen Belcher OBE	10:30	Meeting close
Chuck Berry	10:30	Meeting close
Ian Blair-Pilling	10:30	Meeting close
Nick Botterill	10:30	Meeting close
David Bowler	10:30	Meeting close
Richard Britton	10:30	Meeting close
Allison Bucknell	10:30	Meeting close
Steve Bucknell	Apologies	
Richard Budden	10:30	Meeting close
Clare Cape	10:30	Meeting close
Trevor Carbin	10:30	Meeting close
Daniel Cave	10:30	Meeting close
Mary Champion	10:30	Meeting close
Sam Charleston	10:30	Meeting close
Pauline Church	10:30	Meeting close
Ernie Clark	10:30	Meeting close
Richard Clewer	10:30	Meeting close
Zoë Clewer	10:30	Meeting close
Mark Connolly	10:30	Meeting close
Caroline Corbin	10:30	Meeting close
Kevin Daley	Apologies	
Brian Dalton	10:30	Meeting close
Jane Davies	10:30	Meeting close
Andrew Davis	10:30	Meeting close
Matthew Dean	Absent	
Dr Monica Devendran	10:30	Meeting close
Nick Dye	10:30	16:20
Adrian Foster	10:30	Meeting close
Sarah Gibson	10:30	Meeting close
Gavin Grant	10:30	Meeting close
Howard Greenman	10:30	Meeting close
Ross Henning	10:30	Meeting close
Sven Hocking	10:30	Meeting close
Nick Holder	10:30	Meeting close
Ruth Hopkinson	10:30	Meeting close
Jon Hubbard	10:30	Meeting close
Peter Hutton	10:30	Meeting close
Tony Jackson	10:30	Meeting close



Mel Jacob	10:30	Meeting close
Simon Jacobs	10:30	Meeting close
George Jeans	10:30	Meeting close
Johnny Kidney	10:30	Meeting close
Carole King	10:30	Meeting close
Gordon King	10:30	Meeting close
Edward Kirk	10:30	Meeting close
Jerry Kunkler	10:30	Meeting close
Jacqui Lay	10:30	Meeting close
Kathryn MacDermid	10:30	14:40
Dr Brian Mathew	10:30	Meeting close
Laura Mayes	Apologies	
Dr Mark McClelland	10:30	Meeting close
Charles McGrath	Apologies	
Ian McLennan	10:30	Meeting close
Dominic Muns	Apologies	
Dr Nick Murry	10:30	13:10
Nabil Najjar	10:30	Meeting close
Kelvin Nash	Apologies	
Christopher Newbury	10:30	Meeting close
Ashley O'Neill	Apologies	
Jack Oatley	10:30	Meeting close
Paul Oatway QPM	Apologies	
Andrew Oliver	10:30	Meeting close
Stewart Palmen	10:30	Meeting close
Bill Parks	10:30	Meeting close
Sam Pearce-Kearney	10:30	Meeting close
Antonio Piazza	Apologies	
Tony Pickernell	10:30	Meeting close
Horace Prickett	10:30	Meeting close
Nic Puntis	10:30	Meeting close
Tamara Reay	10:30	Meeting close
Pip Ridout	10:30	Meeting close
Rich Rogers	10:30	Meeting close
Ricky Rogers	10:30	Meeting close
Tom Rounds	10:30	Meeting close
Paul Sample JP	10:30	Meeting close
Mike Sankey	Apologies	
Jonathon Seed	10:30	Meeting close
James Sheppard	10:30	Meeting close
Martin Smith	10:30	Meeting close
Caroline Thomas	10:30	Meeting close
Ian Thorn	10:30	Meeting close
Elizabeth Threlfall	10:30	Meeting close
Jo Trigg	10:30	Meeting close
Tim Trimble	Apologies	

Mark Verbinnen	10:30	Meeting close
David Vigar	10:30	Meeting close
Iain Wallis	10:30	Meeting close
Derek Walters	Apologies	
Bridget Wayman	10:30	Meeting close
Stuart Wheeler	10:30	15:15
Philip Whitehead	10:30	Meeting close
Suzanne Wickham	10:30	Meeting close
Christopher Williams	10:30	Meeting close
Graham Wright	10:30	Meeting close
Robert Yuill	10:30	Meeting close

## Recorded Votes – Council – 24 July 2024

*Details of resolutions included within the minutes*

### Item 9: Treasury Management Outturn Report 2023-24

Voting		
Vote	Councillors	Count
For	Cllr Phil Alford, Cllr Liz Alstrom, Cllr Helen Belcher OBE, Cllr Chuck Berry, Cllr Ian Blair-Pilling, Cllr Nick Botterill, Cllr David Bowler, Cllr Richard Britton, Cllr Allison Bucknell, Cllr Richard Budden, Cllr Clare Cape, Cllr Trevor Carbin, Cllr Daniel Cave, Cllr Mary Champion, Cllr Sam Charleston, Cllr Pauline Church, Cllr Ernie Clark, Cllr Richard Clewer, Cllr Zoë Clewer, Cllr Mark Connolly, Cllr Caroline Corbin, Cllr Brian Dalton, Cllr Jane Davies, Cllr Andrew Davis, Cllr Dr Monica Devendran, Cllr Nick Dye, Cllr Sarah Gibson MP, Cllr Gavin Grant, Cllr Howard Greenman, Cllr Ross Henning, Cllr Sven Hocking, Cllr Nick Holder, Cllr Ruth Hopkinson, Cllr Jon Hubbard, Cllr Peter Hutton, Cllr Mel Jacob, Cllr Simon Jacobs, Cllr George Jeans, Cllr Johnny Kidney, Cllr Carole King, Cllr Gordon King, Cllr Jerry Kunkler, Cllr Jacqui Lay, Cllr Kathryn Macdermid, Cllr Robert MacNaughton, Cllr Dr Brian Mathew MP, Cllr Dr Mark McClelland, Cllr Ian McLennan, Cllr Dr Nick Murry, Cllr Nabil Najjar, Cllr Christopher Newbury, Cllr Stewart Palmen, Cllr Bill Parks, Cllr Sam Pearce-Kearney, Cllr Tony Pickernell, Cllr Horace Prickett, Cllr Nic Puntis, Cllr Tamara Reay, Cllr Pip Ridout, Cllr Rich Rogers, Cllr Ricky Rogers, Cllr Tom Rounds, Cllr Paul Sample JP, Cllr Jonathon Seed, Cllr James Sheppard, Cllr Martin Smith, Cllr Caroline Thomas, Cllr Ian Thorn, Cllr Elizabeth Threlfall, Cllr Jo Trigg, Cllr Mark Verbinnen, Cllr David Vigar, Cllr Iain Wallis, Cllr Bridget Wayman, Cllr Stuart Wheeler, Cllr Philip Whitehead, Cllr Suzanne Wickham, Cllr Christopher Williams, Cllr Graham Wright and Cllr Robert Yuill	80
Against	None	0
Abstain	Cllr Adrian Foster	1

## Item 10: Gypsies and Travellers Development Plan Document

Voting		
Vote	Councillors	Count
For	<p>Cllr Phil Alford, Cllr Liz Alstrom, Cllr Helen Belcher OBE, Cllr Chuck Berry, Cllr Ian Blair-Pilling, Cllr Nick Botterill, Cllr David Bowler, Cllr Richard Britton, Cllr Allison Bucknell, Cllr Richard Budden, Cllr Clare Cape, Cllr Trevor Carbin, Cllr Daniel Cave, Cllr Mary Champion, Cllr Sam Charleston, Cllr Pauline Church, Cllr Ernie Clark, Cllr Richard Clewer, Cllr Zoë Clewer, Cllr Mark Connolly, Cllr Brian Dalton, Cllr Jane Davies, Cllr Andrew Davis, Cllr Dr Monica Devendran, Cllr Nick Dye, Cllr Adrian Foster, Cllr Sarah Gibson MP, Cllr Gavin Grant, Cllr Howard Greenman, Cllr Ross Henning, Cllr Sven Hocking, Cllr Nick Holder, Cllr Ruth Hopkinson, Cllr Jon Hubbard, Cllr Peter Hutton, Cllr Mel Jacob, Cllr Simon Jacobs, Cllr George Jeans, Cllr Johnny Kidney, Cllr Carole King, Cllr Gordon King, Cllr Jerry Kunkler, Cllr Jacqui Lay, Cllr Kathryn Macdermid, Cllr Robert MacNaughton, Cllr Dr Brian Mathew MP, Cllr Dr Mark McClelland, Cllr Ian McLennan, Cllr Dr Nick Murry, Cllr Nabil Najjar, Cllr Christopher Newbury, Cllr Stewart Palmen, Cllr Bill Parks, Cllr Sam Pearce-Kearney, Cllr Tony Pickernell, Cllr Horace Prickett, Cllr Nic Puntis, Cllr Tamara Reay, Cllr Rich Rogers, Cllr Ricky Rogers, Cllr Tom Rounds, Cllr Paul Sample JP, Cllr Jonathon Seed, Cllr James Sheppard, Cllr Martin Smith, Cllr Caroline Thomas, Cllr Ian Thorn, Cllr Elizabeth Threlfall, Cllr Jo Trigg, Cllr Mark Verbinnen, Cllr David Vigar, Cllr Iain Wallis, Cllr Bridget Wayman, Cllr Stuart Wheeler, Cllr Philip Whitehead, Cllr Suzanne Wickham, Cllr Christopher Williams, Cllr Graham Wright and Cllr Robert Yuill</p>	79
Against	None	0
Abstain	None	0

## Item 11: Wiltshire Cultural Strategy

Voting		
Vote	Councillors	Count
For	Cllr Phil Alford, Cllr Chuck Berry, Cllr Ian Blair-Pilling, Cllr Nick Botterill, Cllr Richard Britton, Cllr Allison Bucknell, Cllr Richard Budden, Cllr Trevor Carbin, Cllr Daniel Cave, Cllr Sam Charleston, Cllr Pauline Church, Cllr Ernie Clark, Cllr Richard Clewer, Cllr Zoë Clewer, Cllr Mark Connolly, Cllr Jane Davies, Cllr Andrew Davis, Cllr Dr Monica Devendran, Cllr Sarah Gibson MP, Cllr Howard Greenman, Cllr Sven Hocking, Cllr Nick Holder, Cllr Peter Hutton, Cllr Tony Jackson, Cllr Simon Jacobs, Cllr George Jeans, Cllr Johnny Kidney, Cllr Jacqui Lay, Cllr Dr Mark McClelland, Cllr Ian McLennan, Cllr Nabil Najjar, Cllr Christopher Newbury, Cllr Bill Parks, Cllr Tony Pickernell, Cllr Horace Prickett, Cllr Nic Puntis, Cllr Tamara Reay, Cllr Pip Ridout, Cllr Rich Rogers, Cllr Ricky Rogers, Cllr Tom Rounds, Cllr Jonathon Seed, Cllr James Sheppard, Cllr Caroline Thomas, Cllr Elizabeth Threlfall, Cllr Mark Verbinnen, Cllr Iain Wallis, Cllr Bridget Wayman, Cllr Stuart Wheeler, Cllr Philip Whitehead, Cllr Suzanne Wickham, Cllr Christopher Williams, Cllr Graham Wright and Cllr Robert Yuill	54
Against	Cllr Helen Belcher OBE, Cllr Clare Cape, Cllr Brian Dalton, Cllr Gavin Grant, Cllr Ross Henning, Cllr Mel Jacob, Cllr Gordon King, Cllr Stewart Palmen and Cllr Martin Smith	9
Abstain	Cllr Liz Alstrom, Cllr David Bowler, Cllr Nick Dye, Cllr Adrian Foster, Cllr Ruth Hopkinson, Cllr Jon Hubbard, Cllr Kathryn Macdermid, Cllr Robert MacNaughton, Cllr Dr Brian Mathew MP, Cllr Sam Pearce-Kearney, Cllr Paul Sample JP, Cllr Ian Thorn, Cllr Jo Trigg and Cllr David Vigar	14

## Item 12: Notice of Motion No.2024-04 - Housing Associations

Voting		
Vote	Councillors	Count
For	<p>Cllr Phil Alford, Cllr Liz Alstrom, Cllr Helen Belcher OBE, Cllr Chuck Berry, Cllr Ian Blair-Pilling, Cllr Nick Botterill, Cllr David Bowler, Cllr Richard Britton, Cllr Allison Bucknell, Cllr Richard Budden, Cllr Clare Cape, Cllr Daniel Cave, Cllr Sam Charleston, Cllr Pauline Church, Cllr Richard Clewer, Cllr Zoë Clewer, Cllr Brian Dalton, Cllr Jane Davies, Cllr Andrew Davis, Cllr Adrian Foster, Cllr Sarah Gibson MP, Cllr Gavin Grant, Cllr Howard Greenman, Cllr Nick Holder, Cllr Ruth Hopkinson, Cllr Jon Hubbard, Cllr Peter Hutton, Cllr Mel Jacob, Cllr Simon Jacobs, Cllr George Jeans, Cllr Johnny Kidney, Cllr Carole King, Cllr Gordon King, Cllr Jacqui Lay, Cllr Kathryn Macdermid, Cllr Robert MacNaughton, Cllr Dr Brian Mathew MP, Cllr Dr Mark McClelland, Cllr Ian McLennan, Cllr Nabil Najjar, Cllr Christopher Newbury, Cllr Stewart Palmen, Cllr Bill Parks, Cllr Horace Prickett, Cllr Nic Puntis, Cllr Tamara Reay, Cllr Pip Ridout, Cllr Rich Rogers, Cllr Ricky Rogers, Cllr Tom Rounds, Cllr Paul Sample JP, Cllr James Sheppard, Cllr Martin Smith, Cllr Caroline Thomas, Cllr Ian Thorn, Cllr Elizabeth Threlfall, Cllr Jo Trigg, Cllr Mark Verbinnen, Cllr Iain Wallis, Cllr Bridget Wayman, Cllr Philip Whitehead, Cllr Christopher Williams and Cllr Robert Yuill</p>	63
Against	None	0
Abstain	None	0

### Item 13: Proposed Changes to the Constitution

Voting		
Vote	Councillors	Count
For	Cllr Phil Alford, Cllr Liz Alstrom, Cllr Ian Blair-Pilling, Cllr Nick Botterill, Cllr David Bowler, Cllr Richard Britton, Cllr Allison Bucknell, Cllr Richard Budden, Cllr Clare Cape, Cllr Daniel Cave, Cllr Pauline Church, Cllr Richard Clewer, Cllr Zoë Clewer, Cllr Jane Davies, Cllr Andrew Davis, Cllr Adrian Foster, Cllr Gavin Grant, Cllr Howard Greenman, Cllr Ross Henning, Cllr Nick Holder, Cllr Jon Hubbard, Cllr Mel Jacob, Cllr Simon Jacobs, Cllr Johnny Kidney, Cllr Carole King, Cllr Gordon King, Cllr Jacqui Lay, Cllr Kathryn Macdermid, Cllr Robert MacNaughton, Cllr Dr Mark McClelland, Cllr Nabil Najjar, Cllr Christopher Newbury, Cllr Stewart Palmen, Cllr Sam Pearce-Kearney, Cllr Horace Prickett, Cllr Nic Puntis, Cllr Tamara Reay, Cllr Rich Rogers, Cllr Martin Smith, Cllr Ian Thorn, Cllr Elizabeth Threlfall, Cllr Jo Trigg, Cllr Mark Verbinnen, Cllr Iain Wallis, Cllr Bridget Wayman, Cllr Philip Whitehead, Cllr Christopher Williams and Cllr Robert Yuill	48
Against	None	0
Abstain	None	0

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**Wiltshire Council**

**Full Council**

**15 October 2024**

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## **Petitions Update**

### **Petitions Received**

As of 2 October 2024, there have been five 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.**

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**Stuart Figini**

**Senior Democratic Services Officer**

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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 29<sup>th</sup> 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 30<sup>th</sup> April 2024, Stourton Parish Council also emailed <a href="mailto:TrafficOrderConsultations@wiltshire.gov.uk">TrafficOrderConsultations@wiltshire.gov.uk</a> – 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 5<sup>th</sup> 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>
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## 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 - <a href="#">ePetition details - Democratic Services - Wiltshire Council</a></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 - <a href="#">Petition · Halt Industrial Developments in Neston's Green Spaces - Neston, United Kingdom · Change.org</a> 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>
<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>	<p>20 September 2024</p>	<p>39</p>	<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> <p><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></p>

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Wiltshire Council

Full Council

15 October 2024

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## Update on Council's response to the climate emergency

### Executive Summary

At its meeting held on 26 February 2019 full Council resolved to acknowledge that 'there is a climate emergency and to seek to make the county of Wiltshire carbon neutral by 2030'. Cabinet subsequently committed to make the council carbon neutral by 2030.

At the Cabinet meeting held in October 2023 it was agreed that future climate updates are received annually rather than at six monthly intervals. This is the ninth progress report to Cabinet and full Council.

Significant progress is reported against each of the seven Climate Strategy delivery themes and **Appendix 1** provides an overview of performance and examples of delivery and is intended to be more accessible to a wider audience, while **Appendix 2** sets out performance against the climate-related Key Performance Indicators (KPIs).

In addition, the council's Climate Strategy Delivery Plan 2022-24 and the Carbon Neutral Council Plan 2022-24 are being reviewed. The updated plan, which will be completed this year, will provide the direction of travel for 2025, setting out priorities that the council will focus on in its next phase of delivery.

The council remains broadly on track to deliver on its goal to be carbon neutral as an organisation in Scope 1 & 2 emissions by 2030, and there are plans in place to continue to keep the council's emissions on track to meet future targets.

The latest available data for Wiltshire County emissions shows that these are reducing, in line with the national trajectory, but this is currently not at the pace that would deliver more ambitious aspiration to become carbon neutral by 2030, or currently by 2050. However, there is a renewed focus by the council on activities to help support communities and businesses to reach net zero emissions. These will be included in the Delivery Plan review.

### Proposals

That full Council notes the actions taken in response to the climate emergency following the last update in October 2023, including the council's annual Greenhouse Gas Report, the KPI scorecard, and the direction of travel for 2025.

**Reason for Proposals**

To provide full Council with an update on the progress made over the past year in response to the climate emergency and progress towards carbon neutrality. To highlight further activities that are being progressed and to outline the areas of focus going forward which will be set out in more detail in the new Climate Delivery Plan due for completion by the end of 2024.

**Parvis Khansari**  
**Corporate Director - Place**

## **Update on Council's response to the climate emergency**

### **Purpose of Report**

1. To provide the ninth update on actions taken in response to the climate emergency giving an update on the progress made over the past year and progress towards carbon neutrality.
2. To highlight further activities that are being progressed and to outline the areas of focus going forward which will be set out in more detail in the new Climate Delivery Plan due for completion by the end of 2024.

### **Relevance to the Council's Business Plan**

3. The programme of work to seek to make the county of Wiltshire carbon neutral by 2030 will contribute to all four business plan priorities (2022-32) of:
  - Empowered People
  - Resilient Society
  - Thriving Economy
  - Sustainable Environment
4. Specifically, the mission to make Wiltshire a place where 'we are on the path to carbon neutral (net zero).'

### **Background**

5. The update on actions and on some projects taken in response to the climate emergency (**Appendix 1**) is structured against the seven delivery themes of the climate strategy. It reports on some key areas of progress towards the council's carbon neutral ambitions and is presented in a format intended to be more engaging. It is intended that this will become available under the Climate section of the website. In addition, **Appendix 2** provides an overview of the Key Performance Indicators that track the outcomes relating to the current climate strategy delivery plans.
6. At its meeting held on 26 February 2019 Council debated the following notices of motion:
  - 12b) Acknowledging a Climate Emergency and Proposing the Way Forward;
  - 12c) Environment and Global Warming.

7. The council resolved to acknowledge that there is a climate emergency and to seek to make the county of Wiltshire carbon neutral by 2030 – recognising that the council only has direct control over 0.2% of carbon emissions in Wiltshire but can use its democratic mandate and other levers of influence to have an impact on wider emissions. Cabinet has also pledged to make Wiltshire Council carbon neutral by 2030.
8. The [minutes](#) of the meeting are available online (see pages 21 to 24). As part of this motion, the council resolved that Cabinet should report to Full Council on a six-monthly basis regarding the actions the council is taking and will take to address the climate emergency. At the Cabinet meeting, held in October 2023, it was agreed that future climate updates are received annually rather than at six monthly intervals. The latest report was therefore presented to Cabinet on 17 September 2024, following the previous annual report in [October 2023](#).
9. A Global Warming and Climate Emergency Task Group was established by Environment Select Committee in 2019 to develop recommendations to seek to achieve the target of making the county of Wiltshire carbon neutral by 2030. The task group developed two reports and recommendations covering energy, transport and air quality (see Environment Select Committee papers for [13 January 2021](#)) and planning (see Environment Select Committee papers for [3 March 2021](#)).
10. In November 2021 the Task Group updated its name to the Climate Emergency Task Group and agreed its revised objectives as:
  - To help shape and influence the development of Wiltshire Council's programme (in all relevant areas) for meeting its objective of making Wiltshire Council carbon neutral and seeking to make the county of Wiltshire carbon neutral by 2030 (excluding the geographical area administered by Swindon Borough Council).
  - To scrutinise the delivery of this objective through the Climate Strategy (2022-2027) and its delivery plans, as well as key plans, policies and programmes, such as the Local Plan, Local Transport Plan and Green and Blue Infrastructure Strategy. Including the way in which the Council is measuring progress and how it is performing and reporting against baselines.
  - To provide recommendations on other aspects of decarbonising the county including partnership working and community-led approaches as well as acting as a national role model.
11. The Wiltshire [Climate Strategy](#) was approved by Council in [February 2022](#). It sets out a framework for the council's climate programme under seven delivery themes. Page 18 of the strategy document commits us to developing delivery plans with more detail on actions and targets under the areas of focus in the strategy. Cabinet delegated permission to the Corporate Director for Place, in consultation with the Cabinet Member with responsibility for climate change, to approve delivery plans for the climate strategy once developed.
12. These delivery plans were [published](#) in September 2022 and are currently being reviewed.

## Main Considerations for the Council

13. This report provides an update on the progress being made by the council on its response to the climate emergency. It sets out what has been done since the last report in October 2023. The focus of activity has been shaped by the council's [Climate Strategy Delivery Plan 2022-24](#) and the [Carbon Neutral Council Plan 2022-24](#).
14. The following sections are structured according to the delivery themes of the Climate Strategy and delivery plans, and represents work carried out by many service areas from across the council.
15. The "Climate Update 2024" (**Appendix 1**) provides more detail on some of the examples in this report and presents an overview of progress in each delivery theme. The Climate Update document aims to present the council's progress in an engaging format, highlighting impacts and co-benefits where possible. This publication can be used within Area Board meetings and will be published on the council website so that residents and organisations in Wiltshire can gain a clearer understanding of the council's response to the climate emergency and progress towards our commitments. It is also a basis for inspiring action and building partnerships to help Wiltshire become carbon neutral.
16. **Appendix 2** collates performance against the climate-related Key Performance Indicators (KPIs).

## Carbon Neutral Council

17. The council continues to work on reducing direct emissions from the council's own operations (Scope 1 and 2) which are in its control. In addition, the council is working to reduce its indirect emissions (Scope 3) such as from outsourced contracts that are not within the council's direct control, but over which the council has significant influence.
18. Since the council acknowledged the climate emergency in 2019 the council has reduced its Scope 1 and 2 emissions by 9,554 tCO<sub>2</sub>e and by 20,991 tCO<sub>2</sub>e since 2014 when we first started to measure and report our greenhouse gas emissions. The council's emissions are now down to 2,767 tCO<sub>2</sub>e, which means that we have surpassed the target for 2023/24 (3,000 tonnes CO<sub>2</sub>e). Much of this is due to a significant reduction in emissions from Buildings and Fleet. There are planned projects to continue decarbonising buildings, which is the council's largest source of emissions. To continue to keep the council on the pathway to be carbon neutral by 2030, it will be important to ensure resources are allocated in forthcoming annual budgets to align with the priority areas identified in the emerging Delivery Plan. The Delivery Plan review will help to identify actions by priority to keep on track and indicate where resources are identified and agreed, or where further consideration may be needed.
19. The following list highlights examples of activity that has helped the council to achieve these emission reductions. The numbers in brackets refer to the [Carbon Neutral Council Plan 2022-24](#) actions.
20. The council's annual **Greenhouse Gas Report** is [available online](#), showing that the council has met the target for emissions reduction this year, while the longer-term

trend shows that we are following the pathway to carbon neutral and should remain on track next year due to property decarbonisation, fleet and streetlights work. (C6.2)

21. The council's direct operational greenhouse gas emissions (Scope 1 & 2) reduced by 22% over the last year. This is largely due to the **property carbon reduction programme**, decreasing fossil fuels being used for heating buildings and powering **fleet** vehicles, and switching to electricity instead, which can either be supplied via renewables on site (PV solar panels) or renewables within the grid, using the green tariff from our supplier. (C4; C4.1; C4.2) For example, **heat decarbonisation** of 3 operational sites reduced the council's carbon emissions by 200 tonnes in 2022/23. Three more sites have been completed and have saved 60 tonnes in 2023/24 (See Appendix 1 for further detail). (C4)
22. The **green tariff** for electricity has been secured to 2027. This reduced the council's carbon emissions from properties by 2,440 tonnes CO<sub>2</sub> during 2023/24. (C3.3)
23. **Fleet** has the goal to be carbon neutral by 2030 and has focussed on switching all lighter vehicles to electric, as well as reducing vehicles and mileage where business allows. Emissions from fleet decreased from 557 tonnes in 2022/23 to 431 tonnes in 2023/24, as 87 fossil fuel vehicles have now been replaced by ultra low emissions across the council's fleet. This means that we are progressing well towards the Fleet Strategy target of electrifying the core fleet. On council property there are presently 117 workplace charge points, and an additional 60 public charge points, an increase of 87 from 2022/23.
24. **Completion of the rooftop solar programme.** The total installed solar panel capacity by the end of 2023/24 was 3,313 kWp (peak output) and the total electricity generated was 2,639,271 kWh, which is a 50% increase from the previous year. The avoided costs for the council of using this self-generated electricity in 2023/24 was nearly £650K despite electricity usage increasing. (C3.2; C4; E1)
25. **Scope 3 emissions:** The council continues to work with key suppliers towards measuring and reducing its indirect (Scope 3) emissions and building climate considerations into procurement processes and contracts. Highways maintenance contractor Milestone is innovating on carbon reduction in project delivery, use of materials (see **Appendix 1** for a case study). Based on these achievements and collaboration, Milestone and Wiltshire Council have been shortlisted for the Edie Net Zero Awards in the category 'Supply Chain Decarbonisation'. The council has also started to work with smaller organisations such as our care providers to understand where their biggest potential for carbon reduction is and to support them to decarbonise (C7)

The top ten suppliers by carbon emissions are estimated to be the council's highest emitting contracts, based on expenditure and procurement category code:

- Waste Management and Disposal
- Highways Maintenance
- Residential Care Homes.
- Waste Collection
- Facilities management and maintenance
- Community care services
- Highways - asphalt

26. **Climate adaptation and resilience** to climate impacts: We are working with internal service areas from across the council, to understand how climate change will impact service delivery, so that the council can have a better understanding on how service delivery may need to change to support vulnerable residents, communities, infrastructure, businesses and the natural environment to be more resilient. (X5)
27. **Climate risks** associated with carbon reduction and climate resilience are a consideration within the corporate risk register, meaning that they continue to be an area of strategic focus with mitigating actions being reviewed and managed on a quarterly basis. (C1.1)
28. **Embedding climate considerations within council process, and carbon literacy and awareness of staff.** Over 200 staff have now participated in the Carbon Literacy Project course, with almost all Directors and Corporate Directors completing the training and pledging impactful ways to reduce emissions in their directorate and help to bring climate into council processes and culture. As the Corporate Director for People Lucy Townsend (now Chief Executive) pledged to start work to understand carbon emissions from care contracts, building on the estimates that are based on spend. This will help to inform the potential for emissions reduction and provide an evidence base to inform how we can support providers to put measures in place, and how this can be a consideration through the tendering and contract process. Director of Commissioning, Alison Elliot has pledged to make sure that commissioned contracts incorporate climate considerations. Directors David Redfern and James Barrah are working towards more accessible and visual data showing energy and carbon emissions in property and leisure centres. This will complement the existing action to decarbonise property, by encouraging energy demand reduction and providing a helpful way to make sure that climate data is central to decision making and performance management.
29. **Wiltshire Pension Fund's** new [Climate and Nature Report](#) illustrates the work to manage climate risk and monitor the fund's decarbonisation progress, including progress against their pathway to net zero by 2050. The fund is slightly behind target for 2024 but the overall carbon footprint is moving in the right direction since last year and closer to its overall net zero target. To maintain momentum, the fund will look at individual holdings which have a high carbon footprint, to be assured they can be a valid part of the fund's journey to net zero. The fund's listed equities carbon footprint has reduced by 31% from 2019 to 2024 measured by emissions impact of a portfolio per \$1m invested (tCO<sub>2</sub>e/\$m). The fund current carbon footprint is 27.6 tCO<sub>2</sub>e/\$m

### **Wiltshire county-wide climate action**

30. Wiltshire-wide emissions are largely not within the control of the council but it is estimated that 30% of emissions reductions require intervention from local authorities and it may be possible for local authorities to influence up to 82% of emissions in their area. The latest local authority emissions data were published by the Department of Energy Security and Net Zero in June 2024 and show that UK emissions have decreased 5% from the previous year. Wiltshire's emissions have also decreased by the same amount and follow national trends in reduction of emissions from domestic homes. Transport emissions, which is Wiltshire's biggest single source of emissions, bucked the national trend and decreased by 2%, while nationally this sector increased. However, despite these reductions, overall Wiltshire's emissions are currently off the

steeper pathway to carbon neutral set out in the study by consultants Anthesis for Wiltshire Council (2022) (see **Appendix 1 and 2** for more information on this data). The Climate Delivery Plan review is considering how the council can further influence the county's emissions, clarify the priority areas for focus, the timeframe for delivery and to consider the resources needed to support delivery.

31. The following list provides highlights of the council's activity to influence emissions in Wiltshire. The numbers in brackets at the end of each paragraph refer to the [Climate Strategy Delivery Plan 2022-24](#) action.

### **Transport**

32. Overall, the greenhouse gas emissions from Wiltshire's transport are reducing slightly (by 2% since last year), despite a slight increase nationally. The council focusses on supporting the roll out of electric vehicles, and charging infrastructure, as well as encouraging active travel and modal shift. The Local Transport Plan 4 will help to define the specific measures needed to achieve the carbon neutral ambition for the county.
33. **Local Plan Review** (LPR) and **Local Transport Plan** (LTP4) are progressing, and incorporating climate objectives and analysis of how policies and interventions might contribute to the county's pathways to net zero. The draft Local Plan includes policies on net zero carbon development, embodied carbon and supports renewable energy development. (B3; T2; T3.4; T4.1; T20.1; T21.1; T22.1)
34. Twenty three new **Electric buses** will be coming to Salisbury following a successful bid to the DfT ZEBRA scheme for £3.4million, matched by £1m from Wiltshire Council's Salisbury Transport Strategy budget and £7million investment from Go South Coast buses. (T6.4) The [Bus Service Improvement Plan](#) was submitted to government in June 2024, and sets out the priorities for 2024/25, including increasing bus use, which supports climate and air quality objectives by increasing the use of sustainable forms of transport and reducing the number of car journeys. (T6)
35. **Active travel:** The focus has been on developing [Local Cycling and Walking Infrastructure Plans](#), and [implementation](#) of walking and cycling infrastructure. This is supported through work with Bikeability, Scootability and school travel planning. (T3; T14)
36. August 2024 marked the one-year anniversary of the **Wiltshire Connect on-demand bus service** in the Pewsey Vale. More than 4,500 people have used the service so far, with 55,000 passenger journeys completed in the past year. Carbon emissions will be reduced where those journeys have replaced individual car journeys, and the service does much more for accessibility, social inclusion and mental health.

### **Energy**

37. The last year has seen an increase in interest in relation to community energy and Local Area Energy Plans. Grid capacity remains a constraint on housing development as well as renewable energy projects.
38. Work has started on developing a **Local Area Energy Plan** which will help to clarify Wiltshire's energy system needs, including current and future energy demand. We are



working with energy providers and distribution networks to make sure the grid capacity can meet the transition to a carbon neutral energy system, at the pace and in the locations where it will be needed. The council has continued to strengthen engagement with electricity and gas network organisations, including setting up a monthly surgery to discuss connection issues and planning for council projects. This meeting will be extended to external stakeholders in future, with a session held with Community Energy Groups in September. It enables early discussion of projects, so that Scottish and Southern Electricity Network (SSEN) can advise on grid capacity and build the projects into their forward planning for upgrades. (E5; E6; E7)

39. Supporting **Community Energy**: Wiltshire Council hosted the [Wessex Community Energy Network](#) meeting at County Hall in May 2024 which brought together over 50 people from community energy groups, Wiltshire Council, Town and Parish councils and others managing community buildings. The event was chaired and supported by Wessex Community Energy Network and the Centre for Sustainable Energy (CSE), with a welcome by Cllr Richard Clewer, and presentations and discussions led by Wiltshire Council Climate Team, CSE, South West Net Zero Hub, Wiltshire Climate Alliance, and Scottish and Southern Electricity Networks and National Grid.
40. The council has participated in the South West Net Zero Hub and Community Energy South research looking at how to support community energy in the South West. The research identified that there is 7.54MW of installed community energy capacity with a pipeline of 16.88MW, with seven groups operating in Wiltshire. Community energy groups were assessed according to their capabilities and will need different levels of support due to how they operate and how established they are. The research confirmed that local authorities have an important supporting role and the council has started this by convening a **quarterly roundtable of community energy groups**. (E7)
41. **Encouraging and enabling renewable energy installations on existing buildings: Solar Together** scheme 2 concluded successfully in March 2024 in Wiltshire and Swindon, with a total of 29,500 tonnes of CO<sub>2</sub> estimated to be saved across both schemes 1 and 2, over the 25 year lifespan of the installed solar panels. Scheme 3 is now underway, with over 3,000 households in Wiltshire (as of 26<sup>th</sup> August) signing up for a free, no-obligation quote by the September deadline. Installations for projects agreed under the scheme will start to be delivered in the Autumn. (E8.1; G1.2)

### **Natural Environment, Food and Farming**

42. The council's **nature recovery** and **tree planting** projects contribute to capturing carbon and ensuring that habitats, species and natural systems (including floodwater retention) are more resilient to the impacts of climate change, and benefit health and wellbeing.
43. The Climate Team has a new Head of Service, Lynn Trigwell and the Climate Team is now part of a new 'Climate and Environment' service which reflects the emphasis on **joining up climate and nature objectives**. Climate change can only be successfully addressed in conjunction with reversing biodiversity loss and ensuring natural systems are strengthened. Nature based solutions are an important part of addressing climate change. Work to improve ecosystems through regenerative land management and

tree planting help to sequester carbon dioxide and increase resilience to the impacts of climate change such as extreme rainfall.

44. Following the successful bid, in partnership with Swindon Borough Council's Great Western Community Forest for almost £300,000 from a government fund, the council has started to facilitate tree planting, set up a Tree Warden Scheme and progressed the **Woodland, Tree and Hedgerow Strategy** for Wiltshire. (NE1.1; NE3.2; NE4; NE8)
45. The **Grant Application and Planting Support (GAPS)** team have facilitated planting of 36.9Ha of Woodland, 755 individual trees and 1322m of hedgerow during the 2023-24 planting season. In total across Wiltshire we have recorded that 267Ha of Woodland, 1471 individual trees and 7062m of hedgerow has been planted in the 2023-24 planting season. Performance is being measured against national tree planting targets (30,000Ha/annum). Whilst that equates to approx 444Ha/annum for Wiltshire the county has other nationally important habitat types such as chalk grassland that would reduce this level. The council's aim to enable approximately 50% for 2024-25 (222Ha) ensuring planting is in the right place. As well as carbon sequestration, other benefits include natural flood mitigation, improved air & water quality, natural cooling, enhancing biodiversity and climate adaptation. (NE1.1; NE3.2; NE4; NE8)
46. The **Tree Warden scheme** has been set up to support tree planting and maintenance in communities. To date Wiltshire Council has recruited 56 volunteer tree wardens and has provided training and guidance. (NE3.2)
47. **Working with farmers** on regenerative land management, as part of our nutrient neutrality projects, biodiversity net gain and tree planting projects. See **Appendix 1** for a case study of ongoing nature recovery work on one of the County Farms. The three National Landscapes (formerly AONB) that fall within Wiltshire and the New Forest National Park all have tackling climate change as a priority area. They work closely with farmer groups and fund projects through grant initiatives such as Farming in Protected Landscapes (FiPL). Some examples of projects completed on farms in Wiltshire in the past year through the FiPL scheme include wetland habitat creation, grassland surveys, hedging, supporting soil health, and making better use of nutrients on organic land.
48. The NFU has also carried out an energy efficiency audit and high-level renewables feasibility assessment across 8 farms in the Pewsey Downs farm cluster. In partnership with all 4 protected landscapes that fall within Wiltshire and with support from colleagues from across the council working with farmers, we can develop a clearer understanding of what farmers are already doing to tackle climate change and be more resilient, and the impact of farming in Wiltshire. (NE7.1; NE7.2)

### **Homes and the Built Environment**

49. The council is engaged in significant activity in relation to both sustainable new builds, and home energy retrofit, as domestic buildings represent the biggest source of Wiltshire's emissions after transport. Greenhouse gas emissions from domestic buildings decreased slightly in comparison to the previous year, partly due to a warmer winter and cost of living meaning that less heating was used.

50. **Home Upgrade Grant Scheme** has commenced, offering grants for energy efficiency improvements to owner-occupied and privately rented low-income households that are off the gas grid. Wiltshire Council is working with specialist contractor, EDF Energy to retrofit up to 86 homes in the county having been successful in securing more than £1.7M grant funding from the Department of Energy Security and Net Zero. The council is now seeking households who meet the grant criteria. Households can check if they are eligible and register their interest at <https://www.wiltshire.gov.uk/hug>. Following on from the launch of the marketing campaign we have been building a pipeline of eligible homes. Surveys on those properties started in August. (B6; B7.1)
51. **Retrofit advice and showcasing** – The Local Energy Advice Demonstrator (LEAD) project is one of 36 government-funded pilot schemes to provide in-person energy advice. The Centre for Sustainable Energy (CSE) is leading the project in the West of England Area and across Wiltshire and Swindon in partnership with the council and Wiltshire Climate Alliance. The project provides support directly to hard-to-reach households and hard-to-treat properties that may otherwise be excluded from the retrofit conversations by providing in-person tailored advice. As part of this project CSE has created a [Retrofit Directory](#) as a searchable online tool to help link residents to installers in their area. (B5)
52. **Green Open Homes:** the council and CSE supported Wiltshire Climate Alliance in promoting their week-long event that enabled other residents to see home retrofit projects in real situations, inspire the community in their retrofit journeys and help them access ongoing retrofit support and home assessments. A total of 47 energy efficient homes in Wiltshire and Swindon were opened between 9 and 17 March 2024 to provide an opportunity to learn about the pros and cons of different technologies, without the sales pitch, resulting in over 200 visitors attending. All visitors who attended and who live in Wiltshire or Swindon, were offered a free retrofit survey provided by the Centre for Sustainable Energy as part of their LEAD project. (B5)
53. **Planning consultation response and pre-planning advice** is provided by the Climate Team to encourage developers to make the most of opportunities to include climate measures within developments. In the year from August 2023 to July 2024 the council has provided over 230 consultation responses. Through engagement with a developer, on an application for 120 homes the Climate team helped bring about amended proposals that included more exemplary measures, such as maximising solar orientation, meeting Future Homes Standard requirements ahead of its time, with air source heat pumps and a modest solar panel array for every home. It is estimated that 90,000 kgCO<sub>2</sub>/year will be saved, and these homes will not need to be retrofitted. Residents will have low energy bills and thermal comfort. (B9.2)
54. **Net zero new council homes:** The council is building or acquiring 1,000 additional council owned and managed homes over the next decade. Those being built by the council are designed to be net zero in operation. The first Modern Methods of Construction (MMC) home was completed in April 2024 in Durrington. The bungalow was custom built off site then lowered into location by a crane. These modular homes are zero carbon in use thanks to air source heat pumps, smart controls, and solar panels - complete with an EV charging point. Further sites are underway in Rowde and Corsley Heath. New zero carbon homes are also being purchased by the council. (B2)

55. **Net zero new schools:** The council's new schools are aiming to be net zero in operation. These include the new Melksham Primary School (planning stage), The Grove Primary School new classroom block (starting soon) and a building project at Silverwood School in Rowde. Silverwood's net zero goal is being achieved through a large PV array on the roof of the new classroom block along with a smaller array on the new Energy Centre and one on an existing building. The solar PV installation is being delivered in partnership with Wiltshire Wildlife Community Energy via Willmott Dixon's Community PV Scheme, supported by Communities for Renewables. The school and council do not pay for the initial installation, and the school will benefit from clean energy at a discounted rate. Exporting surplus power to the grid, will bring in an estimated £5,000 per year to support biodiversity and environmental education initiatives in partnership with the school. (B2)
56. **Council homes retrofit:** £2.2M has been spent on retrofit installations which have been delivered to over 200 Council owned homes in the last year through the Housing Energy Efficiency Programme ([HEEP](#)). The 700 measures included loft, cavity and underfloor insulation, Air Source Heat Pumps (ASHP), high heat retention storage heaters, smart hot water cylinders, solar diverters, solar PV arrays and new double-glazed windows. Success will be measured through the reduction of carbon emissions, as well as the improvement in property EPC scores. So far the work is projected to save 163 tCO<sub>2</sub>e annually. (B1)
57. As a result of these carbon savings from HEEP measures, verified **carbon credits** are being sold via [HACT](#). The credits are based on the carbon savings from energy efficiency measures (not the electricity generated by solar panels) and social value generated. It is a UK based scheme, with buyers ranging from housing developers to Banks. The sale of credits means that income generated can be put back into the council home energy efficiency retrofits.

### **Green Economy**

58. The focus of this theme is to build up skills for the green transition, especially through the council's activity in retrofit. In addition, the council offers information and support to businesses.
59. **Energy advice and grants for businesses:** The "Fit for Net Zero" scheme launched in August 2024 and has received 65 expressions of interest, with 36 businesses going on to participate in the project, which is ahead of the September target of 25 Small and Medium Enterprises (SME) onboarded. Funded by the UK Shared Prosperity Fund and delivered in partnership with Severn and Wye Energy Agency it provides energy efficiency advice, and grants for the measures identified. (G6.1; G6.3; G8; R5; R6?) Additionally, the council's Wiltshire Towns Fund provides similar advice and access to grants for town centre businesses to help cut emissions and costs, also delivered through Severn and Wye Energy Agency.
60. **Retrofit skills** – Wiltshire Council supported Wiltshire College to successfully bid for grant funding to retrofit a solid wall domestic property owned by the college and located within its campus at Lackham. The house will act as a training platform for students to learn skills associated with retrofitting existing houses to improve energy efficiency. The house will display examples of building fabric upgrades that improve thermal efficiency and a range of green technologies are also proposed with opportunity for students to practice installing them. The works are anticipated to be

completed during 2025, and Wiltshire Council will support the College by promoting this resource to local installers. The building will be designed so that the installations can be undertaken multiple times to support a continual through put of students. The students will not just learn one skill in isolation but crucially how different green measures need to work together to make the house energy efficient and healthy. (G5)

### **Resources and Waste**

61. The focus on reuse, recycling and diversion away from landfill follows the established waste hierarchy, which in turn supports carbon reduction through avoidance of emissions from manufacture, transportation, waste processing and decomposition.
62. **Diversion from landfill at Household Recycling Centres (HRC):** In 2023 an 8-week trial shredded bulky residual waste to divert it from landfill to energy-from-waste. The successful trial saved 641 tonnes of carbon, prompting the purchase of a permanent shredder. This is projected to save 5,965 tonnes of CO<sub>2</sub>e annually. (R1; R2.2)
63. **Reuse at HRCs** has increased, now covering furniture, white goods, electronics, bikes, bric-a-brac, books, and paint. In 2023/24, waste reuse increased by 43% (69 tonnes), saving 34 tonnes of CO<sub>2</sub>e. (R4)
64. **HRC sorting stations** encourage users to recycle more of their black bin bag contents, diverting more waste from residual waste skips that have historically predominantly ended up in landfill (also see point 28.1 above). (R1)
65. The council is working with Kennet Furniture Refurbiz (KFR) and The Salvation Army Trading Company (SATCoL) on a [scheme to acquire repurposed carpet tiles for social housing tenants](#), in addition to supplying white goods and furniture suitable for reuse. By promoting reuse, this reduces carbon emissions from waste processing and from the manufacturer of new items. The scheme was funded by the UK government Household Support Fund and saw 114 referrals and delivered 219 items between October 2023 and March 2024. (R4)
66. The council's "[Recycling: Let's Sort It](#)" campaign, launched in February 2023, boosted kerbside recycling rates by 3%. This was achieved through a reduction in non-recyclable materials being placed by residents in their blue-lidded recycling bins which would have otherwise been rejected. The resulting reduction in reject rate of 3,366 tonnes (3%), has been achieved since the introduction of the scheme. It won 'Best Communications Campaign of the Year' at the [LARAC](#) Conference on 11 October 2023. (R1; R3)

### **Cross-cutting activity**

67. The following section highlights work that has impacts within the council as well as across the whole county. These examples cut across multiple delivery themes of the Climate Strategy. This includes communication and engagement work which is key to the delivery of climate objectives.
68. **Climate Adaptation Plan** is due to be completed by March 2025. While it is being developed, work is already underway to raise awareness of climate impacts and how council service delivery will be affected. Climate Change Risk Assessments have been

started with key services, and the strategic priorities identified will be incorporated in the Climate Adaptation Plan. (C2; C8; X5; NE5)

69. **Climate adaptation projects.** Wiltshire Council is one of three councils selected to take part in a pilot to develop a **Rapid Adaptation Pathway Assessment toolkit**, with Environment Agency, Climate Sense and ADEPT (Association of Directors of Environment, Economy, Planning and Transport). This will take place in Marlborough in October 2024 to help explore short, medium and long term solutions to manage flood risks in the town. **Salisbury River Park** project is nearing completion with benefits for carbon sequestration and resilience, due to its parkland improvements and active travel measures.
70. **Offsetting strategy.** The focus remains on greenhouse gas reduction, however, work is progressing on offsetting options for the council's emissions and will include tree planting on land purchased at Yarnbrook and at West Ashton totalling 10ha. Work will be carried out to assess whether the council's existing activity is enough to offset the council's current and future residual emissions. For Wiltshire-wide emissions to be carbon neutral it will require individuals and organisations to offset their own emissions. There is an opportunity to consider how the council might set up a fund, that would identify and enable carbon reduction projects that would not otherwise happen. This concept is called 'insetting.' (X4)
71. **Assurance:** An Internal Audit was carried out by South West Audit Partnership Lt (SWAP), to assess whether the council has the systems, governance and policy in place to delivery on its carbon neutral ambitions. The audit found that there is a sound level of governance, risk management and control in place. However, the audit recommended actions in relation to allocation of funding/resources and consideration of climate within decision-making, which will further aid the council to achieve its climate objectives, and these actions are being progressed. (C1; X3; X6)
72. **Delivery plans** are currently being reviewed, and insight on priorities for 2025 are being considered alongside the pathway to carbon neutral update. (Please see 'Action Plans for 2025 and beyond' below.)

### **Communications and Engagement.**

73. As set out in the delivery plans, the focus of communications and engagement activity has usually been through the existing channels such as Town and Parish councils, Area Boards and local environmental groups via the umbrella group Wiltshire Climate Alliance. In addition, there has been messaging via social media, press releases and the website, and targeted communications and engagement to support specific projects.
74. The Wiltshire Council Climate and Environment Summer Showcase was held in the Atrium at County Hall Trowbridge, in August. It was very well attended by the public as well as by staff and councillors and helped to raise awareness of the various green projects which the council is delivering in partnership with other organisations. Importantly it provided visitors with the opportunity to drop in to ask an expert, gain ideas and to be more empowered to help make a difference in tackling climate and environmental issues.

75. The Climate and Environment teams and Waste teams collaborated to coordinate the event. They were joined by further council teams to provide information on climate actions, composting and recycling, tree planting, sustainable transport, including Bikeability and showcased some of the council's new electric vehicles. It was delivered in partnership with over 10 organisations including Wiltshire Climate Alliance, the Centre for Sustainable Energy, Wiltshire Wildlife Trust, National Self Build and Renovation Centre, Wiltshire Scrapstore, EDF and iChoosr. A number of the council's new electric fleet and solar lighting were on show at the front of County Hall. (X1.4)
76. The 5th Climate & Environment Forum meeting was held on the 17 July and led by the Climate Team, with a focus on Wiltshire Council's ongoing Retrofit work, and included a discussion on potential opportunities in the future. Also discussed was the progress of current projects such as the Home Upgrade Grant (HUG2) and Solar Together where participants helped identify potential barriers or challenges to retrofit homes in the community and considered how these barriers could be overcome. (X1.1) previous topics covered climate progress reporting, the Air Quality Management Plan, Waste Management and the Woodland Grant application.
77. Promotional campaigns for the two key retrofit projects (HUG and Solar Together) have started during the summer and will complete in the early autumn. Activities have included fortnightly social media posts, emails to thousands of Wiltshire residents, a radio campaign, an in-person event at County Hall, marketing via our external partners and organisations, promotion with the support of Area Boards and parish councils and direct mailouts of thousands of letters and flyers. In partnership with the communications team, we have also posted a series of climate change tweets which cover topics such as switching to LED light bulbs, reducing car travel and washing laundry at 30°C. Regular posts have been published via the council's social media channels. These cover topics such as home heating, composting and recycling, public and active travel as well as some of the projects featured in this report. These posts have received over 34,800 views with an increase in engagement rate from last year (see Appendix 2 for statistics). (X1.4)
78. Communications have been intentionally very project-based with a focus on maximising take up of retrofit schemes such as Solar Together and HUG. These activities include public events, community engagement, a radio campaign. The impact of the communications is being monitored, in order to drive improvements in the number of registrations and lead conversions, and ensure that any messaging is effectively reaching communities. Methods include A/B testing of the inclusion of links in Facebook campaigns, piloting the use of new tools and data to locate eligible groups and testing of the frequency, number of contacts and relationship between each organisation's campaign activities. (X1.4)
79. Nearly 40 press releases during the past year have covered relevant topics such as new cycle infrastructure, consultation on Local Cycling and Walking Infrastructure Plans, Local Plan, electric buses for Salisbury. (Climate-related press releases are collated on our [Climate Emergency](#) webpage) (X1.4)
80. The council's monthly Town and Parish Council meetings with town clerks have included items on support for tree planting projects and retrofit funding. (X1.4)
81. A meeting for Area Board Environment Leads (ABELs) in Feb 2024 heard from Cllr Hocking in Salisbury and Cllr Kidney for Bradford on Avon Area Boards about the

focus of work in their areas, and the challenges including identifying where Area Boards can have influence and meaningful impact on climate or environmental priorities. The session looked at climate action planning going forward. An outcome was the identification of the need for a steer on areas of environmental action that Town and Parish Councils can take that will have meaningful impact and influence on carbon reduction and local climate resilience. A summary of environment-related projects within area boards is included at Appendix 4. (X1.3)

82. Last year all 18 Area Boards had an environment or climate priority within their action plans. Appendix 4 sets out a summary of climate-related activities that have taken place during 2023/24. Area Board Environment Leads have been confirmed for 2024/25, and all area action plans have an environment and / or climate-related priority for the coming year. A 'menu' of project ideas has been created for Area Boards. In Autumn 2024 a meeting for Area Board Environment Leads will discuss the potential for multiple areas to collaborate and be supported on a shortlist of these projects, in order to generate a bigger scale of impact on climate and environmental priorities. Supporting this, Carbon Literacy is being offered to Wiltshire Councillors in Autumn 2024, initially for up to 20 people. Further sessions will be available in the future (X1.2; X1.3)

83. **Finance and funding.** Funding and resource bids continue to be submitted where the funding aligns with identified areas of focus. (X3) These are not always successful but they can make an important difference to climate objectives when awarded. These include:

- South West Net Zero Hub (SWNZH) fund, bid for Fleet data analysis was successful.
- The council was chosen to take part in a pilot being run by ADEPT and Environment Agency to develop a rapid adaptation toolkit.
- The council applied and is now taking part in the Local Energy Net Zero Accelerator (LENZA) pilot with SSEN and a related project with graduate support to help make the most of the LENZA tool.
- HUG funding of up to £1.7M for 2024/25 was agreed in May 2024 of which £232K is the Administration and Ancillary budget for revenue costs.
- SWNZH funding of £10K towards the foundational stages of Local Area Energy Planning which will support early stages of the project, including early engagement with external stakeholders.
- A project with communities on Future Energy Landscapes, with Centre for Sustainable Energy has been submitted to Ofgem Redress fund.

84. **Lobbying.** Wiltshire Council is represented on national networks and boards, such as ADEPT, which are a channel for lobbying government on net zero concerns for local authorities and responding to government consultations such as Future Homes Standard and Heat Network Zoning.

**Action plans for 2025 and beyond**



85. The council's Climate Strategy (2022-27) remains the framework that steers both the council's delivery and sets out what Wiltshire as a county needs to deliver to achieve net zero and to be more resilient to the impacts of climate change.

86. The **review of climate delivery plans** is underway, and a new annual action plan will be published later this year. The update at **Appendix 1** sets out 'what next' by Climate Strategy delivery themes. Examination of updated evidence, government policy, engagement with colleagues and councillors is helping to inform the new delivery plans.

87. Initial conclusions show that activity will continue in key areas such as:

- Reducing the council's operational emissions, through reducing energy demand, switching to renewable energy and low carbon fuels and using a green tariff. Produce an Offsetting Strategy.
- Consideration of Scope 3 emissions to help develop measures to reduce these, with the focus remaining on top-emitting suppliers (including waste, highways and social care contracts)
- Embedding climate into council processes and decision-making
- Incorporating climate into the Local Plan and the Local Transport Plan
- Supporting residential retrofit through advice, and targeted projects such as Solar Together and HUGs
- Retrofitting all council homes
- Electric Vehicle Infrastructure (EVI) strategy and rollout of charging stations.
- Council staff and councillor carbon literacy training to reach Silver Award.
- School travel plans, as well as staff travel plan, while continuing delivery of walking and cycling infrastructure plans and delivery.
- The Grant and Planting (GAPs) team have identified tree and woodland planting in the 2024-25 season so far: 68Ha of Woodland, 50 individual trees, 6379m of hedgerow. The team are beginning to work with farmers on agroforestry schemes, integrating trees within both livestock and arable farming systems.
- A Woodland, Tree and Hedgerow Planting Strategy will be published in 2025, to provide guidance on planting the right tree in the right place.
- Waste services will continue their focus on reuse, recycling and diverting waste from landfill, in line with the waste and carbon hierarchies, and to consider carbon emissions and circularity within current and future waste service design.
- The council is exploring alternative, low carbon fuels for its fleet of waste collection vehicles, and is purchasing one electric vehicle for town collections

but will also enable exploration of feasibility for dispersed, rural collection rounds.

- Food waste and soft plastics recycling collection due to commence in Wiltshire August 2027.
- Climate Change Risk Assessment of key council services, as part of the emerging Climate Adaptation Plan

88. There will be new or stronger focus on supporting delivery of projects across Wiltshire to support the county to reach net zero and become more climate resilient. This will include new project delivery targets, clear priorities, actions and alignment to resources. Progress against key milestones will be tracked and monitored throughout the year to ensure council emissions remain on the pathway to meet the 2030 targets and the council is using its influence to help the county become carbon neutral.

89. Going forward, activity will include:

- Partnership and collaboration such as working on collaborative projects between Area Boards
- Supporting rooftop solar installations on schools and commercial buildings
- Engagement with community organisations and residents, including Carbon Literacy training, provision of information and support and working with communities on home retrofit, climate adaptation and resilience projects.
- Focus on engagement of staff with environmental action both in the workplace and at home, building on existing carbon literacy training
- Considering battery storage to complement property PV on council owned properties
- Early engagement with developers and businesses on climate requirements in the planning process, including engagement with businesses looking to expand or invest in Wiltshire
- Developing partnerships with private and community sector to scale up retrofit and green finance
- Initial activities to start a retrofit strategy
- Local Area Energy Planning to understand the decarbonisation pathway for the energy system in Wiltshire, and supporting delivery, especially through the community energy model
- Developing relationships with training providers to close the 'green skills' gap
- Nature-based projects and local nature recovery strategy to measure and demonstrate outcomes for carbon reduction and climate resilience

- Exploring alternative fuels and mileage reduction for council fleet, including waste vehicles and school transport.

90. We will continue to make the most of linkages between the climate strategy delivery themes, and we will continue to join up the work between strategies and teams across the council to make the most of synergies and effective delivery.

### **Safeguarding Implications**

91. The impacts of climate change are amplifying safeguarding issues and falling heavily on vulnerable people both globally and in the UK.
92. Evidence suggests that vulnerable demographic groups experience disproportionate effects on their health outcomes from climate related impacts.
93. This includes young children, babies and older people who are particularly affected by extremes in temperature and the disruption caused by severe weather such as flooding. People with physical or mental health problems have a lower ability to act due to physical constraints or a lower awareness of their circumstances. People with low personal mobility or living in areas with lower accessibility of services tend to have less ability to respond and recover because it may take them longer to help themselves or to seek and receive help from others.

### **Public Health Implications**

94. Climate change and public health are inextricably linked. Having a climate strategy which looks to reduce carbon emissions in Wiltshire will have a significant and positive impact on the health of the population. Actions from implementing the strategy will improve health outcomes for all residents and help reduce health inequalities. Better home insulation will not only reduce emissions but also provide healthier homes for some of our most vulnerable people. Active travel schemes will help increase levels of physical activity, connecting people to their local communities and potentially leading to improved air quality through reduced car use. Local food production will decrease food miles, benefiting the environment, whilst providing healthier choices. Bringing nature based solutions into towns and villages such as tree planting and new green corridors, can help mitigate climate change and connect people with nature which has been shown to significantly improve wellbeing.

### **Procurement Implications**

95. There are no direct procurement implications of this report. However, there are continued opportunities for collaboration with the Procurement team and services across the Council when designing tenders procurement tenders, whereby environment and climate considerations can be incorporated, resulting in carbon reduction (as evidenced by the Milestone case study in Appendix 1), and measures for climate adaptation and resilience.

### **Equalities Impact of the Proposal**

96. One of the key principles is for the Climate Strategy to be equitable, ensuring the transition to low carbon, climate resilient future is fair. For example, the current

projects encouraging home energy retrofits, Solar Together and HUG, jointly provide an offer to those that are 'able to pay', and those that are on low incomes, and thereby these groups of people will be able to benefit from houses that are cheaper to run and healthy. Data is used to help target projects towards certain groups, as well as making sure the council's budget is spent on those that need it the most and that projects will be efficient and effective. The Local Area Energy Planning project aims to identify the most cost effective way to achieve net zero in Wiltshire, and this will be refined to look at specific locations and neighbourhoods.

97. The Climate Adaptation work is targeted towards people and communities that are vulnerable to the impacts of climate change. Evidence suggests that vulnerable demographic groups experience disproportionate effects on their health outcomes from climate related impacts.
98. This includes young children, babies and older people who are particularly affected by extremes in temperature and the disruption caused by severe weather such as flooding. People with physical or mental health problems have a lower ability to act due to physical constraints or a lower awareness of their circumstances. People with low personal mobility or living in areas with lower accessibility of services tend to have less ability to respond and recover because it may take them longer to help themselves or to seek and receive help from others.
99. Going forward, through the review of the climate delivery plans, the council will consider how we can monitor how our climate projects are benefitting and impacted different groups within Wiltshire.

### **Environmental and Climate Change Considerations**

100. This report sets out the council's response to environmental and climate change considerations following the acknowledgement of a climate emergency and agreement by full Council to seek to make the county of Wiltshire carbon neutral by 2030.

### **Workforce Implications**

101. This report does not have direct workforce implications, however the internal audit opinion was clear that the council's climate action plans must identify the necessary resources including workforce development. This will be included in the delivery plan review which will be brought to Cabinet in December 2024.

### **Risks that may arise if the proposed decision and related work is not taken**

102. This paper is for Council to note and does not require a decision to be made. While it sets out priority areas of work going forward, these will be formally proposed, and their impacts assessed, as part of the new climate delivery plans being brought to cabinet in council in December 2024.
103. However, the report highlights the progress made to mitigate the strategic risk of not achieving the council's objective to be carbon neutral by 2030, and increasing vulnerability to the impacts of climate change.

## **Risks that may arise if the proposed decision is taken and actions that will be taken to manage these risks**

104. This paper is for Council to note and does not require a decision to be made. While it sets out priority areas of work going forward, these will be formally proposed, and their impacts assessed, as part of the new climate delivery plans being brought to Cabinet in December 2024.
105. By implementing action towards being a carbon neutral council, and a carbon neutral county, the council risks using measures that may be accessible to some members of the community and not others, or measures may be beneficial to some residents and have a negative impact on others. This is mitigated by carefully considering the range of impacts of measures, carrying out due diligence, using data and evidence to help inform decisions, and discussing with cabinet members and scrutiny members as part of developing projects. Consultation is also undertaken where appropriate. For example, the council's Climate and Environment Forum may be used as a sounding board before rolling out projects or communications to the wider community.

## **Financial Implications**

106. In response to the climate and ecological emergency and the resolution made by Council to seek to make the county of Wiltshire carbon neutral, Sustainable Environment is one of the four guiding themes of the Council's Business Plan. "We take responsibility for the environment" and "We are on the path to carbon neutral" are the missions that set out the council's commitments.
107. As part of the Budget Setting process, Revenue and Capital budgets are updated to deliver against this objective, this includes continued investment, new investment and savings and covers programmes listed in the report above.
108. To 31 March 2024 spend from council budgets that contribute to delivering against the climate programme totals £54.104m Capital and £26.174m Revenue, either fully or in part. Investment has been committed for 2024/25 and future years totalling £77.854m Capital and £50.298m Revenue. In addition, grant bids have been successful for a further £8.415m and will be added to the relevant programme in due course. The tables below provide detail at programme level, where we have information.
109. Apart from the dedicated climate team, and a number of projects such as Home Upgrade Grant and Solar Together, many projects undertaken by the council have a primary purpose that is not climate change, but nevertheless contribute to either carbon reduction or adaptation and resilience to climate impacts. For example, the nutrient neutrality projects to improve water quality, have a significant benefit for climate strategy delivery, because improved ecosystems are more resilient to climate change. Many nature-based projects have multiple benefits such as improving habitats, decreasing flood risk, which increases resilience to climate change, as well as reducing carbon through absorption by soil, plants and trees. Capital projects such as Trowbridge Leisure Centre, school build projects and depot renewal are all taking account of climate objectives in their design stages, in line with the council's Environmental Policy to aim for new build that is net zero in

operation. However, it is difficult to know at the outset exactly what measures can be included for carbon reduction and climate resilience, which is a challenge in terms of budget setting. As projects are delivered, and knowledge grows, so that going forward we will be better able to budget for the necessary measures to make sure that these projects are contributing to the council's carbon neutral goals.

110. Funding through Area Boards for climate and environment projects is detailed in Appendix 4.

**Table 1 – Capital Programmes**

<b>CAPITAL</b>	<b>Previous Years Spend (cumulative £'m)</b>	<b>2024/25 Estimated Spend £'m</b>	<b>Future Estimated Spend £'m *</b>	<b>Total £'m</b>
Salisbury Transport Strategy (electric buses)			1.000	<b>1.000</b>
HRA - Capital spend on climate related activity	14.132	5.765	36.643	<b>56.540</b>
LED Programme	12.991	-	-	<b>12.991</b>
Salisbury River Park Scheme	7.774	-	-	<b>7.774</b>
Fleet - Carbon Neutral Fleet / Electric Vehicles	2.233	0.191	9.214	<b>11.638</b>
Fleet - EV charge points	0.778	0.092	0.900	<b>1.770</b>
Local Authority Treescape Fund - BOA	0.070	0.009	0.017	<b>0.096</b>
Property Carbon Reduction Programme	5.992	2.408	2.000	<b>10.400</b>
Park & Ride Solar Panel Canopies	0.014	0.519	2.967	<b>3.500</b>
Public Sector Decarbonisation Scheme Projects	5.205	-	-	<b>5.205</b>
Passenger Transport RTP1	0.633	0.062	-	<b>0.695</b>
Active Travel Fund	4.015	0.354	-	<b>4.369</b>
Bikeability	0.167	0.230	-	<b>0.397</b>
Home Upgrade Grant 2	-	1.513	-	<b>1.513</b>
Nutrient Mitigation	-	9.800	-	<b>9.800</b>
Air Quality & AQM	-	0.256	-	<b>0.256</b>
UKSPF Improving Mobility - Demand Responsive Transport	-	0.975	-	<b>0.975</b>
UKSPF Skills Infrastructure Grants	-	0.509	-	<b>0.509</b>
UKSPF Invest in Wiltshire grant scheme	0.100	1.430	-	<b>1.530</b>
UKSPF Business Fit for Future (Growth grants)	-	0.300	-	<b>0.300</b>
UKSPF Business Fit for Future (Net Zero grants)	-	0.200	-	<b>0.200</b>
UKSPF Business Fit for Future (Net Zero grants)	-	0.200	-	<b>0.200</b>
Wiltshire Towns Programme (Energy Efficiency grants)	-	0.300	-	<b>0.300</b>
<b>Total Capital</b>	<b>54.104</b>	<b>25.113</b>	<b>52.741</b>	<b>131.958</b>
Grant	22.548	15.820	0.017	<b>38.385</b>
S106/CIL	-	0.256	-	<b>0.256</b>
Borrowing	17.424	3.272	16.081	<b>36.777</b>
HRA	14.132	5.765	36.643	<b>56.540</b>
<b>Total Financing</b>	<b>54.104</b>	<b>25.113</b>	<b>52.741</b>	<b>131.958</b>

**Table 2 – Revenue Programmes**

REVENUE	Previous Years Spend (cumulative £'m)	2024/25 Estimated Spend £'m	Future Estimated Spend £'m *	Total £'m
Park & Ride	0.276	0.277	0.277	<b>0.830</b>
Mainstream school transport	9.035	9.737	9.737	<b>28.509</b>
Public Transport	7.442	7.360	7.360	<b>22.162</b>
Bus concessionary fares	3.662	3.730	3.730	<b>11.122</b>
Community Transport Grants	0.122	0.115	0.115	<b>0.352</b>
Better Bus Fund - Bus Service Enhancements	0.053	-	-	<b>0.053</b>
Capability Funding (Active Travel England)	0.103	0.449	-	<b>0.552</b>
Rural Mobility Grant	0.672	0.549	-	<b>1.221</b>
COMF - Warm & Safe Wiltshire	0.095	0.090	-	<b>0.185</b>
Public Health - Warm & Safe Advice Service	0.170	0.085	-	<b>0.255</b>
Additional Investment in Gully Emptying	0.665	0.335	-	<b>1.000</b>
Climate Change and Sustainable Living Book Collection	0.002	-	-	<b>0.002</b>
Trowbridge Bat Mitigation Strategy	0.250	-	-	<b>0.250</b>
Trowbridge Bat Mitigation Strategy (habitat creation)	-	0.040	0.040	<b>0.080</b>
Trowbridge Bat Mitigation Strategy (Recreational pressure)	-	0.037	0.045	<b>0.082</b>
River Avon Special Area Conservation	-	2.000	-	<b>2.000</b>
Home Upgrade Grant Scheme (HUGS2)	-	0.267	-	<b>0.267</b>
Retrofit Coordinator (UKSPF supported)	0.048	0.067	-	<b>0.115</b>
Energy Team	0.356	0.403	-	<b>0.759</b>
Sustainable transport team	2.145	1.650	-	<b>3.795</b>
LEVI team	-	0.240	0.240	<b>0.480</b>
UKSPF Skills for Net Zero	-	0.224	-	<b>0.224</b>
UKSPF Fit for Net Zero support	-	0.200	-	<b>0.200</b>
Wiltshire Towns Programme (Energy Efficiency grants)	-	0.200	-	<b>0.200</b>
Dedicated Climate team	0.959	0.297	0.304	<b>1.560</b>
Climate delivery budget	0.119	0.048	0.050	<b>0.217</b>
<b>Total Revenue</b>	<b>26.174</b>	<b>28.400</b>	<b>21.898</b>	<b>76.472</b>
Grant	2.838	4.404	2.273	<b>9.515</b>
S106/CIL	0.250	2.077	0.085	<b>2.412</b>
Revenue Budget	23.086	21.919	19.540	<b>64.545</b>
<b>Total Financing</b>	<b>26.174</b>	<b>28.400</b>	<b>21.898</b>	<b>76.472</b>

**Table 3 – Successful Grant Bids**

<b>Bids</b>	<b>Total £'m</b>
DFT 'ZEBRA' fund - electric buses in Salisbury	3.400
National Bus Strategy (Bus Service Improvement Plan)	4.200
Woodland Creation Accelerator Fund (Revenue)	0.280
HLF Coronation Living Orchard	0.050
Fleet - data analyst (South West Net Zero Fund)	0.025
Fit for Net Zero (UKSPF)	0.200
Local Nature Recovery Strategy	0.260
<b>Total Bids</b>	<b>8.415</b>
Grant	8.415
<b>Total Financing</b>	<b>8.415</b>

\*In 'Future Estimated Spend' only figures that have already been confirmed are included. Projects and programmes may continue, however we are not yet able to indicate the budget until grants have been allocated or budget confirmed.

111. The Pathways reports by Anthesis consultants published in May 2022 set out anticipated costs and benefits to the council and to the Wiltshire economy of delivering carbon neutrality. As detailed, this will require additional investment over and above the current commitments shown above. Further capital investment in vehicles, infrastructure and incorporating climate considerations into new buildings will help to achieve its objective. Detailed costings will be identified as part of the emerging Climate delivery plans for 2025 and beyond.
112. Decarbonisation of council property and fleet often means switching from fossil fuels to electricity, which can mean a rise in energy bills as electricity is currently more expensive than gas per kWh. Costs are offset by the work to install renewables such as solar PV so that the council can generate as much electricity as possible. In 2023/24 there was a saving of approximately £650,000 on the council's energy costs.

### **Legal Implications**

113. There are no direct legal implications arising from this report. The council will be responsible for preparing a Local Nature Recovery Strategy for Swindon and Wiltshire, under section 105 of the Environment Act 2021.

### **Overview and Scrutiny Engagement**

114. The Climate Emergency Task Group has been involved in the development of the Climate Strategy and Delivery Plans as well as scrutinising key pieces of work. The Task Group will have met to discuss this report prior to the meeting of Full Council.

### **Options Considered**

115. The only option considered is to note the report.



## Conclusions

116. Since the Council resolved to acknowledge that there is a climate emergency and to seek to make the county of Wiltshire carbon neutral by 2030, a great number projects and development work has been achieved.
117. Full Council is asked to note the considerable amount of work being undertaken across all the themes of the Climate Strategy, through cross-cutting projects being delivered by a wide range of service areas. Achievements in greenhouse gas reductions within the council, with suppliers and within the wider county are due in part as a result.
118. Whilst it is acknowledged that there is still a huge amount to be done, the achievements that have been made over the last year have kept the council on target to be net zero by 2030 for Scope 1 and 2 emissions and remains aligned with its pathway to carbon neutral. Wiltshire-wide emissions are largely not within the control of the council however there is a great deal the council can and is doing to help reduce these emissions. The council is focussing on areas it can have an influence and impact, and reporting progress to provide leadership and a basis for partnership working.
119. With the council's own scope 1 and 2 emissions programmes on target the emphasis over the coming year will be on increasing county wide retrofit activities and developing a Local Area Energy Plan to ensure green energy supply can keep up with demand and businesses and communities transition to net zero emission. In addition the council will continue to work to define and reduce the council's Scope 3 emissions.
120. More emphasis on community engagement, and delivery of climate projects via partnerships with Wiltshire organisations will help to scale up activity and achieve the impacts needed. Activity on climate will help to achieve the Climate Strategy's primary aims of greenhouse gas reduction and resilience to climate change impacts and lead to benefits in terms of health, biodiversity and nature recovery, air quality and the local economy.
121. This year has seen closer working with partners such as the Centre for Sustainable Energy and Wiltshire Climate Alliance through projects, such as the Green Open Homes Initiative and the Summer Showcase. The intention is to continue these extremely valuable partnerships to be able to deliver more together than we can alone and to help reach wider audiences that can sometimes be hard to reach .
122. Developing local retrofit skills in partnership with Wiltshire College is another new area of successful partnership working. Having a strong skilled workforce that can deliver projects successfully, and that have the technical knowledge to promote green energy solutions, such as air source heat pumps, will be critical to ensure a smooth transition to green energy, help demystify retrofit options and empower communities with the knowledge they need to make sound decisions for their properties.
123. To achieve the scale of action needed to be carbon neutral and climate resilient, and to ensure wider benefits are accessible to all, the council delivery plans and

individual service plans need to identify appropriate funding, as recommended in the climate internal audit to ensure achievement of the council's climate objectives.

124. The council's Climate Strategy 2022-27 remains the framework for action in response to the climate emergency. The council is currently reviewing its climate delivery plans and new annual plans will be brought to Cabinet later this year for approval. The new delivery plans and supporting process will be the key to keeping actions on track and being delivered at a pace that is needed.

**Sarah Valdus, Director of Environment**

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**Appendices**

Appendix 1 – Update on the council's response to the climate emergency

Appendix 2 – Climate KPI Scorecard

Appendix 3 – Solar Together Report Scheme 2

Appendix 4 – Area Board climate-related activity

**Background Papers**

None

August 2024



# Wiltshire

CLIMATE UPDATE  
REPORT

**v3 for Cabinet Meeting  
17 September 2024**

**Wiltshire Council**

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# Introduction

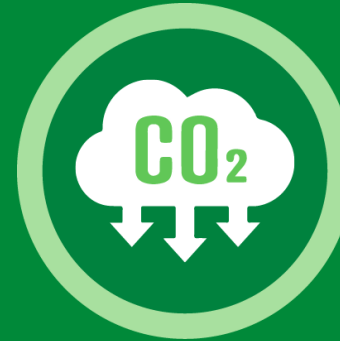
## What are the council's commitments on Climate Change?

Wiltshire Council as a Local Authority, has committed to achieving carbon neutrality by 2030, focusing on cutting emissions from our own operations (Scope 1 and 2). We are also tackling Scope 3 emissions from our outsourced services and purchases. For the full breakdown of council emissions, see our annual [Greenhouse Gas Report 2024](#).

Wiltshire Council has also committed to seeking to make the county of Wiltshire carbon neutral. While our own emissions are just 0.2% of Wiltshire's total, the council can influence the emissions of the wider county. The council's [Business Plan](#) incorporates the climate ambitions, which also include the need to help our communities adapt to the impacts of climate change

This annual report highlights progress towards our climate goals, guided by the [Climate Strategy 2022-27](#). The strategy outlines essential actions for making Wiltshire carbon neutral. Our [delivery plans](#) detail the council's role in achieving these objectives. This document shows how our efforts contribute to the strategy's key focus areas. Blue pages refer to the council's operations; Green refers to Wiltshire-wide activity.

To follow the council's climate action between the annual reports, please see the council's [climate webpages](#) and our [Facebook](#) and [X](#) social media feeds.



**2030**

Be a carbon neutral council

**2030**

Wiltshire to be carbon neutral

**2°C**

Be resilient to the impacts of climate change

### In this report you will find:

- A theme and performance overview: How Wiltshire Council is doing, in its response to the climate emergency. What are Wiltshire-wide indicators showing?
- Examples of activity happening in each of the Climate Strategy themes.
- A flavour of 'What's next?' for each theme. Giving a preview of some of the activity planned in our 2025 Delivery Plans, which will be presented to cabinet in December.

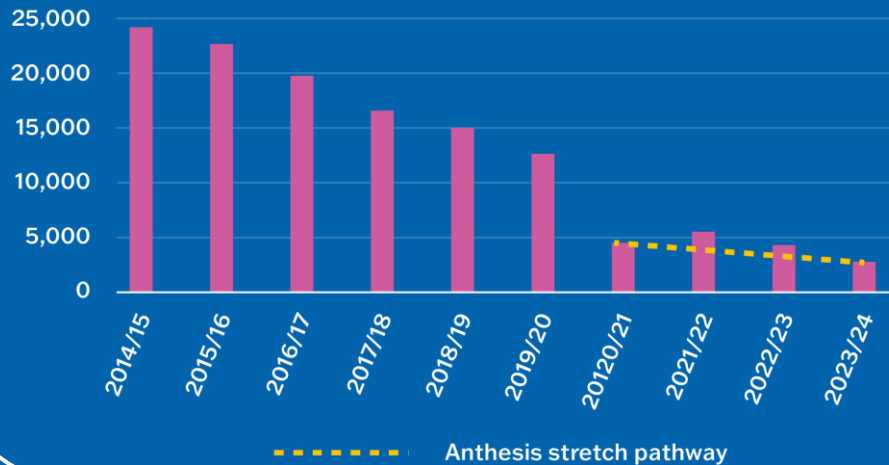
# Carbon neutral council

The [Climate Strategy](#) for this theme is for Wiltshire Council to become carbon neutral as an organisation by 2030 and to provide leadership locally and nationally.

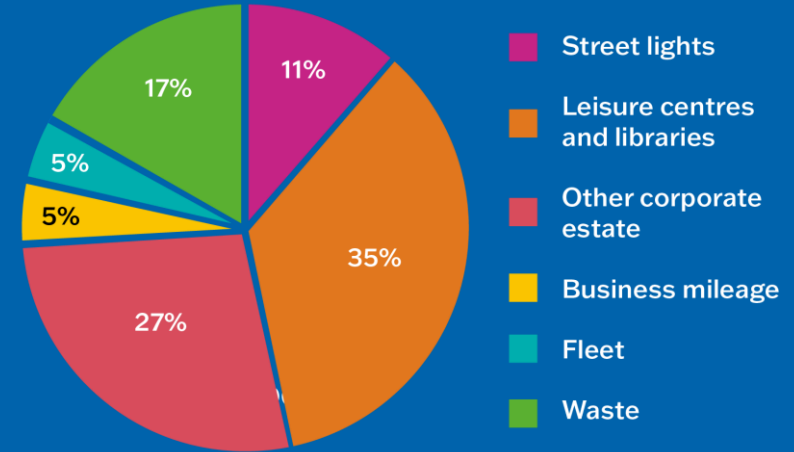
Due to activity set out in the [Carbon Neutral Council Plan 2022-24](#) emissions continue to decrease. In 2023/24 the council's direct emissions (Scope 1 and 2) were 2,767 tCO<sub>2</sub>e which means we have met the target set by out by [Anthesis pathways report](#) of being below 3,000 tCO<sub>2</sub>e.

Next year the target is 2,598 tCO<sub>2</sub>e and there are projects in the pipeline that will enable the council to meet the target, with planned projects to continue decarbonising buildings which is the council's largest source of emissions.

Greenhouse gas emissions - total scopes 1&2, (tCO<sub>2</sub>e)

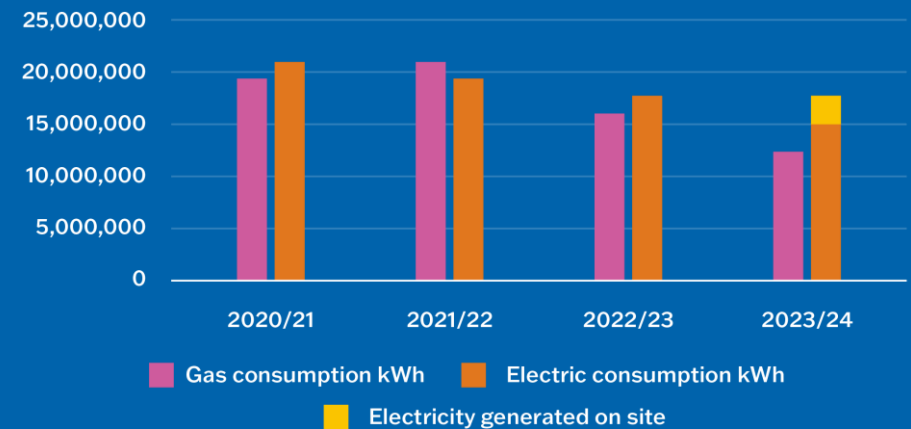


Leisure was the highest emitting sector of Wiltshire Council emissions in 2023/24 - before application of the green tariff (tCO<sub>2</sub>e)



Gas usage is decreasing with the drive to electrify heating of council buildings, whereby low carbon electricity from renewable energy can be used.

Gas and electric consumption

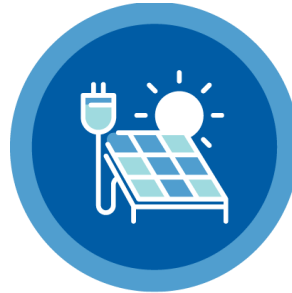


# Reducing emissions from buildings

Area of focus: **Property/Assets, continue to decarbonise heating, improve energy efficiency and expand renewable energy generation.**

## Renewable Generation

- Completion of the council's rooftop solar programme. The total installed solar panel capacity by the end of last year was 3,313 kWp and the total electricity generated in 2023/24 was 2,639,271 kWh.
- Installation of the council's first solar car park canopy at Five Rivers Health and Wellbeing Centre will generate an estimated 220,000 kWh per year, all used directly at the site.



The avoided costs for the council of using self-generated electricity from solar PV installations was nearly £650,000 in 2023/24.



## Property decarbonisation

- The council is using a green tariff for electricity, cutting carbon emissions from properties by 2,440 tonnes CO<sub>2</sub>e last year.
- Heat decarbonisation at three sites saved 200 tonnes of CO<sub>2</sub>e in 2022/23. Additionally, projects at Westbury resource storage, Bradford on Avon Library, and Durrington Swimming Pool reduced emissions by a further 60 tonnes of CO<sub>2</sub>e in 2023/24
- A successful pilot project for new switch motors in air handling equipment showed energy savings of 30-60% per motor, with payback in under three years.
- The second phase of Porton Science Park is EPC A rated, with the largest occupier fit-out commissioned to achieve A+ Net Zero

## What's next for property decarbonisation?

- Our asset management strategy will clarify asset roles, enhancing planning for net zero and resilient properties.
- We are focusing on understanding energy usage data for better carbon reduction.
- Rolling out further upgrades at high-energy sites.
- Decarbonising heating at five additional sites.
- Developing an offsetting strategy.
- Installing a second solar car park canopy at Springfield Community Campus.

# Leisure, Culture and Communities

With 20 leisure centres and 30 libraries we recognise that these buildings are high energy users. Leisure, Culture and Communities, Climate and Energy teams meet regularly to collaborate and share best practice.

[Wiltshire Cultural Strategy](#) development has incorporated priorities relating to climate mitigation and resilience.

Some examples of actions taken:



Energy demand in **leisure centres** has been reduced through Swimming Pool Support Funds for more efficient showers and new pool covers to keep heat in.

All pools are operating more efficiently in relation to water usage, pool & air temperatures. Closely monitoring utility usage and more accurate reading of meters helps our 'good housekeeping' representatives on site to recognise any areas for further attention.

**Libraries** provide information and resources to the community on how we can mitigate, reduce and overcome the effects of climate change, with the environmentally themed book display continuing to rotate around the county libraries.



Establishment of the [Rooted Community market garden](#) at the **History Centre** encourages home growing, reducing food miles and waste.

The History Centre is advancing a 'green lab' for conservation services and has worked with Wessex Water's Community Connectors pilot in Chippenham, aiming to cut pharmaceuticals in the water system and promote water conservation.



**Young Gallery in Salisbury:** Successfully completed carbon literacy training and have been experimenting with different printing methods for temporary exhibitions, using bespoke recycling schemes.

## What's next?

- 'Leisure, Culture and Communities' teams will continue to focus on understanding energy management and reducing buildings usage.
- Energy Team continue to switch sites to renewables, such as air source heat pumps and biomass, including Malmesbury Activity Zone and Devizes Library.



## Fleet and staff travel

Area of focus: **The council's Fleet Strategy sets out plans to move to electric vehicles and identify alternative solutions for larger vehicles, becoming fully carbon neutral by 2030.**

Initial telematics and driver awareness has already resulted in reduced carbon emissions and there is significant potential for further cost and carbon reduction. To realise these savings, we have been awarded £25,000 from the South West Net Zero Fund to analyse telematics data and work with managers to reduce travel across services and inform further EV transition and purchasing.

Replacement of 87 fossil fuel vehicles with electric, from the baseline of 247 fleet vehicles, means we are ahead of the Fleet Strategy target to replace 25% by March 2024. There are now 117 workplace charge points and 60 public charge points on council property.



### Staff travel

Wiltshire Council's salary sacrifice **Tusker car benefit scheme** for employees has so far seen 28 ultra-low emissions cars purchased and 14 people have taken up the **cycle to work scheme**.

One member of staff has travelled 2,000 miles in the six months since purchasing an electric bike through the scheme, equating to approximately 755 kg fewer CO<sub>2</sub> emissions in comparison to travelling by petrol. At a cost of £600 and saving approximately £8 per 20-mile commute, the bike paid for itself within a few months.



Carbon emissions from fleet decreased by **126 t**  
from 557 t in 2022/23 to 431 t in 2023/24

### What's next?

- An additional 70 charge points will be installed across council sites, to enable further decarbonisation of fleet.
- 50 further vehicles will follow once the charge points have been installed.
- The depot renewal project will look at how EV charging at depots can support fleet decarbonisation.
- The Staff Travel Plan is being updated to support staff to take sustainable ways to travel to work. County Hall is the first step, to join up with plans for the new leisure centre at Trowbridge.

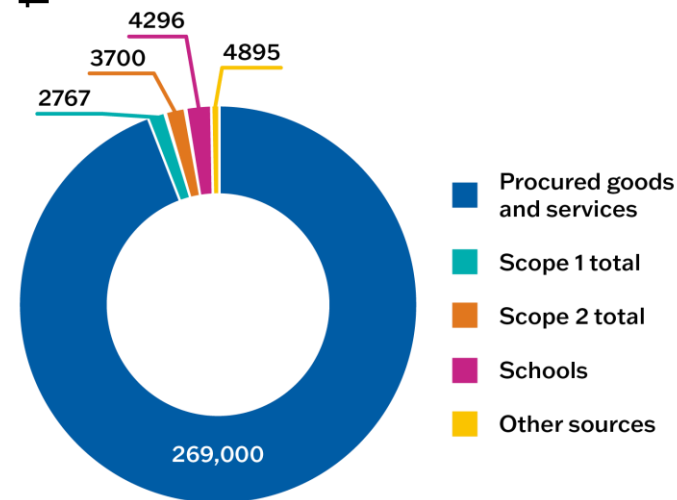
# Influencing Scope 3 emissions

Area of Focus: **Continue to monitor and reduce direct emissions, while working to understand and reduce Scope 3 emissions (supply chain and outsourced operations) for wider impact.**

The council is engaging with the top ten emitting suppliers, which include highways and waste contracts. The emissions data is estimated ([Pathways to Carbon Neutral report](#)), so by working with suppliers we can understand actual data, and the potential for it to be reduced.

November 2023 Wiltshire Council held a sustainability event with highways suppliers to share knowledge and showcase best practice.

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### Comparison of scope 1, 2 and 3 emissions.

The pie chart shows that the council's scope 1 and 2 emissions are dwarfed by our Scope 3 emissions, which are estimated based on spend.

### Procurement and Commissioning

Area of Focus: **Incorporating climate considerations into tendering and contracts is an important part of our delivery plan.** Within the last year Procurement and Climate teams have been working together to develop methods to ensure that there is focus on social value – which includes climate areas. Two examples are the Community Care contract, and Highways Maintenance contract (see case study on the following page).

New specifications for commissioned care services have included the council's aims for carbon neutrality as part of the tender process, with questions designed to ask how a provider will support these aims.

One way we have identified to reduce direct emissions, is to build children's care provision in county which will reduce social worker travel to see our young people. This approach has been supported through carbon literacy training for commissioning services.

Scope 3 emissions  
**269,000 tCO<sub>2</sub>e**

County territorial  
**3,000,000 tCO<sub>2</sub>e**

### What's next?

Use estimated Scope 3 data, and work on obtaining further actual data to inform target areas for carbon reduction, through:

- Engaging with the top 10 council suppliers
- Working with care providers through the Care Provider Forum
- Continuing to introduce social value (incorporating climate) into all contracts.

## Working with suppliers: Milestone Case Study

Area of focus: **Work with the council's supply community, to help achieve economic, environmental and social benefits for the public good and the people of Wiltshire (including reduced carbon emissions) when the council buys goods or services.**

The most significant contributor to Wiltshire Council's Scope 3 emissions is procurement spend (>269,000 tCO<sub>2</sub>e). Within procurement, waste and highways contracts are the largest emissions sources, making up 45% of the total (25% and 20%, respectively). The top ten contracts account for 70% of estimated emissions but only about 50% of expenditure.

**Page 75**  
**aim:** To decarbonise the council's supply chain and ensure contractors contribute to the council's climate commitment to being carbon neutral by 2030



### Wiltshire Council and Milestone collaboration



As a result of requirements through the tender and contract process, Wiltshire Highways was the first of Milestone's highways maintenance contracts to produce a Carbon Reduction Plan (CRP). Milestone has pledged to achieve net zero Scope 1 and 2 emissions and reduce Scope 3 carbon intensity to 19.3 tCO<sub>2</sub>e/£100k spend by 2030. In total, carbon emissions came to 5,605 tCO<sub>2</sub>e in 2023/24 (carbon intensity of 56 tCO<sub>2</sub>e/£100k spend) with a carbon saving made of 400 tCO<sub>2</sub>e (~7% reduction). Further commitments include:

- Quarterly carbon reporting, sharing data and innovations on reducing carbon emissions. Carbon reporting for specific projects.
- Rollout of Hydrogenated Vegetable Oil (HVO) to replace diesel as an interim solution. Step towards decarbonising fleet (>300 tCO<sub>2</sub>e saving); EV forklifts (50 tCO<sub>2</sub>e saving); EV charge point installation.
- Electric hotbox in the depot to keep asphalt warm. Electricity has lower emissions than gas. (5 tCO<sub>2</sub>e saving over three months);
- Use of a [dragon patcher](#) for pothole repairs (113 tCO<sub>2</sub>e saving);
- Use of recycled materials and aggregates (20 tCO<sub>2</sub>e saving).

Based on these achievements and collaboration, Milestone and Wiltshire Council have been shortlisted for the Edie Net Zero Awards in the category 'Supply Chain Decarbonisation Project of the Year'.

#### What's next for Milestone?

- Exploring feasibility of renewables on depots.
- Conducting detailed carbon assessments on individual schemes to support carbon reduction measures.
- Wiltshire Highways is sharing its learnings with other Milestone contracts and clients through webinars, hubs and working group forums.

# Embedding climate into council culture

Area of focus: **Embed carbon reduction and climate resilience into council working culture, through staff training, values and reward frameworks**

**Carbon Literacy:** Our goal is to train 820 staff for the Silver award, and we're currently at 20% accredited, and nearly all Directors have participated, including our new Chief Executive, Lucy Townsend



- The council's new Chief Executive has pledged to work to understand actual carbon emissions from care contracts, building on the spend based estimates.
- Director of Commissioning, Alison Elliot has pledged to make sure that commissioned contracts incorporate climate considerations.
- Directors David Redfern and James Barrah are working towards more accessible and visual data showing energy and carbon emissions in property and leisure centres.

Accredited  
**181**

Staff trained  
so far: **253**

**506**  
pledges  
made

**2** climate  
team  
facilitators

Carbon Literacy can cut energy and transport costs and can also boost employee morale, satisfaction, and productivity.

Area of focus: **Integrate carbon reduction and climate resilience into decision-making and strategic planning**

A new Environment category has been added to the Risk Management Policy, complete with examples of risk impact and risk appetite for all environmental aspects.

The Corporate Risk Register has been updated to highlight where existing risks may be influenced by a changing climate. Risk assessments are being carried out at a service-level to determine where functions and objectives are vulnerable to climate impacts.

The cabinet report template now reflects the new Environment Policy, ensuring decision-making includes relevant impacts and opportunities.



## What's next for embedding climate into council culture?

- Carbon Literacy for communities and councillors
- Make sure carbon assessment is part of any project (e.g. on council land or external projects), procurement and decisions.

# Cross-cutting action

Area of focus: **Continue to implement, review and update the Wiltshire Council Climate Change Adaptation Plan**

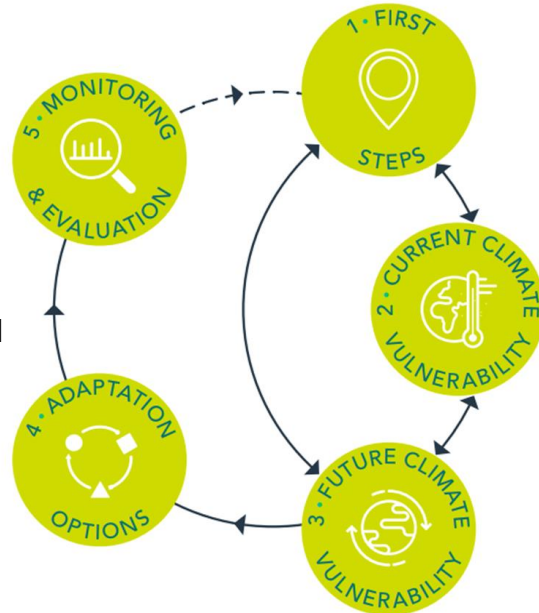
Climate Team has been engaging service areas to raise awareness of climate change impacts and assess risks to council business. Senior management participated in adaptation workshops which started in October 2023.

We know that Wiltshire will experience hotter, drier summers and warmer, wetter winters, and that extreme weather will become more frequent. We are already experiencing the effects of storms, heatwaves, flooding, drought and wildfire.

Our approach uses the Local Partnerships Adaptation Toolkit (see diagram), assessing current climate vulnerabilities, planning for long-term impacts, and ensuring ongoing action, monitoring, and review.

Selected services are conducting Climate Change Risk Assessments to identify key actions that will enhance knowledge, data, and resilience.

Social workers are assessing the impact on vulnerable people. Highways services, already tackling flooding, melting roads, and storm damage, are planning for more frequent incidents.



Area of focus: **Support the Wiltshire Pension Fund Committee's responsible investment policy, climate strategy and action plan.**



Wiltshire Pension Fund has released their new [Climate and Nature Report](#), detailing efforts to manage climate risk and track decarbonisation progress. While the fund is slightly behind its 2024 target, its carbon footprint reduced by 31% from 2019 to 2024. To keep this momentum, the fund will scrutinise high-carbon holdings to ensure they contribute to the net zero pathway.

## Actions to date include:

- [£10m investment into Climate tech with World Fund - Wiltshire Pension Fund](#)
- [A focus on high emitting sectors such as cement.](#)
- Over 10% of the entire fund is allocated to renewable infrastructure and climate solutions
- 28.7% of the fund's long-term strategic allocation is to "green" assets – on track to meet a target of 30% by 2025.
- A commitment to divest from all fossil fuel companies by 2030 and ensure all remaining holdings can transition to the zero-carbon economy.

## What's next?

- Wiltshire Council Climate Adaptation Plan to be produced by March 2025
- Continue to work with service areas across the council to identify risks to their service and customers due to the impacts of climate change, understand the adaptation actions needed, and timeframe for delivery.

# Adaptation and resilience

## Case Study: Marlborough pilot to develop 'rapid adaption pathway'

Marlborough was severely impacted by flooding in January 2024 and so has been selected to pilot a Rapid Adaptation Pathway Assessment (RAPA) toolkit developed by ADEPT (Association of Directors for Environment, Planning and Transport).

A changing climate will bring increasing mean winter rainfall and increasing peak rainfall intensity to Wiltshire, increasing the risk of flooding to communities and residents.

A one-day event in Marlborough in collaboration with Marlborough Town Council will focus on how current and future flood risk could be managed within a changing climate.

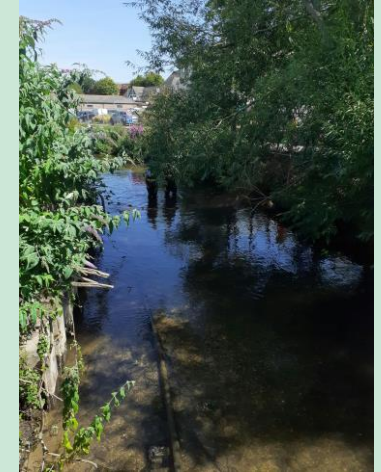
A variety of stakeholders will be invited to the event to explore the risks and opportunities from climate change and build consensus around a desired long-term strategy to manage flood risk to Marlborough and its community.



## Case study: Salisbury River Park.

The reopening of the River Avon channel in the Central Car Park area marks a major milestone for the [Salisbury River Park](#) project.

Since summer 2022, the river channel and adjoining floodplain have been widened to boost capacity and cut flood risks. A new control weir replaced the sluice gate between Millstream and the River Avon, with rock weirs added for water level control and fish passage. The previous gate blocked fish migration upstream, but the new channel enhances habitat connectivity and biodiversity.



Construction of the pedestrian bridge to the coach park began in March 2024 and is now substantially complete.

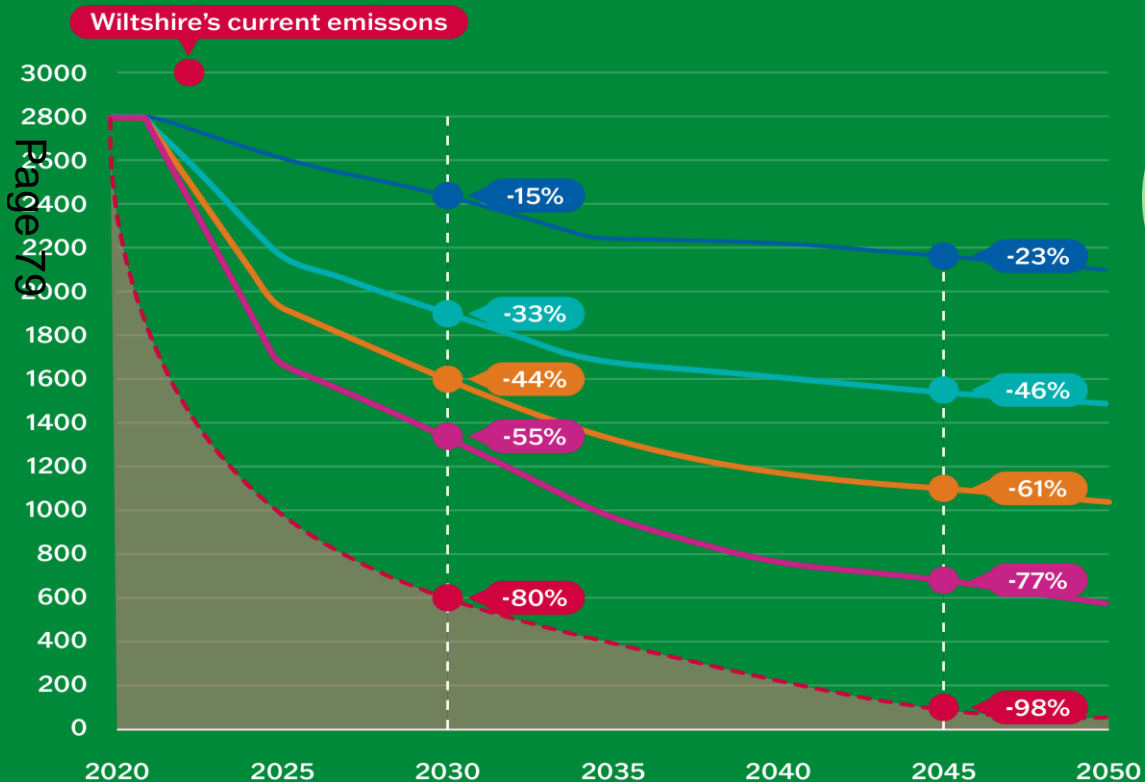
The project is almost complete, offering significant flood risk mitigation and climate benefits, including carbon reduction, new parkland, tree planting, and increased active travel options.

## What's next?

- Continue to build adaptation and resilience into projects and service delivery, and identify specific need and opportunities to work in partnership to improve resilience in Wiltshire communities.
- Continuing to deliver environmental mitigation projects, and quantify the climate benefits as much as possible.

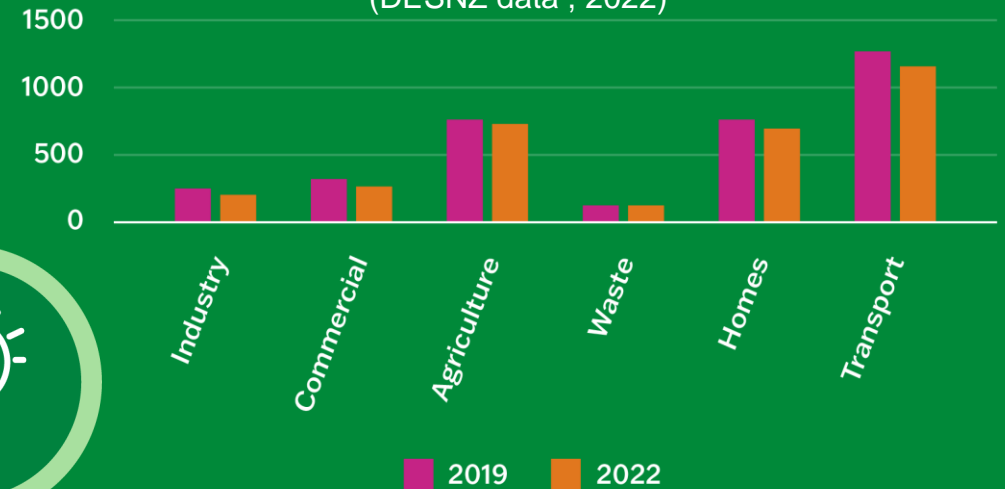
# Wiltshire county climate action

The latest data (published by DESNZ, June 2024) for Wiltshire emissions until end of 2022 shows a decrease from previous year (2021) in line with national average. The national and local emissions are now starting to reduce, since the initial bounce back following the pandemic. However, the county is still not on track as modelled by our [Wiltshire Carbon Emissions Baselines and Reduction Pathways study \(2022\)](#).



Transport, domestic properties, and industry all saw a drop in emissions from 2021 to 2022. The decrease in emissions from domestic properties was likely due in part to warmer weather and the cost-of-living crisis reducing fuel consumption.

Wiltshire comparison of emissions by source 2019-2022 ktCO<sub>2</sub>e (DESNZ data, 2022)



The graph to the left shows the possible future emissions pathways for Wiltshire as modelled by Anthesis, for differing levels of ambition. The high Ambition pathway in pink shows the maximum feasible climate action - but even this leaves a lot of emissions to be offset, if Wiltshire is to achieve carbon neutrality by 2030, or even 2050. Aiming for the High Ambition pathway predicts emissions for 2022 of 2400 ktCO<sub>2</sub>e. The red dot indicates the actual emissions. The red dashed line indicates the trajectory aligned with the Paris Agreement goal of keeping global temperature change below 1.5°C.

**6.3** tCO<sub>2</sub>e emissions per person, per year, in Wiltshire

**3,000** ktCO<sub>2</sub>e emissions in Wiltshire in 2022

# Climate Strategy theme: Transport

The [Climate Strategy](#) for Transport aims to decarbonise the transport system and provide opportunities for people to use more sustainable modes of transport. The council's contribution is to invest in infrastructure for more cycling, walking, shared and public transport and use of alternative fuels, including electric vehicle charging infrastructure. In addition, we can support people to drive less by locating and designing new developments and services to minimise the distances travelled and enable those journeys to be made by sustainable modes of transport.

Increased active travel can help to reduce carbon emissions and air pollution, improve health and wellbeing, reduce fuel costs and may increase economic growth and vibrancy.

Our indicators show progress in these areas. Overall, the greenhouse gas emissions from Wiltshire's transport are reducing slightly. The [Local Transport Plan 4](#) will help to show the specific measures needed to achieve the carbon neutral ambition for the county.

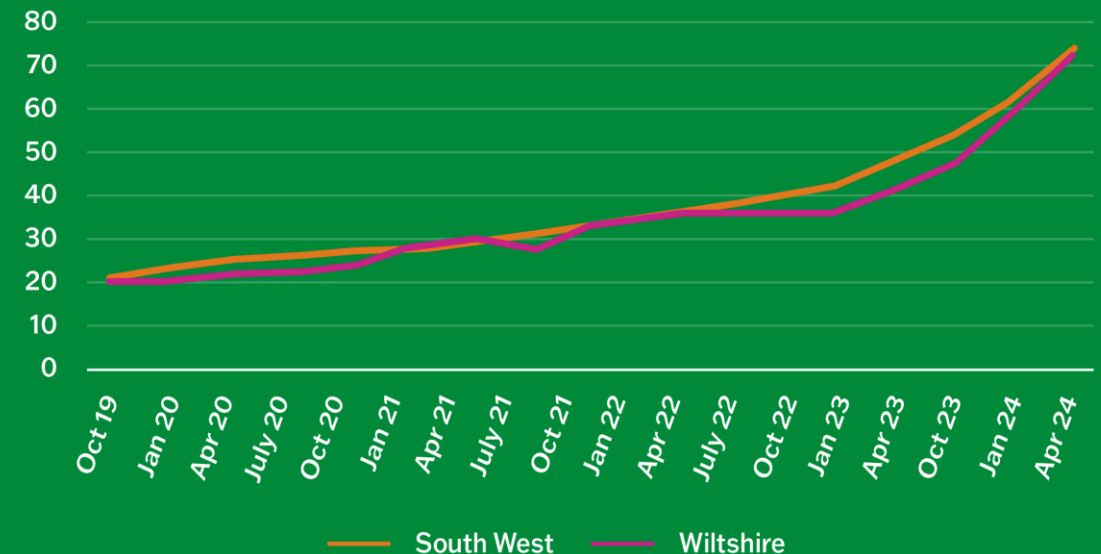


**372** publicly available charge points in Wiltshire (Apr 2024)

Wiltshire, with 73 charge points per 100,000 population, is slightly behind the South West benchmark of 75 per 100,000.

The council's EV Charging Infrastructure Plan has resulted in an additional 60 public charge points in 2023/24.

Electric vehicle charge points per 100,000 population.



**38%**

of greenhouse gas emissions in Wiltshire come from Transport

**8,430,089**

Passenger trips on buses in 23/24. Increased **15%** from 22/23



# Active Travel

Area of focus: **Produce Local Cycling and Walking Infrastructure Plans (LCWIPs) for Wiltshire and the major settlements to unlock further Government funding for measures**

**7** plans have now been produced, including Chippenham, Trowbridge, and Devizes LCWIPs which are now approved by the Cabinet Member. Calne and Melksham LCWIPs have completed the first stage of engagement, with draft plans in preparation for further consultation.

For more information see the council's [active travel](#) and [LCWIP](#) webpages.

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**0** times air pollution (NO<sub>2</sub>) was over the limit in Air Quality Management Areas in 2023/24

There are over **70,000** pupils in Wiltshire schools

Areas of Focus: **Using our influence and partnerships we will encourage schools to develop nationally accredited green travel plans through Modeshift STARS scheme. Work with schools to support safe walking and cycling.**

**Bikeability:** In the 2023-24 school year we have delivered over 3,300 Level 2 training places, over 70 Level 3 places and supported 38 Year 6 pupils to learn to ride.

**Walksafe:** 8,784 children have completed pedestrian training, across years 1,3 and 6 in primary schools. **Scootability:** 819 primary pupils have taken part in scooter skills sessions.

[Bikeability](#) is funded by a grant from Active Travel England. £167,135 in 2023/24, for instructor costs, training resources, and award materials.

A focus on road safety empowers young people and their families to choose active travel for short journeys, which contributes to better health and air quality as well as reducing carbon emissions.

## What's next:

Continue developing LCWIPs for all of our towns and produce a pipeline of active travel schemes that will be delivered when funding becomes available.

- Bikeability, WalkSafe and Scootability will continue, with a £229,573 grant for 2024/25.
- Continued focus on [air quality](#): Carbon reduction and air quality objectives go hand in hand and better air quality makes active travel more inviting.

# Low carbon travel

Area of focus: **Explore how the council can best support infrastructure to encourage the uptake of all types of zero carbon vehicles by Wiltshire residents and businesses, through Wiltshire Council's Electric Vehicle Charging Infrastructure Plan and other future plans**



**£480,000** from the Department for Transport (DfT) to dedicate to expanding the county's Local Electric Vehicle Infrastructure (LEVI).

The grant supports an **EV Team**, who are developing an EV Strategy and installing on-street, residential chargers across Wiltshire.

**60** Public charge points installed in 2023/24 as part of existing EV Charging Infrastructure Plan 2022-24.

Area of focus: **Build upon the existing rural transport network, including through more Demand Responsive Transport (DRT) type operations**

The council's [Wiltshire Connect on-demand bus service](#) in the Pewsey Vale has seen more than 4,500 passengers, and 55,000 journeys in the first year. Two additional vehicles will begin in October 2024, covering the rural area to the east of Marlborough to Hungerford. Carbon emissions will be reduced where those journeys have replaced individual car journeys, and the service has benefits for accessibility, social inclusion and mental health.

Area of Focus: **Using our influence and partnerships: Through [Wiltshire's Bus Service Improvement Plan \(BSIP\)](#) we will seek to unlock grant funding for public transport in the government's National Bus Strategy and deliver a high quality, lower fare, higher frequency, and greener public transport network.**

Wiltshire Council and Salisbury Reds have secured funding from the Department for Transport's (DfT) ZEBRA (Zero Emission Bus Regional Area) scheme to purchase 23 new electric buses, plus the charging infrastructure. The buses will come into service in 2026.



In partnership with local bus operators, The council has introduced two new bus services, the X34 service between Chippenham and Trowbridge now operates on a Sunday; and the D1x, which is a new, more direct service between Trowbridge and Bath.



## What's next?

- Recruiting three new members of the EV team
- Planning for more public chargepoints

# Homes and the built environment

The [Climate Strategy](#) for Homes and the Built Environment is to aim for new building, including homes, to be net zero and resilient to climate change. The main way the council can do this is through the Local Plan policy.

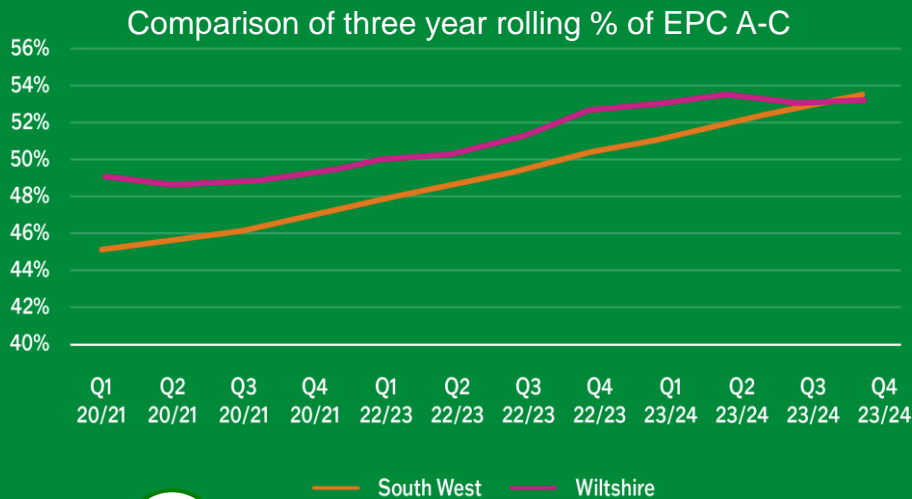
Existing buildings make up a much larger proportion of buildings and need to be made more energy efficient and switch to renewable energy. Whilst the council does not have control over performance of buildings across the county, this page presents the data showing that there are gradual improvements to energy efficiency in homes.

Examples of work in this area are provided on the following pages. As well as the Local Plan, the main focus is on encouraging and enabling retrofit of residential and commercial properties.

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We use a three-year rolling average to show a longer-term trend, as Energy Performance Certificate (EPC) ratings can fluctuate over the shorter term. The increasing percentage of EPCs rated A, B & C show the trend that energy efficiency is increasing. The target is for EPCs at levels A-C to increase over time in line with the South West benchmark. This year the South West is at 48%.



Space heating demand (average kWh/m<sup>2</sup> per dwelling, pa)



New properties need significantly less energy to heat them than existing properties.

While the draft [Local Plan](#) includes policies to require new development to be net zero carbon in operation, there is still a huge challenge to tackle the emissions from existing properties.

Draft Local Plan policy requires space heating demand <30 kWh/m<sup>2</sup>/annum

There are over **200,000** homes in Wiltshire

**22.8%** of Wiltshire's greenhouse gas emissions come from domestic sources

## Retrofit

Area of focus: **Work in partnership to raise standards in both housing and the wider built environment, such as business and schools.**

The climate team provides planning consultations to support sustainable construction, future-proof projects for retrofits, and facilitate renewable energy generation. From August 2023 to July 2024, we completed over 230 consultations.

Through engagement between developers and the Climate Team, a 120-home development was upgraded from basic compliance to include exemplary measures: maximizing solar orientation, meeting Future Homes Standard ahead of its official introduction, with air source heat pumps and solar panels for every home.

An estimated 90 tCO<sub>2</sub>/year will be saved and these homes won't need to be retrofitted in future. Residents will have low energy bills and thermal comfort.



Partnerships with Centre for Sustainable Energy (CSE), Wiltshire College and Wiltshire Climate Alliance have included:

- The council supported Wiltshire College's grant bid to transform a solid-wall house into a training rig for students to learn skills associated with retrofitting existing houses to improving energy efficiency
- The council supports CSE's Local Energy Advice Demonstrator (LEAD project), offering in-person energy advice. CSE has created an online [Retrofit Directory](#) to connect residents with local installers
- The council and CSE supported WCA's [Green Open Homes](#) event, showcasing real-life retrofits to inspire the community to start their retrofit journeys.

Area of Focus: **Using our influence and partnership we will: Provide information and encourage and support residents to understand and engage in retrofitting their homes**

[The Home Upgrade Grant Scheme](#) has commenced, offering fully funded energy efficiency improvements to owner-occupied and privately rented low-income households that are off the gas grid. Wiltshire Council is working with EDF Energy to retrofit up to 86 homes in the county. Registrations are open and surveys have commenced, works to homes are due to start in Autumn 2024.

The council is now seeking applications from eligible households. Households can check if they meet the criteria and register their interest at <https://www.wiltshire.gov.uk/hug>.

# Retrofit

Area of focus: **Continue to implement the ten-year programme to retrofit all council homes to Energy Performance Certificate (EPC) B standard.**

£2.2m has been spent on 700 retrofit measures, delivered to over 200 council owned homes in the last year, through the [Home Energy Efficiency Programme](#) (HEEP). These include insulation, windows, heating and hot water systems, and solar PV.

Verified carbon credits are sold via [HACT](#). The credits are based on the carbon savings from energy efficiency measures (not the electricity generated by solar panels) and social value generated. It is a UK based scheme, with buyers ranging from housing developers to banks. Selling credits generates income that can be put back into the council's HEEP programme.

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These programmes save money for residents and make their homes more comfortable, healthy and warm. They reduce carbon emissions.

Area of focus: **Continue to help fuel poor households improve the efficiency of their homes by targeted support.**

The Warm and Safe advice service for Wiltshire continues to offer advice and assistance to low-income households.

To date there have been 3,136 households that have contacted the service. The top energy improvements discussed were loft insulation, boiler upgrade, cavity wall insulation, solar PV and draught proofing.



Area of focus: **Work in partnership to bid for retrofit funding. Working to scale up delivery of energy efficiency improvements for Wiltshire homes and businesses.**

The council's Retrofit Team continues to bid for grant funding to deliver energy efficiency improvements to Wiltshire homes and businesses, to work with local supply chains, businesses, colleges, installers and the finance community to drive retrofit at scale and to provide a centralised resource for retrofit support and advice for Wiltshire residents and businesses.

## What's next?

- Install energy efficiency measures at all 5,300 of our properties, where feasible, over the next eight to nine years through the HEEP programme.
- Supporting residential retrofit through advice, and targeted projects such as Solar Together and HUG.
- Developing a retrofit strategy for Wiltshire: building on existing activities, reviewing data and using the Local Energy Net Zero Accelerator (LENZA) tool (see page 24) to inform our approach.

## New build

Area of focus: **Aspire for net zero carbon development by the council where viable and possible.**

**Net zero new council homes:** The first MMC (Modern Methods of Construction) home was completed in April 2024 in Durrington. The bungalow was custom built off site then swung into location by crane.

These modular homes are zero carbon in use thanks to air source heat pumps, smart controls, and solar panels - complete with an EV charging point. New zero carbon homes are also being purchased by the council. The developments are part of our programme to provide 1,000 affordable homes over the next decade.

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The council's **new schools** are aiming to be net zero in operation, for example the new Melksham Primary School (planning stage), The Grove Primary School new classroom block (starting soon) and the build project at Silverwood School in Rowde.

Silverwood School build project is aiming for net zero in operation, and this is being achieved through a large PV array on the roof of the new classroom block along with a smaller array on the new Energy Centre and one on an existing building.

The solar PV installation is being delivered in partnership with Wiltshire Wildlife Community Energy via Willmott Dixon's Community PV Scheme, supported by Communities for Renewables.



communitiesfor  
renewables

WILLMOTT DIXON

The school and council do not pay for the initial installation, and the school will benefit from clean energy at a discounted rate. Exporting surplus power to the grid, will bring an estimated £5,000 per annum back to support biodiversity and environmental education initiatives in partnership with the school.

### What's next?

- Modern methods of construction - further sites underway at Corsley Heath and Rowde.
- Climate Team continue to input to the Local Plan Review including future monitoring framework
- Early engagement with developers and businesses to establish net zero and industry best practice in new developments which adapt and are resilient to a changing climate.

# Natural environment, food and farming

The [Climate Strategy](#) for this theme is aligned to the council's [Green and Blue Infrastructure Strategy](#), which establishes shared goals for climate, biodiversity and health and wellbeing. Tackling climate change must go hand in hand with reversing biodiversity loss, as natural systems, and well-managed land help to absorb carbon, and a strong ecosystem is vital for the planet to be more resilient to the impacts of climate change.

A key area of activity is to encourage tree planting in Wiltshire, and to work with farmers and landowners to improve soil health, water quality, biodiversity, flood risk management. The following pages provide some examples of the work we are doing for climate and nature.

Performance is measured against national Government tree planting targets, 20K Ha / annum. This equates to approximately 444 Ha / annum for Wiltshire, which we are working towards through our own interim targets (111 ha for 2023/24, and 222 ha for 2024/25).

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**22.8%**

of Wiltshire's greenhouse gas emissions come from agriculture

**-175.1 kt**

is the net amount of greenhouse gas emissions from Land Use in Wiltshire (includes forestry, soils, cropland, urbanised areas)

Tree planting in Wiltshire 2023/24 is on track:

**7,062**  
m  
Hedgerow

**1,471**  
Individual trees

**267**  
hectares  
Woodland

The council hosts the [North Wessex Downs](#) and the [Cranborne Chase](#) National Landscapes (formerly Areas of Outstanding Natural Beauty), and together with the council's Climate and Environment service covering ecology, landscape, historic environment, urban design and climate, and wider partnerships with organisations such as Wiltshire Wildlife Trust and river catchment partnerships, there is a strong foundation to deliver outcomes for climate and nature. A key priority currently is the Local Nature Recovery Strategy that will focus nature recovery to areas that will have the greatest benefit by improving connectivity across the landscape.



# Green and Blue Infrastructure & environmental mitigation projects

Area of focus: **Use the Green and Blue Infrastructure Strategy (GBI) for Wiltshire as our framework for partnership working to extend and improve Wiltshire's green and blue infrastructure network.**

Nature-based solutions are key to delivering on all three objectives of the GBI Strategy and projects that have a primary focus on biodiversity net gain, Nature recovery or nutrient neutrality also have benefits across the other areas.



## Adaptation, mitigation and resilience to climate change

The strategic review of council land concluded last year. While no sites were selected for renewable energy, several are currently earmarked for biodiversity, nutrient neutrality, and tree planting projects.

The Grant and Planting Support team is collaborating with the council's property team to enable tree planting on various sites. They're also working with landowners and farmers to enhance environmental benefits. Plans include assessing current habitats, with a consultant helping to establish carbon baselines and predict carbon capture from Biodiversity Net Gain (BNG) measures.

## Halting loss and improving biodiversity

**Case Study:** Roundbarrow Farm, a council-owned former dairy farm, is being transformed into a nature reserve for environmental offsetting, while still being managed for food production. Located in the internationally protected River Test catchment area, the project will help address nutrient pollution in our waterways, particularly nitrogen, which threatens wildlife.

The repurposing of the 120 hectares will protect existing habitats, including those of hares and skylarks, and restore species-rich chalk grassland which will support wildlife, such as stone curlews, lapwings, butterflies, bumblebees, and other insects. The project will also enhance ecological connectivity with improved hedgerows and connected woodland parcels.

Partnering to enhance habitats and biodiversity achieves multiple council objectives: creating a stronger, more climate-resilient ecosystem and improving soil and land management to capture and retain more carbon dioxide.

These changes will also be accompanied by a new permissive bridleway linking the villages of Pitton and Firsdawn and has potential for a new community orchard

## What's next?

- Carbon assessment of projects, to help understand the potential for reducing emissions, increasing carbon sequestration, informing further work with farmers, landowners and partner organisations.
- Local Nature Recovery Strategy adoption



# Tree planting

Area of focus: **Plant trees and create other suitable habitats on council land where appropriate.**

Following the successful bid for almost £300,000 from Government, [Wiltshire Council's Grant Application and Planting Support \(GAPS\)](#) team has facilitated planting of 36.9 Ha of Woodland / 755 individual trees / 1,322 m of hedgerow during the 2023-24 planting season. This has contributed to the achievement of 267 ha of woodland planting across the county during 2023/24, which is more than double the target.

The Tree Warden scheme has been set up to support tree planting and maintenance in communities, and the council has now recruited 56 Volunteer tree wardens.

As well as carbon sequestration, other benefits include Natural Flood Mitigation, improved air & water quality, natural cooling, biodiversity and climate adaptation.

Wiltshire Council has been successful in being awarded £50,000 for [community orchards](#) as part of a new Government tree planting initiative, which celebrates the Coronation of King Charles III. The fund will support the purchase of trees, protection measures and establishment costs and planting will take place in autumn/winter 2024/25.



## Case Study: Bradford on Avon Treescape project

In Bradford on Avon, planting took place at seventeen locations across the town, including seven play areas.

The trees were planted following the Miyawaki method. Miyawaki forests are miniature forests often planted by community groups where dense planting aims to allow trees will grow more quickly, improve biodiversity and absorb more carbon dioxide. Monitoring and maintenance is also included.

The project is estimated to increase annual carbon sequestration of around 450 tCO<sub>2</sub> once the trees have matured.

In addition, there are benefits to health and wellbeing, restoring lost habitat and improving biodiversity. Involving community groups helps raise awareness and promotes a sense of belonging and care for the natural environment.



### What's next?

- The GAPS team has identified the following for 2024-25 planting season so far: 68 Ha of Woodland / 50 individual trees / 6379 m of hedgerow
- Developing a Wiltshire Council Tree and Woodland Planting Strategy to establish targets and advice on planting the right tree in the right place

# Climate Strategy Theme: Energy

The [Climate Strategy](#) for this theme is to support decarbonisation of energy, by moving from fossil fuels to zero or low carbon alternatives. To enable the switch, it is necessary to also reduce the overall amount of energy used.

In addition to the focus on the multi-million pound programme to install renewable energy on council property and council homes, the past year has seen a strengthening of engagement with electricity network and national grid partners, to address grid capacity constraints that can slow down development of renewables. With these partners, other local authorities and support from the South West Net Zero Hub, the council is developing and piloting new ways to plan for the transition to a net zero energy system. This is part of Local Area Energy Planning, and will remain a key priority going forward.

Another growing area of potential partnership and delivery is with community energy. The council has convened a roundtable meeting of community energy groups operating in Wiltshire, and separately hosted the Wessex Community Energy Network meeting in May.



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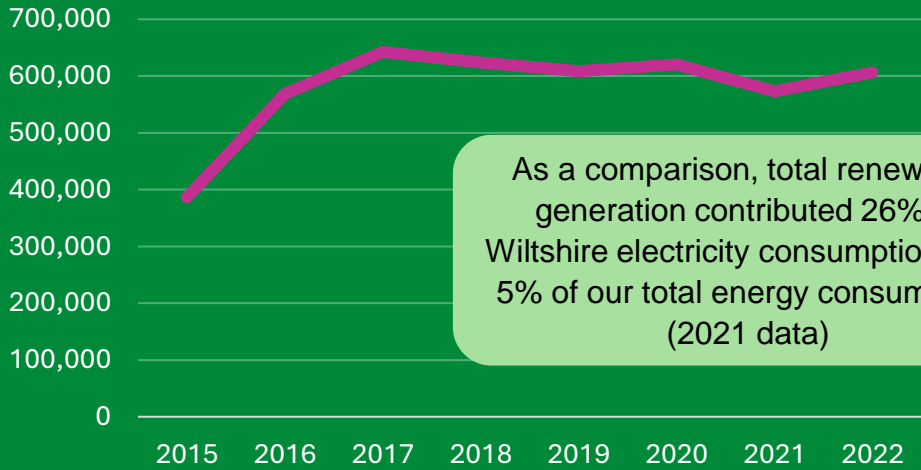
**583 MW**  
Total renewable energy installed capacity in Wiltshire

**7.54 MW**  
Installed community energy capacity

**5.9 MW**  
Rooftop solar PV capacity through Solar Together

There is 908.77 MW capacity of renewable energy projects with planning approval, and more awaiting planning decision. However, such projects take many years to achieve approval and construction.

Wiltshire's renewable energy generation (MWh)



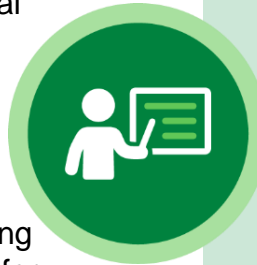
As a comparison, total renewable generation contributed 26% of Wiltshire electricity consumption, and 5% of our total energy consumption (2021 data)

# Energy planning & community energy

Area of Focus: **Using our influence and partnerships we will: Continue to work with partners including grid operators to address grid constraints and enable alternative, new and emerging technologies.**

**Decarbonising the energy system in Wiltshire:** The council has started work to understand Wiltshire's current energy system and to identify the most cost-effective way to contribute to national and local net zero targets, including decarbonising energy sources, bringing in investment and informing grid upgrades. This project will pave the way for a formal Wiltshire Local Area Energy Plan (LAEP).

**Local Energy Net Zero Accelerator (LENZA):** Wiltshire Council is adopting the LENZA tool from Scottish & Southern Electricity Networks (SSEN) as part of its Local Area Energy Planning. LENZA will aid in baselining, data analysis, and developing the LAEP, along with planning EV infrastructure, renewables, and retrofits. It serves as a foundation for stakeholder engagement, supporting community energy efforts in Wiltshire. The council is partnering with the [South West Net Zero Hub](#) and a cohort of local authorities to collaborate and support local area energy planning.



Area of Focus: **Explore supporting community energy groups to increase local engagement in the development of renewable energy and retain economic benefits in the area**

In May 2024 Wiltshire Council hosted the Wessex Community Energy Network meeting at County Hall. The [workshop](#) heard updates from Community Energy England, SSEN, and National Grid; and explored barriers and opportunities for community energy. The council has also started convening a regular roundtable of community energy groups operating in our area.



Wiltshire Council, in collaboration with the Centre for Sustainable Energy, community energy groups, and other local authorities, has submitted a bid to Ofgem's 'Redress' fund. If approved, this initiative will engage with selected community groups to assess their local energy needs and future renewable energy possibilities using the Future Energy Landscapes workshop model.

## What's next?

- The council will continue to work on early stages of Local Area Energy Plan process, and prepare the engagement and data to support a formal Wiltshire Local Area Energy Plan.

## Solar panels & micro-renewables

Area of Focus: **Using our influence and partnerships we will: Increase renewable electricity generation including microgeneration (and associated technologies such as storage) in Wiltshire by working in partnership with others.**

The council's Solar Together and HUG projects result in increasing solar panel installations and other micro-renewables such as air source heat pumps.

Solar Together, [Wiltshire Council's bulk purchasing solar panel scheme](#) in partnership with Swindon Borough Council and iChoosr, completed its second phase in March 2023. Using installers Infinity Renewables and Infinity Energy. Appendix 3 provides a full report of Scheme 2.

Participation in scheme 2 met expectations, while scheme 1 saw a surge due to the cost of living crisis, rising energy prices, and the March 2022 announcement of zero VAT on solar panels. Scheme 3 is already in motion with a fresh publicity strategy, including targeted announcements, radio campaign and direct mailing.

**379** solar PV installs:  
**1.62** MW of capacity  
In 2023/24

**23** customers installed battery storage only

**Over £3.6 million** in private investment

**8,993** t estimated CO<sub>2</sub> savings over 25 years



Schemes 1 and 2 have resulted in 1,581 installations, and 5.9 MW installed capacity of rooftop solar PV in Wiltshire and Swindon.

Both schemes combined will deliver an estimated 29,500 tonnes of CO<sub>2</sub> reduction over the guaranteed lifetime of the systems installed (25 years).

Implementing the Solar Together scheme not only enables take up of renewables directly delivered through the scheme, but also has a knock-on effect of increasing uptake more widely through other solar installers, as evidenced by Microgeneration Certification Scheme (MCS) data.

### What's next?

Solar Together scheme 3 opened for registration in June 2024 with over 3,000 registrations in Wiltshire by the September 2024 closing date. Installations will be complete by end of March 2025

# Climate Strategy theme: Green economy

The [Climate Strategy](#) for this theme is to support businesses to become greener by reducing their greenhouse gas emissions and becoming more resilient to the impacts of climate change. In addition, the objective is to encourage growth and investment in the green economy in Wiltshire. This means increasing capacity and skills in key sectors such as renewable energy and retrofit, to meet demand.

The focus has been to stimulate demand, and work with supply chains to increase skills and capacity, through council programmes such as retrofit, working with suppliers and support for businesses. The Wiltshire Towns Programme also has an indirect influence on carbon emissions and resilience, by improving the social and economic vibrancy of our towns and city, we encourage people to use their local centres, perhaps travelling by walking or cycling and choosing more sustainable, zero waste products or services.



The [Wiltshire Towns Programme](#) aims to boost local economic recovery by revitalising town centres and encouraging local spend. Through the Vibrant Wiltshire initiative, vacant units are coming back to life, and activity grants are energizing town councils to attract more locals and visitors.

## Future High Streets Fund Delivery:

Working in partnership with the Wiltshire Wildlife Trust to deliver ecological improvements to the River Biss corridor in Trowbridge.



Highways improvements to enhance pedestrian and cycle access in Trowbridge's town centre have been a major focus. Phase 2 on Castle Street is now complete, with work on Manvers Street and Wicker Hill underway.

Salisbury, Fisherton Gateway - Construction started at the end of July and is planned to be completed in summer 2024.

These projects aim to increase biodiversity, improve active travel routes, improve town centre high street health and keeping local spend local.

**7.2%** of Wiltshire's greenhouse gas emissions come from Industrial sources

**8.8%** of Wiltshire's greenhouse gas emissions come from Commercial sources

Since 2005 emissions for industry and commercial sources has reduced by **67%**

## Supporting businesses and suppliers

Emissions from Wiltshire Council's key suppliers is a focus in relation to encouraging businesses to become greener. The council hosted an event in November 2023 with highways contractors, where the council and suppliers showcased carbon emissions reduction activity, and how they are working to be more resilient to climate impacts.

Larger companies such as Milestone Infrastructure, Tarmac and Atkins already have net zero targets and plans in place. Small and medium sized enterprises (SMEs) are aware of the need, but less likely to have plans and targets in place, so the council is focussing support towards SMEs.

Beyond Fit For Net Zero, the council is partnering with care providers to explore carbon reduction potential and necessary support. Vulnerable people are hit hardest by climate impacts like overheating, flooding, and rising food costs. The care sector is crucial in identifying support needs and boosting resilience.



Area of Focus: **Using our influence and partnerships we will work with local networks to support small organisations, from SMEs to local charities, to become climate resilient and sustainable.**

Under the [UK Shared Prosperity Fund](#) programme, Wiltshire Council has procured Severn Wye energy to run a business support programme called Fit For Net Zero which will support local firms on resource and energy efficiency – providing assessments, advice and linking to capital grants for decarbonisation measures. The programme runs to March 2025.

The scheme has attracted interest from 65 businesses since it launched in August 2024.



### What's next?

- A local food and drink brand – 'Wiltshire Marque' – is under development;
- Deliver the [Chippenham Avon Project](#)
- Continuing, through the Towns Programme, to seek out and encourage new opportunities of national funding sources to support new tree planting in our urban areas
- Green and renewables sector – focus on retrofit, and making sure this benefits local suppliers and economy where possible
- Skills – working with training providers (e.g. Lackham; Swindon Self-build centre) Wiltshire Careers Hub to improve skills required for Net Zero
- Proactive work to clarify planning requirements - with developers, businesses investing
- Broadband Programme delivery through Project Gigabit
- Trowbridge Town Hall upgrade will include thermal efficiency and other relevant measures

# Climate Strategy theme: Resources and waste

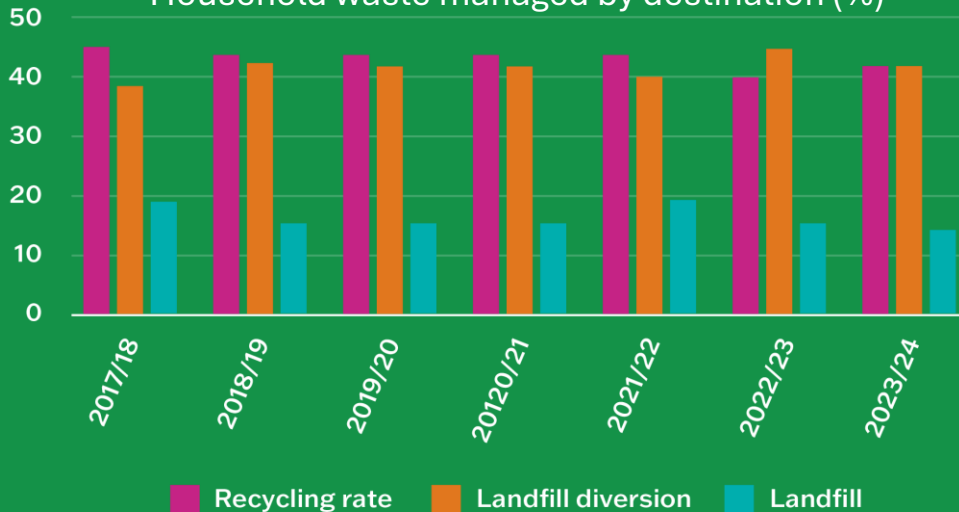
The [Climate Strategy](#) objectives for resources and waste are to work towards a circular economy, work towards zero avoidable waste, and to manage waste in accordance with the waste hierarchy.

The council's [Household Waste Management Strategy](#) drives these efforts, with a focus on waste prevention and reuse, and diverting waste from landfill to recycling and energy from waste.

Landfills are a significant source of greenhouse gases because they produce methane as waste decomposes. It is important to divert waste from landfill to other ways of processing, according to the waste hierarchy which helps to avoid and reduce greenhouse gas emissions. The graph shows that last year 14% of household waste was sent to landfill, which has reduced from the previous year. Recycling rates having increased slightly to 43.7%

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Household waste managed by destination (%)



**5.7%** of Wiltshire's greenhouse gas emissions are due to waste (125kt from landfill; 47kt from 'other'. DESNZ, 2022)

**943.6** kg per household waste managed by the council in 2023/24

**47,484** tCO<sub>2</sub>e estimated greenhouse gas emissions from household waste management (Anthesis, 2022)

The council has commissioned waste charity WRAP to analyse waste services and provide information on baseline carbon emissions to help inform future options for service provision.

The total household waste managed by the council has increased. The council's new Waste Engagement Officer will continue to support residents to reduce waste and recycle more, as part of the "Let's Sort It" campaign. Work has so far included social media messaging, a dedicated e-newsletter and events including the Climate and Environment Summer Showcase, focussing on uptake of home composting bins, subsidised by the council.

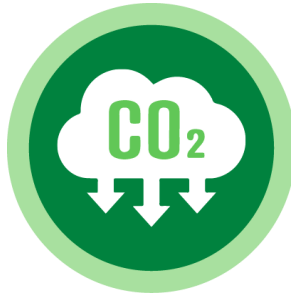


# Decreasing landfill & increasing recycling

Area of focus: **Continue to provide efficient recycling services and review the potential for expanding the range of items collected and maximising the efficiency of collections wherever possible.**

## Diverting waste from landfill

The council is working with a furniture charity and The Salvation Army Trading Company (SATCoL) on a [scheme to acquire repurposed carpet tiles for social housing tenants](#). By promoting reuse, this reduces carbon emissions from waste processing and from the manufacturer of new items.



Sorting stations at HRCs now encourage separation and recycling of black bag contents instead of throwing everything into residual waste.

An eight-week 2023 trial shredded residual waste to divert it from landfill to energy-from-waste, aligning with the waste hierarchy and reducing carbon emissions. The trial saved 641 tonnes of carbon, prompting the purchase of a permanent shredder. This is projected to save 5,965 tonnes of CO<sub>2</sub>e annually



Reuse at HRCs has increased, now covering furniture, white goods, electronics, bikes, bric-a-brac, books, and paint. In 2023/24, waste reuse jumped to 43% (69 tonnes), saving 34 tonnes of CO<sub>2</sub>e.

Area of focus: **To keep the Waste Strategy under review and to plan for the new requirements of the Environment Act, ensuring that carbon assessment of collection and waste management options informs decision-making.**

Separate weekly collections of food waste are due to commence in Wiltshire August 2027, at which point flexible and soft plastics will also be added to existing kerbside recycling collections. Carbon emissions and circularity are to be considered as part of current and future service design.



# Reduce, re-use and recycle

Area of focus: **Prevent waste - provide advice and information to help reduce the amount of waste generated.**

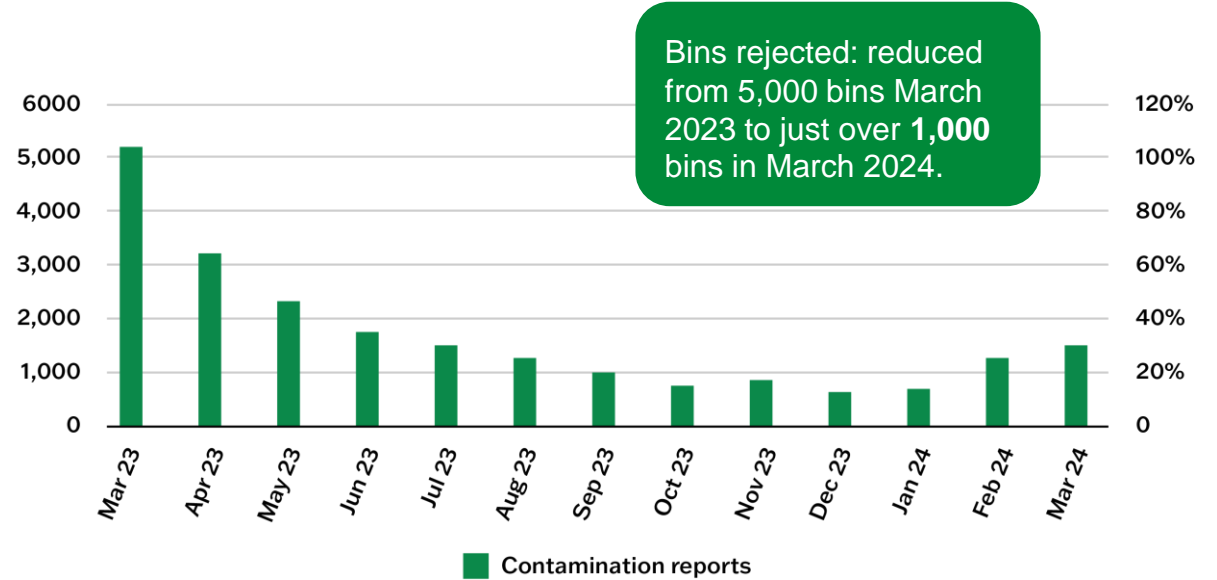
The council's "[Recycling: Let's Sort It](#)" campaign, launched in February 2023, boosted recycling rates and cut contamination. It won 'Best Communications Campaign of the Year' at the [LARAC](#) Conference on 11 October 2023.

Following the campaign, the council's waste facility saw a significant improvement in recycling rates. In December 2022, over 18% of sampled blue-lidded bin waste should not have been in there. By April 2023, this dropped to under 10%, resulting in more recycling.

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Wiltshire Council receive award for "Let's Sort it!" campaign.



## What's next for resources and waste?

Focus on reuse:

- Investigate the introduction of a reuse shop to sell items recovered at HRCs.
- Trial of reuse of items collected from the councils 'large item collection service'.
- Continue the focus on diverting waste from landfill, according to the waste and carbon hierarchies.

Alternative fuels for collection vehicles:

- Purchase of one electric waste collection vehicle, to start trialling feasibility of EV for collection rounds in Wiltshire
- Assessment of further alternative fuels

# Communications and engagement

The focus of this theme is to find effective ways to engage communities and partners, driving the Climate Strategy forward. Engagement has been through established channels like local councils, Area Boards, and environmental groups via the Wiltshire Climate Alliance. Additionally, we've amplified our message through social media, press releases, and targeted campaigns to bolster specific projects.



The council actively collaborates with partners and suppliers on projects like the Home Upgrade Grant and supporting Wiltshire Climate Alliance in hosting Green Open Homes events. We also lead a public sector climate working group and participate in national and regional boards to share insights and expertise.

## Website and social media engagement in response to climate campaigns:

**1912** total click-throughs on climate-related posts

**177k** Reach (reflects times a post is read)

**1.5%** Engagement rate (Post reactions vs. views)

The Wiltshire Council Climate and Environment Summer Showcase was held at County Hall Atrium in August. It was very well attended by the public as well as staff and councillors. It helped raise awareness of the various green projects which the council is delivering in partnership with other organisations.

Council teams provided information on climate actions, composting and recycling, tree planting and sustainable transport, including Bikeability and electric vehicles. The event was delivered in partnership with over 10 organisations



The 5th [Climate & Environment Forum](#) meeting was held on the 17 July and led by the Climate Team, with a focus on Wiltshire Council's ongoing Retrofit work. Also discussed was the progress of current projects such as the Home Upgrade Grant (HUG2) and Solar Together where participants helped identify potential barriers or challenges to retrofit homes in the community and considered how these barriers could be overcome.

# Area Board climate activity

Area of focus: **Explore effective ways of engaging partners and stakeholders and look for ways to support delivery of the Climate Strategy through local initiatives.**

All 18 community area boards had an environmental or climate priority as part of their action plans in 2023/24. Some examples are included here:

**Calne:** Funded 'experiences with nature' – a collaboration between Avon Needs Trees and Calne's Older People's and Carers Champion.

**Chippenham:** Organised site visits to West Mill Wind Farm, Mallaby Digester, and sewage treatment works in Lacock and Chippenham, bringing together parish and Wiltshire councillors, local residents, and Wiltshire Climate Alliance members.

**Melksham:** Worked with the Wiltshire Council Woodland Officers to identify sites where additional tree and hedge planting could take place.

**Malmsbury:** Provided funding to Sherston Magna Cricket Club to install new, Solar PV power to the pavilion.

**Chippenham:** Produced a survey for town/parishes to highlight local activity to reduce carbon emissions and share best practice.

**Pewsey:** Collaborating with Green Bedwyn, funding secured a thermal camera for a trained volunteer to survey local homes.

**£60,000**

area board funding spent on climate-related projects

Allocated funds supported Solar PV and storage at **Yatton Keynell Village Hall** and improved paths at Ivy Lane Garden. Also, the **Chippenham Youth Council** led an environment-focused workshop during the Local Youth Network's Teen Takeover weekend.

## **Salisbury:** The [Salisbury Green Business](#)

Accreditation Scheme keeps driving climate-friendly practices, with two more businesses earning awards in 2024 already



**Westbury Leigh** Community Hall were supported with funding towards more efficient heating and energy usage through new efficient boilers and thermostat.

## **What's next**

- A 'menu' of project ideas has been created for Area Boards, and in Autumn a meeting for Area Board Environment Leads will discuss the potential for multiple areas to collaborate and be supported on these projects.
- Carbon Literacy is being offered to Wiltshire Councillors in Autumn initially for up to 20 people.

To follow the council's climate action between the annual reports, please see the council's [climate webpages](#) and [Facebook](#) and [X](#) social media feeds.





Contact [climate@wiltshire.gov.uk](mailto:climate@wiltshire.gov.uk)











**Appendix 2. Wiltshire Council. Climate Key Performance Indicators. September 2024**


Arrows show the direction of travel. Blue indicates a measure is at or better than target or within target range. Grey indicates a measure is slightly outside target, or just for information. Red indicates substantially worse than target.  
 Please note that specific figures may be different to those in the Corporate Scorecard which is reporting up to Q1 2024/25, whereas this is an annual report. The 'Latest Report' and 'Frequency' columns indicate the time period the data represents.

Delivery Plan REF	Measure description	Target	Previous three years			Latest position for Sept 2024 progress report	Latest report	Frequency	Direction of Travel	Trend	Commentary (Sept 2024 & corp scorecard Q4 report)
<b>Carbon Neutral Council Plan</b>											
C1	<b>Wiltshire Council's carbon footprint, (Annual GHG return tCO<sub>2</sub>e)</b>	3000tCO <sub>2</sub> e by 2023/24 (overall target carbon neutral by 2030)	4401	5275	3568	<b>2767</b>	Mar-24	Yearly	↓		Wiltshire Council emissions have returned to a downward trend following the post-pandemic increase, and we are now back in line with the stretch pathway from the Anthesis report. The target for Wiltshire Council's CO <sub>2</sub> emissions has been reduced from 3750 tonnes per year in 2022/23 to 3000 tonnes per year in 2023/24. At 2,788 tonnes, the council emissions are below target this year, due to continued efforts to decarbonise property, and electrify fleet.
C2	<b>Carbon Footprint of pension funds investments.</b> (tCO <sub>2</sub> e/\$m invested)	Decreasing. Carbon neutral by 2050	30.4	32.2	30.6	<b>27.6</b>	Dec-23	Yearly	↓		The carbon footprint has reduced by 30.7% since December 2019 when the fund first set its decarbonisation target and pathway. The fund is slightly behind target for 2024 but the overall carbon footprint is moving in the right direction since last year and closer to its overall net zero target.
C4	<b>* Number of EV charge points at council sites</b>	20% annual increase year on year	76	76	90	<b>177</b>	Aug-24	Yearly	↑	Long term data not available	The latest figures includes both workplace chargepoints (for fleet only), and publicly available charge point. Historically there was no clear definition. The previous year focused on replacing out of service chargepoints, whereas we have now move towards significantly adding to the number. The increasing number of workplace charge points support the decarbonisation of the council's fleet. The council has 90 electric vehicles (16 cars and 74 vans) with more on the way.
C5	<b>* Renewable energy generated on the council estate (kWh)</b>	Council to be as self-sufficient as possible in terms of electricity consumption and generation	450,135	550,000	1,745,060	<b>2,639,271</b>	Mar-24	Yearly	↑		The council has increased renewables generation on its sites by 50% compared to the previous year. This is primarily through rooftop PV and heat pumps. PV means that the council's electricity is renewable and this helps to decrease costs. We produced 15% of the electricity we consumed in 2023/24 which resulted in almost £650,000 being saved on energy bills.
C7	<b>* Tonnes CO<sub>2</sub>e saved through energy efficiency and renewable energy projects on the council estate</b>	TBC	-74	-330	955	<b>655</b>	Mar-24	Yearly	↑	Long term data not available	The tonnes of CO <sub>2</sub> e saved through energy efficiency and renewable energy projects on the council estate is 2,700 t in total from the start of the Property Carbon Reduction Programme in 2020. This includes mitigated CO <sub>2</sub> from electricity saving projects and generation.
C8	<b>* Number of staff completing carbon literacy training</b>	Bronze carbon literacy award by July 2023; Silver carbon literacy award by end 2025 (15% staff certified carbon literate)	N/A	179	194	<b>253</b>	Mar-24	Quarterly	↑	Long term data not available	Carbon literacy training continues, with most Directors now trained, and additional courses offered to Councillors. Since the last report, signs ups and completion of courses has improved, partly due Directors encouraging and enabling their teams to participate and demonstrating the relevant and importance to their areas of work. There is a still a risk that we will not achieve Silver award (over 820 staff accredited) by end of 2025. It remains a challenge and needs ongoing commitment and support by senior managers to facilitate staff being trained and implementing their pledges. Whilst 253 have completed training, 181 have been accredited. There are courses available to book every month until end of November 2024.



C9a	<b>* Energy consumption (kWh) of gas used in corporate buildings</b>	TBC	19,419,716	23,498,757	18,203,879	<b>12,512,103</b>	Mar-24	Yearly			Gas usage continues to decrease as building heating is switched to electric, including air source heat pumps.
C9b	<b>* Energy consumption (kWh) of electricity used in corporate buildings</b>	TBC	11,538,214	19,828,564	20,676,766	<b>20,507,263</b>	Mar-24	Yearly			Despite the move to electric heating (ASHP) overall electricity consumption has gone down.














Cross-cutting Indicators











X1	<b>Total territorial GHG emissions for Wiltshire in kt CO<sub>2</sub>e.</b> Figures now include CH <sub>4</sub> , NO <sub>2</sub> & CO <sub>2</sub>	2880kt for 2021; 2550kt for 2022	3367	2961	3226	<b>3000</b>	2022	Yearly with 2 year time lag			This is data for emissions until end of 2022 shows a decrease from previous year (2021) in line with national average. The national and local emissions are now starting to reduce, since the initial bounce back following the pandemic. However, the County is still not on track according to net zero according to Anthesis recommendations (dashed line).
X2	<b>Total transport GHG emissions for Wiltshire in kt CO<sub>2</sub>e (territorial).</b> Figures now include CH <sub>4</sub> , NO <sub>2</sub> & CO <sub>2</sub>	1054kt for 2021; 933 kt for 2022 (based on transport emissions as % of total)	1,317	1055	1180	<b>1127</b>	2022	Yearly with 2 year time lag			Transport, domestic properties and industry all saw a decrease from 2021 to 2022. Emissions from domestic properties showed the largest decrease, possibly due to slightly warmer weather and the cost-of-living crisis driving reduced fuel use.
X3	<b>Total homes GHG emissions for Wiltshire in kt CO<sub>2</sub>e (territorial).</b> Figures now include CH <sub>4</sub> , NO <sub>2</sub> & CO <sub>2</sub>	643 kt for 2021; 569 kt for 2022 (based on homes emissions as % of total)	716	698	720	<b>638</b>	2022	Yearly with 2 year time lag			
X4	<b>Total Industry, commercial and agriculture GHG emissions for Wiltshire in kt CO<sub>2</sub>e (territorial).</b> Figures now include CH <sub>4</sub> , NO <sub>2</sub> & CO <sub>2</sub>	1190 kt in 2021; 1054 kt for 2022 (based on emissions as % of total)	1,350	1259	1333	<b>1238</b>	2022	Yearly with 2 year time lag			

X8	<b>Website and social media engagement in response to climate campaigns (Total click-throughs on climate-related posts)</b>	Consistent level of engagement in relation to posts and press releases	N/A	2500	2,401clicks	<b>1912</b>	Mar-24	Yearly		Long term trend data not available	There has been a renewed focus on climate-specific social media posts, as well as ongoing waste messaging. This has resulted in a healthy level of reach and the engagement rate is comparable with other campaigns.
	<b>Reach (reflects times a post is read)</b>		N/A	149.8k	115.5k	<b>147k</b>	Mar-24	Yearly			
	<b>Engagement rate (reactions to a post in relation to views)</b>		N/A	0.0136	0.0128	<b>1.50%</b>	Mar-24	Yearly			

Port Delivery Theme

T1	<b>Number of passenger trips on both the commercial and supported bus network</b>	8,090,148 (trips per annum, by Q4 23/24)	N/A	6,490,975	7354680	<b>8,430,089</b>	Mar-24	Yearly		Long term trend data not available	Bus patronage numbers continue to increase across Wiltshire in line with national trends. Passenger target across all services is 10% per year, meaning that we are above the target. However, despite the recent £2 single fare, and BSIP 2 funding, a national shortage of bus drivers and a significant increase in contract costs for supported local bus services still pose a risk to the successful recovery of the bus market to pre-Covid levels.
T2	<b>Air quality: number of annual exceedance of NO<sub>2</sub> (nitrogen dioxide) over 40 µg/m<sup>3</sup> target in Air Quality Management Areas (AQMAS)</b>	No exceedances (NO <sub>2</sub> remains below 40 µg/m <sup>3</sup> ) and aiming to revoke AQMAS	3	5	2	<b>0</b>	Mar-24	Yearly		Long term trend data not available	This year the highest recorded annual mean for nitrogen dioxide was 40µg/m <sup>3</sup> at Masons Lane Bradford. This is the first year since 2020 that all 67 diffusion tube sites and all 3 real time monitoring sites have recorded results meeting the objective. It is worth bearing in mind that monitoring is carried out in locations most likely to see elevated levels of pollution, in Wiltshires case this tends to be heavily trafficked roads, with houses direct onto the street, with canyon like characteristics and very often on an incline so engines are having to work harder.

T3	<b>T3. Total number of EV charge point locations in Wiltshire</b> (all publicly available charging points including those owned by the council)	Increasing in line with SW average (75 per 100,000 population for April 2024);	147 total; 30 per 100,000	179 total; 36 per 100,000	210 total; 41 per 100,000	<b>372 total, 73 per 100,000</b>	Apr-24	Yearly			The number of EV chargepoints is increasing, and is only 2 behind the South West benchmark, which is at 75 per 100,000 population in April 2024 (Wiltshire is 73 per 100,000).
T4	<b>* Cycle Training: Number of children and adults trained through Bikeability</b>	TBD	1047 *COVID	3251	3195	<b>3,300</b>	Aug-24	Yearly		Long term trend data not available	In addition to Bikeability, 8784 primary children have completed WalkSafe pedestrian training, and 819 have completed Scootability. 38 Y6 children learned to ride for the first time.
T5	<b>* Local Cycling and Walking Plans (LCWIPs) produced (cumulative total)</b>	16 produced by 2025	N/A	2	5	<b>7</b>	Aug-24	Yearly		Long term trend data not available	Production of LCWIPs is progressing, but is subject to external Active Travel England funding being confirmed and may mean that the 2025 target needs to be reviewed.
<b>Wilt Environment Delivery Theme</b>											
B1	<b>Number of households contacting the Warm and Safe service</b>	Proposed target: To continue to offer a service to low income households on saving energy and money. Numbers are for information only, to show interest and need for the service.	1510	2191	2146	<b>3136</b>	Jun-24	Yearly		Long term trend data not available	The Warm & Safe is confirmed until March 2025, and continues to support residents with advice on energy efficiency, bills and healthy homes.
B2	<b>* Council homes retrofitted for energy efficiency/renewable energy (cumulative total)</b>	500 homes per year. 10 year programme to retrofit all council homes to EPC B by 2030	N/A	57 (at Feb 22 update)	90	<b>200</b>	Aug-24	Yearly		Long term trend data not available	The programme is now running well, and picking up delivery after contractual issues constraining delivery in the previous year. Over 700 energy efficiency measures have been delivered in 200 homes.
B3	<b>* Number of new zero carbon council homes delivered</b>	296 by 2025/26	N/A	N/A	Construction scheduled, but none completed to date	<b>1</b>	Aug-24	Yearly		Long term trend data not available	The first MMC (Modern Methods of Construction) home was completed in April 2024 in Durrington. These modular homes are zero carbon in use thanks to air source heat pumps, smart controls, and solar panels - complete with an EV charging point. New zero carbon homes are also being purchased by the council. The developments are part of our programme to provide 1,000 affordable homes over the next decade.
B4	<b>EPCs certificates rated A to C / all EPCs registered that year (rolling 3 year average) for all dwellings in Wiltshire (%)</b>	Increasing, and above SW benchmark (54%)	48 (2018-2021)	49 (2019-2022)	52 (2020-2023)	<b>53 (2021-2024)</b>	Mar-24	Yearly			We use a three year rolling average to show a longer term trend, as EPC ratings can fluctuate over the shorter term. The increasing percentage of EPCs rated A, B & C show the trend that energy efficiency is increasing. The target for Energy Performance Certificates at levels A-C increases over time in line with the South West benchmark at any snapshot in time. This is the highest percentage of homes EPC rated A-C in recent years, just behind the SW average by one percentage point.
B5a	<b>Energy efficiency of new dwellings: EPC B and above in Wiltshire. (% total EPCs registered that year)</b>	Decreasing, and below SW benchmark (91%)	90	88	88	<b>86</b>	Mar-24	Yearly			Percentage of new dwellings EPC B or above has decreased in comparison to the previous year, but the amount of EPC A properties has increased from 4% to 7%. New dwellings are likely to be EPC B and above, due to the requirements of building regulations.
B5b	<b>Space heating demand for new homes in Wiltshire per dwelling (kWh/m2/year)</b>	Decreasing, and below SW benchmark (86)	89	92	91	<b>91</b>	Mar-24	Yearly			A comparison of this indicator for new dwellings, with B6b for existing dwellings, shows the significant improvement in new dwellings in relation to the lower amount of energy needed to heat them.

B6a	<b>Energy efficiency of existing dwellings: EPC C and above in Wiltshire.</b> (% of total EPCs registered that year)	Increasing, but below SW benchmark (49%)	40	43	48	<b>48</b>	Mar-24	Yearly			The percentage of existing homes with an EPC rating A, B or C has remained the same as the previous year. This still remains the highest value in recent years.
B6b	<b>Space heating demand for existing homes in Wiltshire per dwelling</b> (kWh/m2/year)	Decreasing, above SW benchmark (241)	264	270	249	<b>245</b>	Mar-24	Yearly			A small decrease in the energy needed to heat existing homes may show that energy efficiency measures are being retrofitted. However, this data is not for all homes, only for those that have an EPC.
<b>Food and Farming Delivery Theme</b>											
NE1	<b>Tree canopy cover as a percentage of total land area of Wiltshire: Trees within woodland (%) and Trees outside woodland (TOW) (%)</b>	Increase total tree cover from 14% to 17% by 2045	N/A	N/A	14% <b>(9%Woodland; 5% TOW)</b>	<b>N/A</b>	2019 (baseline)	Yearly		Long term trend data not available	National tree coverage target has been set through the Environment Act. This is a long term target so data will not be available regularly. Instead the council will monitor trees and hectares planted – indicator NE2 has been added to track this.
NE2	<b>Hectares of trees planted in Wiltshire. (Includes woodland (0.5ha or more); trees outside woodland (individual trees or areas &lt;0.5ha; hedgerows)</b>	Plant 422ha or 675,000 trees per year on average in the period 2022-2045. 111 Ha during winter season 2023/24. 222 Ha during winter season 2024/25	N/A	N/A	0 recorded to date	<b>267Ha of Woodland; 1471 individual trees; 7062m of hedgerow</b>	Aug-24	Yearly		Long term data not available	Figures show the overall planting reported to the council for the 2023-24 planting season across Wiltshire, showing the target has been met. Of this, Wiltshire Council GAPS team facilitated planting of 36.9Ha of Woodland; 755 individual trees; 1322m of hedgerow.
<b>Energy Delivery Theme</b>											
E1a	<b>Renewable energy capacity in Wiltshire (MW): installed capacity</b>	Minimum 978MW by 2027, 1197 by 2030 (from Anthesis pathways report)	578	579	583	<b>635.79</b>	Dec-22	Yearly with 2 year time lag			Latest data is from Dec 2022, published Sept 2023. No new data for Q1 corporate update. 2023 data will be published Sept-Nov 2024.
E1b	<b>Renewable energy capacity in Wiltshire: capacity with planning permissions (appeal granted, Planning permission granted or Under Construction) (MW elec – snapshot at time of report)</b>	For information only	N/A	662 (Aug 2023)	706	<b>908.77</b>	Aug-24	Yearly snapshot	No target - for info only	Long term data not available	Latest data from July 2024. Last updated 15 August 2024.
E1c	<b>Renewable energy capacity: awaiting planning determination (MW – snapshot at time of report)</b>	For information only	N/A	N/A	367	<b>286.71</b>	Aug-24	Yearly snapshot	No target - for info only	Long term data not available	Latest data from July 2024. Last updated 15 August 2024.
E2	<b>Annual renewable energy generation - Wiltshire (MWh)</b>	For information only	608,420	568,153	606,376	<b>No new data</b>	Dec-22	Yearly with 2 year time lag			Latest data is from Dec 2022, published Sept 2023. No new data for Sept 2024 update. 2023 data expected to be published Sept-Nov 2024



E3	<b>Number of solar panel, battery and EV charger installations through the Solar Together scheme in Wiltshire</b>	400 installations	N/A	N/A	Total 709 households. 634 solar; 75 battery; 65 EV chargepoints	<b>Total 402 households. 379 solar; 23 battery; 48 EV chargepoints</b>	Aug-24	only reported when there is an active scheme	✓	N/A	<p>Solar Together Scheme 2 achieved 379 solar installations (341 included battery), and 23 retrofit battery systems in Wiltshire. This represents £3,620,806 invested, and estimated 8,993 t CO2 reduction over 25 years. Scheme 3 was open for registrations between June and September 2024, with installations starting in September.</p>
<b>onomy Delivery Theme</b>											
G1	<b>Emissions from Wiltshire Council's key suppliers in CO2e</b>	Target not yet defined									<p>Data not yet available, however the council is working with key suppliers, such as Milestone infrastructure, who have calculated baseline and report carbon intensity of their contracts, as detailed in Appendix 1.</p>
<b>nd Waste Delivery Theme</b>											
R1	<b>R1. Amount of household waste (kg of waste produced per household)</b>	Below 880kg at end of March 2024 (Q4)	966.9	970.6	915.6	<b>923.3</b>	Mar-24	Yearly	↑	 <p>More household waste tonnage has been managed during 2023/24 compared to the previous year. There has been a notable increase in the amount of garden waste and recycling collected from HRCs compared to 22/23. Although a small decrease has been seen in the amount of mixed recycling collected via the kerbside a reduction was seen in MRF reject material meaning more was recycled than compared to 22/23.</p>	
R2a	<b>R2a. Proportion of household waste managed, by destination: Recycled or composted (%) ('recycling rate')</b>	45% or above	42.3	42.2	40	<b>43.7</b>	Mar-24	Yearly	↑	 <p>The Household Waste Recycling rate has improved by 2.7% compared with 2022/23. Tonnage of garden waste for composting increased by 20.9% compared to 2022/23. The service also continues to actively promote the "Recycling - Let's sort it!" campaign, and has rolled out bag-sorting stations at all 10 x HRCs during Q3, both activities aimed at increasing recycling.</p>	
R2b	<b>R2b. Proportion of household waste managed by: Landfill diversion (%)</b>	Above 42%	41.5	39.1	44.4	<b>41.4</b>	Mar-24	Yearly	↓	 <p>The Waste Recovery (Energy from Waste) rate has reduced slightly. It is important to review the Waste Recovery Rate alongside the Recycling Rate, as both factors contribute to the overall diversion of waste from landfill. Any changes in the quantity of waste sent for recovery will influence the percentage of recycling rate, and vice versa. A trial to shred bulky residual waste from Household Recycling Centers (HRCs) to make this suitable for Lakeside EFW, has resulted in less waste going to landfill.</p>	
R2c	<b>R2c. Proportion of household waste managed by: Landfill (%)</b>	Below 13%	16.3	18.7	15.6	<b>14.9</b>	Mar-24	Yearly	↓	 <p>2023/24 performance saw an improvement of -1.1% compared with 2022/23. Which was helped by a decrease in the amount of recycling reject material directed to landfill, as well as the trial to shred bulky residual waste from Household Recycling Centers (HRCs) and redirect this to energy from waste during November and December 2023.</p>	
R3	<b>R3. Impact of waste management services on GHG emissions</b> (carbon and methane emissions from waste management services, including fleet in t CO2e)	TBD. Currently establishing baseline and monitoring.									<p>A great deal of analysis has been done to establish a baseline. Analysis is ongoing to understand emissions from the entire process of household waste management and define the indicator and target. Emissions from household waste management services do not neatly fit into the council's Scope 1, 2 and 3 emissions and are therefore best tracked separately.</p>

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## Appendix 3

# Solar Together – Scheme 2 (2023/24) Report

### Scheme Context

Solar Together gives residents and businesses the opportunity to invest in renewable energy from a trusted provider to reduce their energy bills and improve their carbon footprint. The scheme utilises group buying to leverage competitively priced solar panels, batteries and Electric Vehicle charge points by vetted providers. The core principle is that coming together as a group provides enhanced buying power and allows the approved providers to offer a better price than individual home or commercial business owners might get from entering the market alone.

The lower cost of the product and installation is made possible by iChoosr holding a reverse auction with vetted installers who compete to offer the group of residents who have signed up the best price. Infinity Renewables and Infinity Energy were the winning installers in the 2023 scheme, achieving a 34% discount for the average 14-panel system across Wiltshire and Swindon.

Solar Together Scheme 2 ran from June 2023 to April 2024. The scheme came at a time when the cost of living continued to rise, and energy prices were fluctuating less. Despite this, residents continued to seek ways to reduce their bills, reduce their dependence on the grid and generate their own clean energy. With the energy crisis becoming less volatile, registration rates for Solar Together 2023 were slightly lower than scheme 1, but in line with expectations. This is compared to the higher registration rates we saw in a more volatile market in 2022.

### Registration

The scheme campaigning delivered a total of 5,924 registrations, with a registration rate of 5.7% compared to the benchmark expectation of 3.5%, which is the percentage of households registering in response to the total number of direct mailing letters sent. Broken down between regions, Swindon saw 2,011 registrations at a rate of 4.5% and Wiltshire saw 3,913 registrations at a rate of 6.6%. The registration rate is the percentage of registrations generated from the direct mail letters sent. The scheme delivered 5,611 registrations for Solar PV and 313 registrations for retrofit battery storage only (where homeowners already have a PV system in place and wish to add a battery).

*Table 1 - registrations by Local Authority for Solar PV, Battery Storage or both.*

<b>Council</b>	<b>Total Registrations</b>	<b>Solar PV or Solar PV and Battery</b>	<b>Retrofit Battery Storage Only</b>
Wiltshire Council	3,913	3,674	239
Swindon Borough Council	2,011	1,937	74
<b>Total</b>	<b>5,924</b>	<b>5,611</b>	<b>313</b>

64% of respondents to the question ‘how did you hear about the scheme’ said they heard about the scheme via the letter or leaflet from the council demonstrating the ongoing importance of this channel of communication (63% in Swindon and 64% in Wiltshire). Other main communication channels included the Wiltshire Council website and newsletters, leaflets, social media, word of mouth and local news publications.

## **Acceptance**

Offers were sent out to all households and SME’s that had registered an interest, and at the end of the decision period 950 households accepted the offer for Solar PV. Of the households that accepted the Solar PV offer 94% also added the optional battery storage to their solar PV package at the point of acceptance. An additional 51 residents accepted an offer for retrofit battery storage only. In total 1,001 customers accepted an offer from Solar Together Wiltshire & Swindon 2023 meaning the overall acceptance rate was 17%, and 19% for Wiltshire only which is above the expected rate.

*Table 2 - Acceptances by Local Authority for Solar PV, Battery Storage or both.*

<b>Council</b>	<b>Total Accepted</b>	<b>Solar PV</b>	<b>Retrofit Battery Storage Only</b>
Wiltshire Council	744	705	39
Swindon Borough Council	257	245	12
<b>Total</b>	<b>1,001</b>	<b>950</b>	<b>51</b>

## **Installations**

In the installation phase, 539 installations were completed and finalised as part of Solar Together Wiltshire & Swindon 2023 – 508 solar PV installations totalling 5,139 panels or 2.15MW of installed capacity, and 31 additional customers installing retrofit battery storage.

Nearly 50% of those interested and accepting quotes do not go on to installation. For participants that do not proceed with an installation after accepting their offer, the most common reason is due to changes in personal financial circumstances or changing their mind. Higher than expected dropout rates also were seen across Solar Together schemes in all regions.

Table 3 – Solar PV installations by Local Authority (most also include battery installation)

<b>Council</b>	<b>Total PV Installations</b>	<b>No. of PV Panels</b>	<b>Total MW installed</b>	<b>Estimated CO<sub>2</sub> Reduction (kg over 25 years)</b>	<b>No. of Batteries Installed alongside Solar PV</b>	<b>Total Investment (£)</b>
Wiltshire Council	379	3,805	1.62	8,993,070	341	3,525,960
Swindon Borough Council	129	1,334	0.53	2,543,387	116	1,360,275.57
<b>Total</b>	<b>508</b>	<b>5,139</b>	<b>2.15</b>	<b>11,536,457</b>	457	<b>4,886,235.57</b>

In total 90% of residents that participated in the scheme opted to add a battery following the survey on their property (457 solar PV customers added a battery to their installation). This indicates an extremely high appetite for battery storage and an increasing focus on self-consumption

Table 4 - retrofit battery storage only installations by Local Authority

<b>Council</b>	<b>Total Retrofit Battery only Installations</b>	<b>Total MWh Installed Battery</b>	<b>Total Investment (£)</b>
Wiltshire Council	23	21	94,846.51
Swindon Borough Council	8	8	40,147.34
<b>Total</b>	<b>31</b>	<b>29</b>	<b>134,993.85</b>

The 2023 scheme has delivered total private resident investment in renewables of over £5 million across Wiltshire and Swindon. We estimate that the installations delivered through this scheme will deliver over 11,000 tonnes of carbon reduction over 25 years.

### **Electric Vehicle Chargers**

In total 48 Electric Vehicle (EV) charging point installations were completed in the Wiltshire & Swindon 2023 scheme. Broken down by area this was 7 EV installations in Swindon and 41 installations in Wiltshire.

### **Small and Medium Enterprises**

137 registrations of the 5,924 total (2.3%), were from small and medium-sized enterprises (SMEs). In total 5 SME's went ahead with an installation through Solar Together. Whilst the scheme accepts registrations from businesses, these are not the primary focus for campaigning and targeting of Solar Together. In all regions iChoosr see high dropout rates from business

customers, this is often because businesses must pay 20% VAT on the installation, which residential customers do not currently have to pay.

### **Complaints and Customer Satisfaction**

Scheme 2 had a very low volume of complaints, with iChoosr only receiving 11 complaints over the course of the scheme, representing 1.3% of all participants.

A customer satisfaction survey is sent out by iChoosr following the completion of each scheme, allowing a Net Promoter Score (NPS) to be calculated, which asks how likely customers are to recommend the winning installer to a friend or family member. NPS ranges from -100 to +100. Within the Solar industry a score of below 0 is considered low, between 0-15 is average, between 15-30 is good, between 30-50 is very good and 50+ is excellent. The installer during the Solar Together Wiltshire & Swindon 2023 scheme, Infinity Renewables, achieved a 'very good' score of 43. Infinity Renewables and EE Renewables will be the installers for the latest Solar Together scheme 3.

### **Financial implications**

Wiltshire Council receives a small fee for every installation completed through Solar Together to cover the external promotion and marketing of the scheme during the registration period, as well as some of the administration costs.

### **Summary**

This 2023 scheme marks the second Solar Together Wiltshire and Swindon scheme since 2022. The combined Solar Together Wiltshire & Swindon schemes have delivered 1,581 installations in the region, resulting in 5.9 MW installed capacity, and over £16 million in private resident investment in renewables. The schemes together will contribute more than 29,500 tonnes of CO2 reduction in the region over the guaranteed 25-year lifetime of the systems installed.

The third Solar Together Wiltshire and Swindon scheme is currently underway. As of August 2024, over 3,000 Wiltshire residents and businesses have expressed an interest in the scheme so far, which is ahead of iChoosr's forecasted value. A more varied approach to raising awareness of the scheme has been trialled this year. This has included a range of social media posts, advertising on Smooth Radio, the Climate and Environment Summer Showcase, and working with other service areas within Wiltshire Council. Promotional activities focused on Small and Medium Enterprises has also been increased, using social media and business e-newsletters.

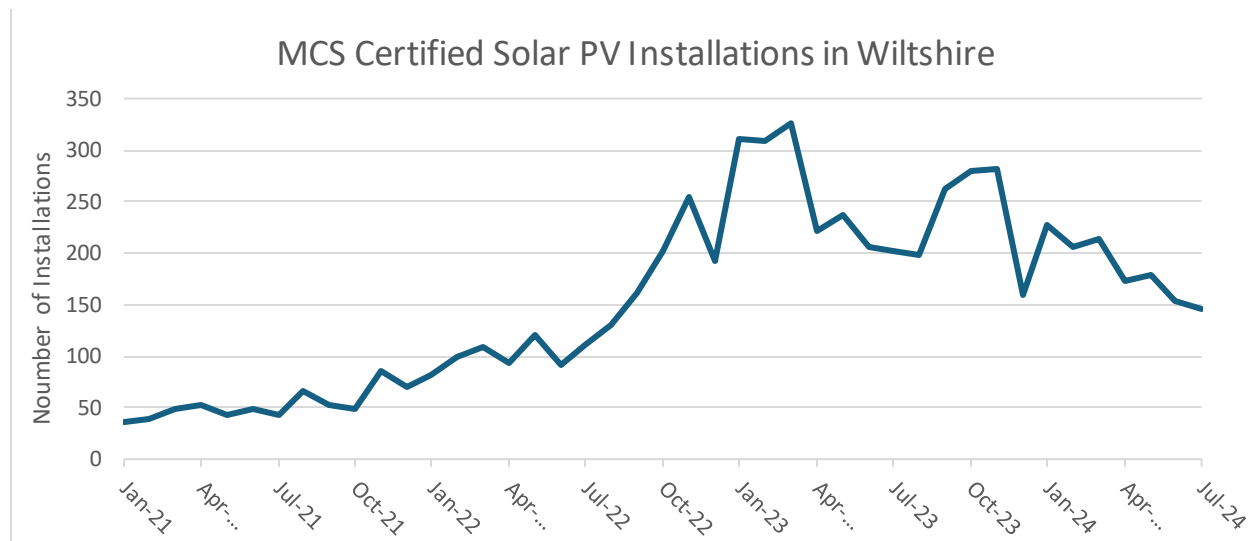
## Annex 1

### **Microgeneration Certification Scheme (MCS) Data**

Data from MCS, an accreditation body for low-carbon installers and installations, shows that running the Solar Together scheme in Wiltshire contributed to a sustained increase in the number of domestic solar PV installations, both during and beyond scheme completion. This suggests a growing appetite for solar PV across the county, with the launch of Solar Together likely contributing to this, both indirectly and directly through installations from the scheme.

Since the first scheme in 2022, Solar Together has installed 26% of all MCS-registered solar panel installations in Wiltshire & Swindon (including the time between active schemes).

Figure 1 below shows the total number of solar panel installations in Wiltshire, certified by MCS. The installation windows for previous Solar Together schemes ran from September 2022 – April 2023 for Scheme 1, and September 2023 – April 2024 for Scheme 2. Clear increases in the number of installations across Wiltshire can be seen during these periods, as well as high numbers even after each scheme was completed.



*Figure 1 – Total MCS registered solar PV installations in Wiltshire & Swindon (including those delivered through Solar Together), data from “The MCS Data Dashboard”*

# Annex 1

## Maps of Solar Together Scheme 2 registration and installations across Wiltshire

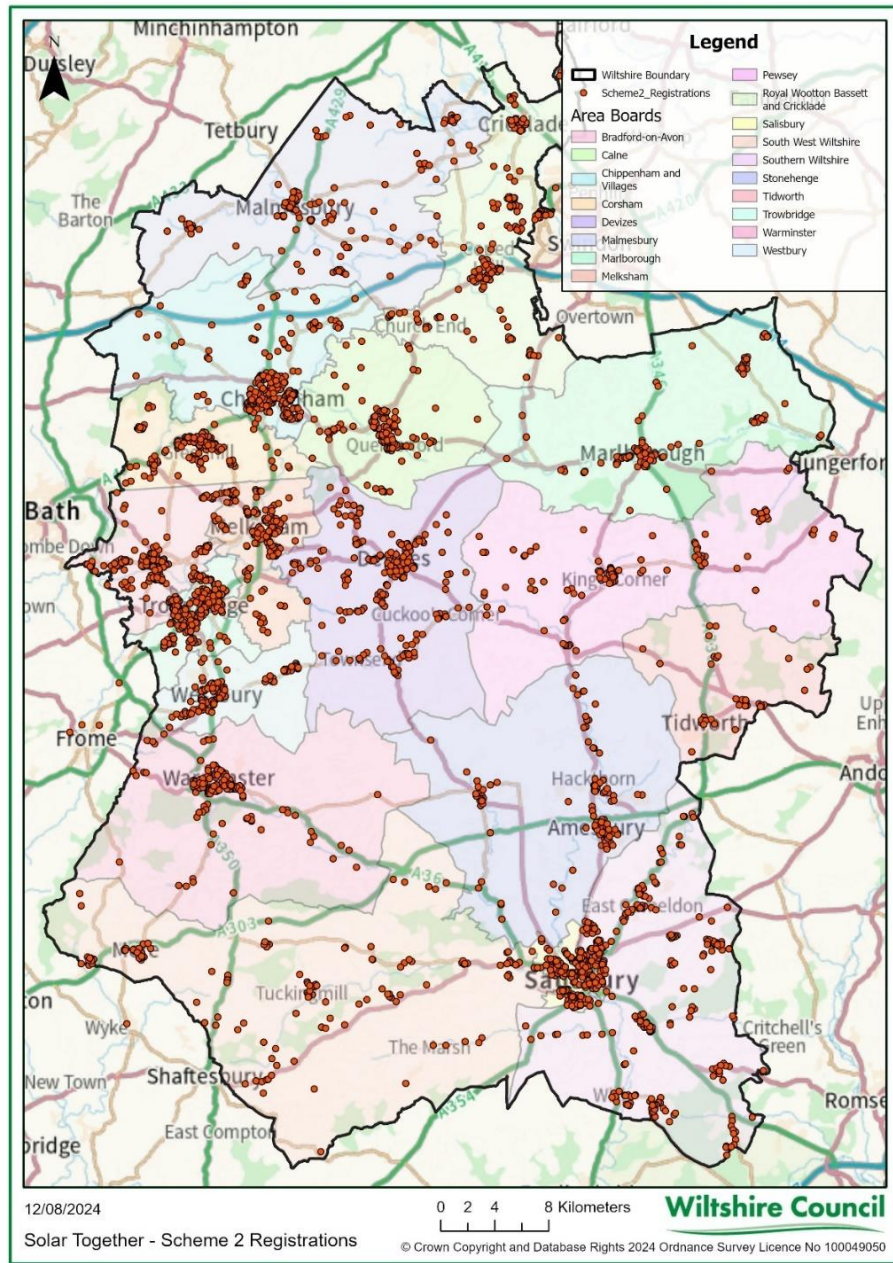


Figure 2 - Map of Scheme 2 Registrations in Wiltshire



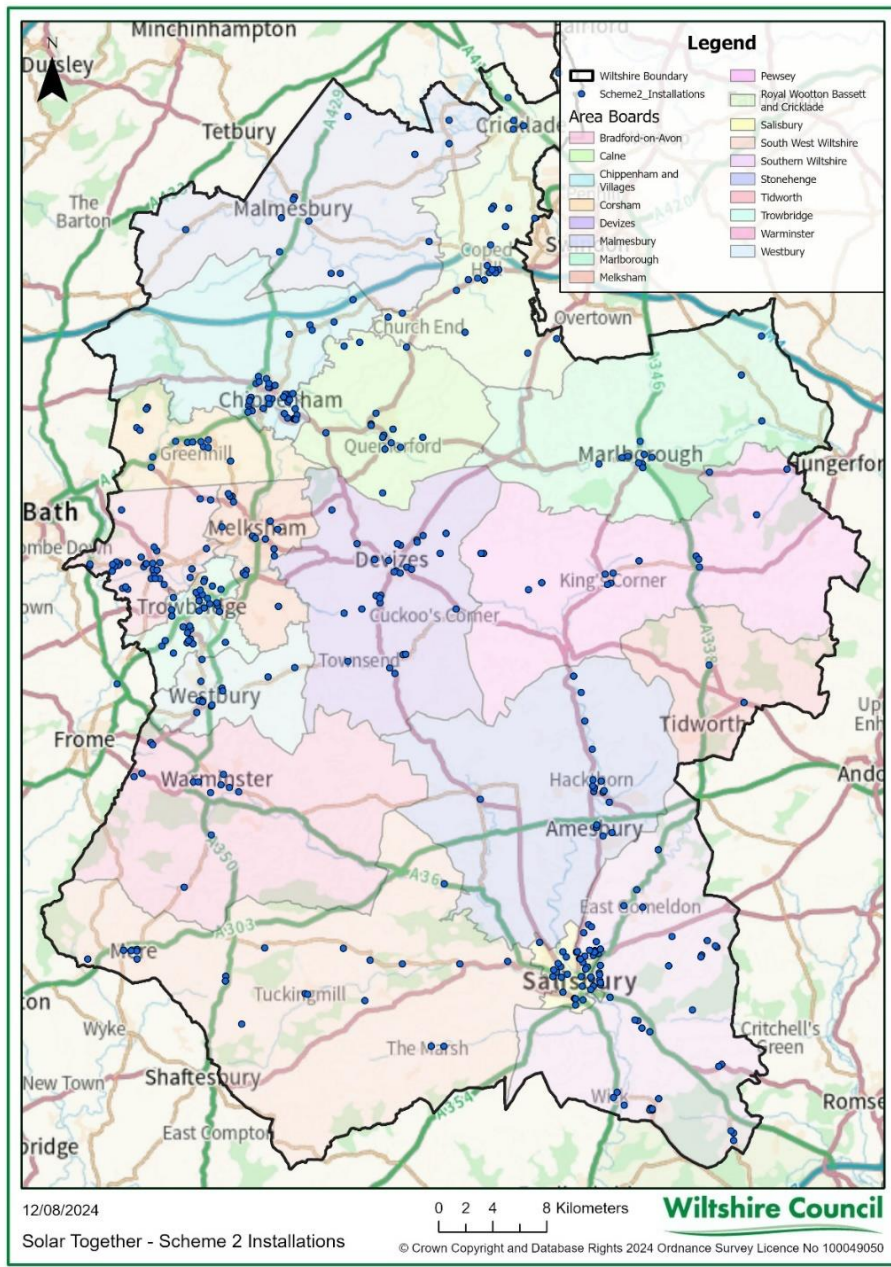


Figure 3 - Map of Scheme 2 Installations in Wiltshire

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#### Appendix 4: Climate or Environment activities within Area Boards

These activities have been undertaken by and through the Community Area Boards and their Environmental sub-groups. Area Board funding and match funding is shown where applicable.

Area Board	Project/Action/Engagement	Status – complete/ ongoing	AB Funding	Match Funding	Total investment
<b>Bradford on Avon</b>	BOA Area Board held a climate themed Area Board meeting with input on local work from Parishes, Bristol Avon River Trust, Sustainable Bradford and young people from local schools.	Complete			
	BOA Area Board has supported the Wiltshire Wildlife Trust Wellbeing in Nature Project which is a nature based therapy to support positive mental health	Complete	£5,000	£5,311	£10,011
	BOA Area Board has supported the Bristol Avon Rivers Trust with their River Detectives programme. This programme supports members of the public to monitor local rivers for pollution, wildlife and other metrics.	Ongoing	£1,000	£153,950	£154,950
	BOA Area Board are supporting a local river festival (getting local residents engaged in nature ) This will be working in partnership with local parishes with activities along different stretches of river.	Ongoing			
<b>Calne</b>	Organised Environment Working Group meetings to facilitate local action in partnership with town/parishes and community groups	Ongoing			
	Hosted Energy Cafe's across the community area in partnership with Wiltshire Wildlife Community Energy	Complete			
	Promoted schemes and consultations to residents and partners including HUG2 energy efficiency upgrades, Let's Sort It recycling campaign and Local Cycling and Walking Infrastructure Plans.	Complete			

	Continued focus on local actions to improve Air Quality	Ongoing			
	Promoted events such as Calne Without Parish's Green Energy and Environment Day	Complete			
	Funded the provision of Water Quality Measuring equipment for Friends of the Marden Valley, materials for Calne Men's Shed to make bookcases for community book swaps and trees for Sustainable Calne to plant in Stokes Croft Play Area.	Complete	£3,250	£2,950	£6,220
	Funded 'experiences with nature' – a collaboration between Avon Needs Trees and Calne's Older People's and Carers Champion	Ongoing	£2,488	£5,868	£8,356
<b>Chippenham</b>	Held two Chippenham Climate and Ecological Emergency Forum meetings to co-ordinate activity and share information between groups and local councils.	Complete			
	Produced a survey for town/parishes to highlight local activity to reduce carbon emissions and share best practice	Ongoing			
	Promoted schemes and consultations to residents and partners including WCA Green Homes Event and Local Nature Recovery	Complete			
	Allocated funding to projects including Solar PV and storage at Yatton Keynell Village Hall and path improvements at Ivy Lane Garden.	Complete	£5,500	£10,000	£15,500
	Supported the Wessex Water Community Connector Scheme which provided £37K of funding to local projects supporting residents to protect and improve their local rivers and environment	Complete			
	Invested in new storage units at the Chippenham Uniform Exchange and new equipment for the Chippenham Shed to maintain allotments at Crickets Lane	Complete	£979	£213	£1.192
	Promoted local events such as Chippenham Town Council's Chippenham's Eco Future Fest and Zero Chippenham's Home Energy Workshops	Complete			

	Included a Chippenham Youth Council workshop with an environmental theme as part of the Local Youth Network Teen Takeover weekend.	Complete			
<b>Corsham</b>	Facilitated site visits to West Mill Wind Farm, Mallaby Digester in Warminster and Sewage Treatment works in Lacock and Chippenham. Visits were attended by a mix of parish and Wiltshire councillors, local residents and members of Wiltshire Climate Alliance.	Complete			
	Promoted schemes and consultations to residents and partners such as the Tree Warden scheme and changes to kerbside recycling.	Complete			
	Allocated funding to Colerne Rights of Way project to improve safe access to countryside for all.	Complete	£1,000	£1,000	£2,000
	Promoted local events such as Big Green week and Corsham Eco Fair	Complete			
<b>Devizes</b>	<p>The Air Quality and Sustainable Transport Group is a sub group of the area board and is responsible for taking forward the environmental work that takes place locally. Partners such as Sustainable Devizes, Cycle Friendly Devizes as well as Parish and Town Councils, we have supported a number of projects including:</p> <ul style="list-style-type: none"> <li>• Actively promoted and participated in Street Tag including running a cycling event</li> <li>• Worked with the Passenger Transport Unit to introduce the new Pewsey Vale DRT service</li> <li>• Worked with the Passenger Transport Service to introduce a revised Town Centre bus service</li> <li>• Actively promoted walking and cycling</li> <li>• Supported initiatives such as the community Fridge, repair shops, seed swaps and community gardens</li> <li>• The formation and agreement of the LCWIP for Devizes</li> </ul>	<p>Ongoing Complete</p> <p>Complete</p> <p>Ongoing Ongoing</p> <p>Complete</p> <p>ongoing</p>			

	The group is now working closely on a new London Road cycle/walking path that will be built alongside the refurbishment of the London Road during 2025.				
<b>Malmesbury</b>	Provided funding to Sherston Magne Cricket Club to install new, Solar PV power to the pavilion. The club has been off-grid since its creation and this marks the first time the pavilion has had power. This was an entirely carbon neutral project.	Complete	£2,500	£18,500	£21,000
	Supporting eco awareness events, like Sherston Apple Day	Complete			
	Creating new cycle & active travel routes into town (via LHFIG)	Complete			
	Funding Community Fridge to help cut food waste	Ongoing			
	Signed cycle route between Sherston and Malmesbury to be officially 'opened' on 23rd September; another route to link up the Camp business estate under consideration	Phase 1 complete. Phase 2 being developed			
	River water quality testing initiated in the Sherston Avon – encourage wider testing downstream as well.	Ongoing			
<b>Marlborough</b>	Marlborough AB does not have the Environment as one of its named priorities however, it has stated: “As a thread through each of these priorities, Marlborough Area Board will promote projects that: Tackle climate change and support the natural environment”				
<b>Melksham</b>	Supported Friends of Shurnhold Fields				
	Worked with the Wiltshire Council Woodland Officers to identify sites where additional tree and hedge planting could take place				
	Supported the work at Clackers brook to increase the environmental impact.				
<b>Pewsey</b>	Working closely with Green Bedwyn, funding was awarded by the area board for a thermal camera to equip a volunteer	Complete	£429	£0	£429

	who had undertaken the appropriate training to carry out surveys of local properties. Energy efficiency in homes is generally poor within the Pewsey area.				
	Supported the local environment group with 2 very well attended famers talks and looking to run more	Completed/ Ongoing			
	Supporting a local group to run a retrofit event	Ongoing			
	A 'what local parish councils can do' checklist was created by a local environmental group and we have supported this to be available for all Parish Councils in the community area	Ongoing			
	Supporting local group to complete thermal surveys of houses- aimed especially at those with young children (working with the schools) and the elderly.	Ongoing			
<b>Royal Wootton Bassett and Cricklade</b>	Worked with RWB Environment Trust, town council & Infant School to develop new Vale View Garden. Invested significant grants into creation of new growing, sensory and learning space. An "alliance" of many different groups from across the town has come together to work on this space.	Ongoing			
	Worked with RWB Environment Trust, town council and colleagues from Sustainable Transport looking at creating new active travel routes across the town. Good partnership working to engage Sustrans to create feasibility studies and other background work. Significant investment from area board towards detailed design work has levered in additional funding from Landfill Tax.	Ongoing			
	Invested into a project to fit solar panels to the roof of the Lydiard Millicent Parish Hall as part of their ongoing efforts to have a greener footprint.	Complete	£5,000	£10,000	£15,000
	Area Board funded a brand-new litter picking group in Purton. This is made up of local residents and also has a "junior section" of pupils and the village's primary school.	Ongoing	£494	£60	£554
<b>Salisbury</b>	100s had a great and fun day at the Salisbury Transition City's People in the Park event in May 2024 which helped to	Complete			

	raise awareness of a range of local environmental and climate change issues and initiatives				
	Salisbury Green Business Accreditation Scheme continues to support local businesses for their work to be more climate friendly in their business endeavours, with 2 new businesses receiving awards in 2024 already	Ongoing scheme			
	Salisbury's Eco Hub Alliance CIO is just about to launch a new initiative offering the community free thermal imaging surveys thanks to a generous grant from the Rural Communities Energy Support Network	Launching in Autumn			
	Flood Ready Salisbury Event being planned for the autumn, facilitated by the Salisbury Area Board's Environment Action Group, this will be supported by the publication of a new helpful guide, to be produced in partnership with the Environment Agency and Salisbury City Council equipping residents with advice and support they need to be flood ready for this winter	In development			
<b>Southern Wiltshire</b>	Laverstock Schools Working Group helped to support the community, working in partnership with Wiltshire Council and Laverstock & Ford Parish Council, residents and schools to recommend, consult and influence a new TRO for the main road (Church Rd) through Laverstock ensuring new enforceable wait restrictions are implemented this summer. The group continues to work in partnership including with the local police team to ensure the new restrictions are enforced. The group is also supporting schools to renew green travel plans to encourage more pupils to walk, cycle, bus and scoot to school	Ongoing work			
	The Area Board will be prioritising flooding preparedness and mitigation over the coming months, reviewing and offering extra support to parishes in their flood planning work.	In development			



<b>South West Wiltshire</b>	Over 60 residents and partners attended Big Green Week events 2023, supported and led by the Area Board. The Wilton Community Area event was held in partnership with business owners from The Guild shopping village and the Tisbury event was brilliantly facilitated by Tisbury parish council and local groups which resulted in a week long series of fun and informative engagements	Complete			
	An Area Board environment priority for 2024/5 is to design and deliver an event to showcase all that is already happening in South West Wilts, involving all relevant stakeholders, to include a mapping and gapping element to inform future work.	In development			
	Nadder Community Energy (NCE) CIC launched its third share offer to support its Solar Power for Schools project	Ongoing			
	NCE Community Benefit Fund is being used to fund training for volunteers to give free energy efficiency advice and fuel debt advice to local householders as part of the Warmer at Home scheme	Ongoing			
	NCE is launching a new community grant scheme for local groups to undertake activities linked to sustainability and net zero	In development			
<b>Stonehenge community area</b>	Supported Woodford Village Hall to install new significantly more efficient heating system to reduce energy usage	Completed	£1,320	£1,320	£2640
	Supported Enford Recreation Ground and Village Hall energy reduction project which included new smart thermostat installation	Completed	£1,781	£1,781	£3562
<b>Tidworth</b>	Still working on Biodiversity Audit – mapping exercise identifying all wildlife within the community area boundary in order to inform decisions around projects to support via the environment group over the coming years	Ongoing			

	Supported Ludgershall Memorial Hall with replacement, more efficient boiler to reduce energy consumption	Completed	£5,000	£5,725	£10,725
	Chute Village Hall were supported with funding for "Hive Eco Central Heating Thermostat"	Completed	£175	£175	£350
<b>Trowbridge</b>	The Area Board have supported the Friends of Southwick Country Park to make improvements to accessibility throughout the Country Park. These improvement have been gratefully received by users of the Country Park.	Complete	£479	£0	£479
	The Area Board have supported Wiltshire Wildlife Trust to improve disabled facilities at Green Lane Wood Nature Reserve. This has enhanced the accessibility of the nature reserve.	Completed	£5,000	£12,474	£17,474
	The Area Board have funded enhancements to South Field for Biss Meadows Country Park	Completed	£2,820	£2,850	£5,670
	Trowbridge Area Board approved funding to Wiltshire Wildlife Trust to deliver their Blue Influencers scheme in the local community area. This programme engages members of the public to be involved in monitoring rivers, ponds and similar stretches of water and reporting on the conditions etc	Ongoing	£4,600	£24,600	£29,200
<b>Warminster</b>	Warminster Area Board provided funding for the Bradley Road Community Garden redesign. This is a well used and loved green space for the community.	Ongoing	£2,000	£10,313	£12,313
	The Area Board provided funding for Grovelands Countryside and Wildlife site maintenance. This has enabled volunteers to keep on top of the wildlife site and ensure accessibility	Ongoing	£2,500	£2,900	£5,400
	Funding was provided to the Tynings allotment and leisure gardeners project.	Ongoing	£1,203	£1,203	£2,406
	The Area Board hosted an Environment Watch Day event which was very well attended by the local community.	Completed			
<b>Westbury</b>	Westbury Community Area Environmental Day – large community showcase event originally planned for June	Ongoing			

	2024. Still planned to proceed but postponed until Spring/Summer 2025				
	Westbury Community Area Pollinator Corridor project – creating pollinator friendly spaces across the community area. Looking to expand to more areas in all villages and in Westbury itself	Ongoing	£3,000	£0	£3,000
	Supported Westbury Leigh Community Hall with funding towards more efficient heating and energy usage through new efficient boilers and thermostat	Completed	£2,839	£9,606	£12,445
<b>TOTALS</b>		<b>TOTAL</b>	£60,357	£280,799	£341,156

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**Wiltshire Council**

**Full Council**

**15 October 2024**

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## **Wiltshire Local Plan Review - Submission of Draft Plan**

### **Executive Summary**

Approval is sought for the submission of the draft Local Plan to the Secretary of State, for independent examination. This follows on from statutory (Regulation 19) consultation towards the end of 2023. A statement forms part of the supporting documents that summarises the comments received and the council's general response to the main issues.

The Wiltshire Local Plan review has been in development since 2017 and has been prepared following several rounds of consultation with stakeholders. Consultation has most recently been undertaken on the Pre-submission Draft Plan following Council approval in July 2023 (Regulation 19 consultation). That statutory consultation (where representations were invited on the soundness of the Plan and legal compliance) closed on 22 November 2023. Approximately 10,700 comments were received from a variety of people and organisations. In addition, two petitions have been received in opposition to two residential sites.

Since the close of the consultation, comments have been thoroughly reviewed and further work has been carried out to ensure that the Plan that will be submitted is ready for examination. This has involved updating evidence in respect of flood risk, heritage, transport, housing and biodiversity; preparing a water cycle study; and preparation of statements of common ground with statutory consultees (prescribed bodies and neighbouring authorities) as well as developers of site proposals.

A consultation statement has been prepared (known as a Regulation 22 Statement), which summarises the main issues raised through the consultation and the council's initial response to these. This alongside this report helps clarify how the additional work that has been undertaken responds to the points raised and whether any changes to the Plan may be needed in the light of this and other representations. The Inspector has the ability through the independent examination to recommend where changes will be needed to address soundness and legal compliance issues.

Having considered all the comments received and taking into account the additional work that has been undertaken it is considered that the council has complied with the relevant requirements and that the Plan is ready for submission for independent examination.

Subject to Cabinet endorsement on 8 October and Full Council approval, the Plan will be submitted before the end of 2024.

The Government has recently consulted on changes to the planning system. This includes changes to the National Planning Policy Framework (NPPF) and changes to the way housing need is calculated. While the outcome of the

proposed reforms is unknown, it is expected that transitional arrangements will be in place to allow Wiltshire's Local Plan to be submitted for examination in its current form. This is because the timescale for submitting the Local Plan, before the end of 2024, meets the transitional criteria set out in the Government's consultation.

The adopted Local Plan (Wiltshire Core Strategy) is nine years old. Many sites have been developed and policies are 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. It sets an ambitious approach to delivering the council's carbon reduction and sustainability ambitions.

The new Local Plan will help to meet the council's legal requirement to have an up-to-date Local Plan in place. Once adopted, it will become one of the council's most important strategy documents. It will set out a strategy that protects Wiltshire's natural and historic environment, preserves and enhances main settlements and villages, delivers economic growth and provides a choice of homes in sustainable locations for Wiltshire's community. The Plan aligns with new and emerging strategy documents from across the council and will help to secure funding and deliver essential infrastructure.

## Proposals

Full Council, having considered the response from the formal consultation:

- 1) Approves the submission of the Wiltshire Local Plan Review - Pre-submission Draft Plan at **Appendix 1** to the Secretary of State for Housing, Communities and Local Government for independent examination together with relevant associated documentation;
- 2) 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
- 3) 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 Proposals**

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.

**Parvis Khansari**  
**Corporate Director - Place**

**Wiltshire Local Plan Review – Submission of Draft Plan**

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**Purpose of Report**

1. To:
  - (i) Inform Full Council of the outcome of the Regulation 19 consultation on the Wiltshire Local Plan Review - Pre-submission Draft Plan (July 2023) ('the Plan') and further work undertaken in response;
  - (ii) Seek for Full Council to approve the submission of the Plan for independent examination; and
  - (iii) Seek 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.

**Relevance to the Council's Business Plan**

2. The main purpose of the Plan is to plan for the needs of Wiltshire's growing communities from an economic, environmental and social perspective to ensure the delivery of sustainable development. This aligns with the four missions of the 2022 to 2032 Business Plan - Thriving Economy, Resilient Society, Sustainable Environment and Empowered People. The importance of updating the current Local Plan to provide an effective policy framework for sustainable growth of Wiltshire is referred to explicitly.

**Background**

3. Council on 18 July 2023 approved the publication of the draft Plan for its final stage of consultation prior to its submission for independent examination. The full background to the Plan is summarised in that report and can be viewed [here](#). At that stage, Regulation 19, representations are invited on soundness and legal compliance.
4. The Regulation 19 consultation was undertaken over an 8-week period that commenced on 27 September 2023 and ended on 22 November 2023. In total over 10,700 comments were received from a variety of different individuals and organisations, including a petition objecting to the reserve site in Bradford-on-Avon (2,130 signatures) and a petition objecting to the allocation of the site on Land North of Downton Road, Salisbury (1,386 signatures). More recently, while not part of the consultation response, the council has received significant additional correspondence from the local community objecting to the inclusion of the former golf course reserve site within the Plan.



5. At the Regulation 19 stage the council published what it considered to be a sound Plan that met all the necessary legal requirements. To be sound, as set out in the National Planning Policy Framework ('NPPF') (paragraph 35), a Plan must be:
  - (i) **Positively prepared** - providing a strategy which, as a minimum, seeks to meet the area's objectively assessed needs; and is informed by agreements with other authorities, so that unmet need is accommodated where it is practical to do so and is consistent with achieving sustainable development;
  - (ii) **Justified** - an appropriate strategy, taking into account the reasonable alternatives, and based on proportionate evidence;
  - (iii) **Effective** - deliverable over the plan period, and based on effective joint working on cross boundary strategic matters that have been dealt with rather than deferred, as evidenced by the statement of common ground; and
  - (iv) **Consistent with national policy** - enabling the delivery of sustainable development in accordance with the policies in the NPPF and other statements of national policy, where relevant.
6. Section 20(2) of the Planning and Compulsory Purchase Act 2004 (as amended) ('the 2004 Act') requires that the local planning authority only submit their plan when they consider it to be ready for examination (and they have complied with any relevant requirements contained in regulations under the 2004 Act). Consideration of the Regulation 19 responses and the issues they raise informs the decision to submit the Plan. Before submission there is an expectation that local planning authorities do all they can to resolve any substantive concerns about soundness or legal compliance of the plan, with particular attention to the duty to cooperate. See Legal Implications below.
7. The examination process allows for the Inspector to determine whether modifications should be made to the Plan to address any soundness or legal compliance issues. Under Section 20(7C) of the 2004 Act, if formally requested by the council, the Inspector can recommend main modifications to the Plan if they are necessary to make it sound and/or legally compliant.
8. The appointed Inspector will consider all the representations received through the Regulation 19 consultation, together with the evidence relied upon by the council in preparing the draft Plan. The examination will focus on those matters that the Inspector considers need to be tested thoroughly through open hearing sessions before making a recommendation. There are three possible outcomes that Planning Inspectors can recommend following the examination of a Plan. They can recommend that the Plan is:
  - Withdrawn (i.e. it would fail the tests of soundness and/or legal compliance and is incapable of addressing such matters and/or the duty to cooperate has not been complied with); or
  - Adopted without main modifications; or
  - Adopted subject to applying a schedule of main modifications.

Where main modifications are recommended, consultation is required on these as part of the examination process before the Inspector concludes the examination.

## Main Considerations for the Council

9. Having considered all representations, officers have prepared a consultation statement under Regulation 22(1)(c) of the Town and Country Planning (Local Planning) (England) Regulations 2012 ('the 2012 Regulations'), known as the Regulation 22 Statement, which is provided at **Appendix 2**. This sets out how the council has undertaken its duties in preparing the draft Local Plan. The statement summarises the stages of consultation that have taken place, explaining how the public and other stakeholders were invited to participate and make representations, outlining the main issues raised from the Regulation 18 stages of consultation and how the representations at those stages were considered in preparing the Local Plan, whilst also presenting the main issues arising from the Regulation 19 consultation.
10. The statement demonstrates that consultation on the preparation of the draft Plan has been undertaken in accordance with the relevant legislation and council's Statement of Community Involvement (including the temporary arrangements that applied during the COVID-19 pandemic). The statement is required to set out the main issues arising from the consultations and may also, where appropriate, set out the council's initial response to them. The council is not required to provide detailed responses to each representation, but consultees can be reassured that their complete responses will also form part of the submission documents and have been considered in preparing the Regulation 22 Statement. All representations can be viewed via this [link](#).
11. So far as the Regulation 19 stage is concerned, Section 3 of the Regulation 22 Statement provides an overview of the main issues in plan order, and Schedule 2 of Appendix 2 of the Regulation 22 Statement sets these out in more detail together with information on who has commented on these matters.
12. The main issues arising from the Regulation 19 consultation have been distilled down into a number of themes that include, but are not limited to: the scale and distribution of growth being planned for; the degree to which the Plan provides a sufficient level of certainty in terms of housing and employment land supply; the choice and location of proposed allocations; and a range of environmental considerations relating to aspects of proposed policies and allocations.

### Scale and distribution of growth

13. A considerable number of responses questioned whether the overall level of growth and its distribution across the county was appropriate. In general, these representations came from the development industry who called for more growth, but counter arguments calling for less growth were made by community groups and members of the public.
14. The arguments calling for more growth to be planned for were predominantly based on the following issues: the length of the Plan period; the relationship between the amount of employment land planned for and job growth forecasts; a perceived lack of certainty in terms of the role, location and delivery of the proposed broad locations for growth, reserve sites and the area of search for a new settlement in the Salisbury Housing Market Area; and insufficient allocations to ensure delivery of the housing requirement and to maintain housing supply over the plan period. In addition, concerns were raised about the phased approach to housing and approach to logistics. Dealing with these matters in turn.

15. In terms of the Plan period, many respondents have suggested that to be compliant with the NPPF (paragraph 22), strategic policies should look ahead over a minimum 15-year period from adoption. The point is duly noted, but the Plan has taken time to prepare, having undergone several rounds of consultation, and to roll the end date of the Plan forward by say two years, as has been called for, would require more evidence, inevitably leading to further delay. In addition, it is important to remember that national planning policy anticipates that the Plan will be reviewed within five years of adoption, and this therefore lessens the risks associated with managing the supply of housing and employment land over time. Moreover, despite the plan period not running a full 15 years from adoption, the strategic policies do look ahead beyond 2038 in a range of respects. Strategic policies relating to the identification of Chippenham, Melksham and Trowbridge as longer-term broad locations for growth, and site allocations that may be constructed over a longer period look ahead beyond 2038.
16. The relationship between the amount of employment land being proposed for delivery, forecast job growth and housing numbers has been raised. Again, the arguments being made all call for more housing to be planned for on the basis that the housing target being planned for is too low to align with the Plan's employment land proposals and job growth aspirations. Whilst the delivery strategy (draft Policy 2 and paragraph 3.16 of the Plan) makes provision for approximately 160 hectares of employment land, this level of growth is aspirational and intended to provide choice and flexibility across Wiltshire and not necessarily a target to be achieved.
17. It is clear from the council's Employment Land Review (Hardisty Jones Associates, 2023) that the allocations of employment land within the Plan, combined with the regeneration of existing employment sites, will help meet the projected demand which falls within a range of 95ha to 120ha and this has been factored into the overall housing needs assessment. Therefore, on this particular point it is considered that there is no need to provide for additional housing beyond that which is proposed in the Plan and has been derived from the local housing needs assessment. The housing topic paper, which forms a background document provides further information on this.
18. Specific concerns regarding the level and type of employment land being planned for have also been raised. The most significant of these relates to a perceived lack of support in the Plan for large-scale logistics development, with a particular focus on Junctions 16 and 17 of the M4 motorway. The evidence to support these arguments is largely focused on the importance of motorway junctions and anecdotal evidence of the need for more logistics space around such junctions. Whilst the Plan at paragraph 4.221 clearly does not support a further extension of the urban area of Swindon into land within Wiltshire around Junction 16, draft Policy 64 (Additional employment land) positively supports national and regional logistics development at Junction 17, subject to criteria. As such, it is considered that the Plan provides appropriate flexibility and choice for the logistics industry in a location that benefits from good transport connectivity. Capacity issues at Junction 16 due to the proximity of development at Swindon, recent planning applications and concerns raised by National Highways have reinforced the Plan's approach.
19. The issues raised regarding a perceived lack of clarity in terms of the location and/or role of the proposed broad locations for growth and reserve sites (draft Policy 3) have been noted. In identifying broad locations for growth, the Plan seeks to strike a balance between setting out an intention for future growth beyond the Plan period, while at the same time recognising that evidence will need to be developed to justify

and refine proposals. Clearly this will be a matter for the examination process, but there may be scope to tighten the wording of draft Policy 3, if the Inspector feels this is necessary, to address the points raised without substantially altering its intent.

20. Concerns regarding draft Policy 21 - Salisbury area new community are linked to the overall level of housing being planned for. The area of search for a new settlement and indeed the phasing element of overall housing delivery set within draft Policy 2 (Delivery strategy) have been included in the Plan to reflect the severely constrained nature of the Salisbury area in terms of ecological and heritage factors, as well as limited land availability. The Plan is underpinned by evidence which will be maintained. As set out in the Plan, the precise details of where a new settlement would be situated will be a matter for a review of the Plan to consider.
21. Other concerns raised regarding the overall distribution of growth included criticisms that the strategy does not adequately set out a role for rural communities - i.e. it does not allocate land for development at Local Service Centres and Large Villages, as well as a perceived over-reliance on neighbourhood plans to deliver growth. These points have been noted, but it is considered the Plan does provide sufficient direction in terms of the role that rural communities will play in delivering growth over the Plan period. These matters are set out in the Plan and its evidence and include figures for anticipated housing delivery in the rural areas of the Housing Market Areas, as well as designated neighbourhood areas. Conversely, while not objecting to the principle of neighbourhood plans helping plan for growth in rural settlements, some communities have raised concerns that the figures for neighbourhood plans are too high. Officers consider that the proposed approach to distribution overall is reasonable, providing a reasonable basis on which communities can develop their plans.

#### Housing supply and delivery

22. In preparation for submission, a housing topic paper has been prepared to update the 2022 base date relating to housing data in the draft Plan and associated evidence base. This provides a 1 April 2023 position in line with the council's latest published housing land supply statement. It sets out the sources of supply over the Plan period, including from existing commitments (e.g. planning permissions, allocations in adopted plans etc), contribution from windfall and how the new allocations and plan proposals will ensure deliverable housing supply over the first five years of the Plan from its anticipated adoption.
23. The trajectories for the new allocations have been informed by engagement with site promoters through the development of Statements of Common Ground ('SoCGs') to demonstrate site delivery. They are being prepared to assist the examination process, their purpose being to focus on key issues and to identify areas of disagreement, as well as to establish common ground on matters of principle and agreement in relation to site allocations. Areas of difference include those relating to the need for a comprehensive masterplan, number of homes, provision of employment and site specific requirements (infrastructure and mitigation). Where appropriate they may present suggested changes that parties determine could be made to assist the Inspector.
24. As explained below, under site selection, while there have been considerable objections by local communities to some of the site allocations, including the reserve sites, on the grounds of matters such as potential flood risk and impact on highways and heritage as well as the loss of greenfield land (including its recreational and nature

conservation value), these are not considered to warrant the loss of sites from the Plan. Further work being undertaken, as explained under 'Other matters - duty to cooperate and work since Regulation 19 consultation' is helping to clarify and/or reaffirm what mitigation is needed to support delivery of sites. This will address technical concerns raised and mitigation to be provided as and when sites come forward through the planning application stage.

25. Many representations have also sought to suggest that windfall assumptions informing the Plan are too low and/or there may be alternative brownfield sites that could be brought forward instead of certain greenfield allocations. However, while maximising the use of urban sites is recognised as a priority, this does need to be balanced with a strategy of ensuring sufficient housing supply overall which in a county such as Wiltshire will necessitate the use of greenfield sites. The assumptions about windfall sites are considered reasonable and justified.

#### Site selection and allocations

26. As is to be expected, a significant volume of objections to the Plan relate to individual sites. The challenges to the Plan largely relate to choice of sites and a range of arguments based on policy and technical concerns over the impacts that new development may bring to existing communities. Whilst noted, these site-specific matters have been assessed through the plan making process. Indeed, the site selection process was underpinned by technical evidence and supported by the sustainability appraisal. Work undertaken since the Regulation 19 consultation as set out below provides further support for the proposals in the Plan. The draft policies relating to each allocation are generally considered to provide an appropriate level of prescribed mitigation measures, when read alongside the Plan as a whole, to help inform any future planning application. However, consideration is being given to where the effectiveness of policy could be improved through SoCGs with the Environment Agency, Historic England, National Highways and Natural England (see below).

#### Plan viability

27. As anticipated by national planning policy and guidance, the Plan is supported by a proportionate assessment of viability. The consultation responses included several challenges to the council's evidence. Whilst technical in nature, the challenges generally focused on certain core assumptions that had been applied by consultants working on behalf of the council.
28. In addition, challenges were submitted relating to the projected costs associated with certain draft policies - e.g. delivering 20% Biodiversity Net Gain, 40% affordable housing, sustainable construction and higher than current Building Regulations water efficiency standards.
29. Other viability-related challenges were focused on certain allocations where developers and members of the community considered the Plan's viability assessment had underestimated physical build costs associated with roads, schools and wider infrastructure needed to support growth.
30. The council's viability consultants have appraised these challenges and advised that generally they effectively constitute a professional difference of opinion. Notwithstanding this, work is ongoing to address trigger points for delivery of

infrastructure for the larger allocations at Chippenham and Ludgershall. This will help address the uncertainty that has been raised over delivery of the developments.

#### Infrastructure provision

31. Members of the community, including some town and parish councils, raised concerns that the proposals set out in the Plan will lead to deficiencies in local infrastructure e.g. healthcare facilities. Whilst these points are noted, when read as a whole, it is clear that the Plan has been premised on an understanding of what infrastructure will be needed to support additional planned growth over the period to 2038. Indeed, such matters are addressed in the Infrastructure Delivery Plan, draft Policy 5 (Securing infrastructure from new development), draft site allocations policies and the viability assessment.

#### Other matters - duty to cooperate and work since Regulation 19 consultation

32. The legal duty to cooperate on strategic priorities and matters has underpinned the plan making process. Regular, meaningful and continuing dialogue with prescribed bodies has taken place and this has been set out in the Duty to Cooperate Report and Addendum, which are provided at **Appendix 3**. Comments received at the Regulation 19 stage from prescribed bodies are set out in the Regulation 22 statement. Whilst some concerns were raised with aspects of the Plan, in all cases the council has worked and continues to work towards resolving such matters in a constructive manner.
33. Alongside the submission documents, there will be a supporting letter to clarify what has occurred since the Regulation 19 consultation. The concerns raised by prescribed bodies regarding evidence have been responded to positively through the production of additional evidence and development of SoCGs. This work includes the following matters:
- Highways modelling and transport - AtkinsRealis have been commissioned to undertake a number of tasks to respond to detailed comments submitted by National Highways who called for further evidence to demonstrate that the potential impacts of planned growth on the Strategic Road Network (SRN) are capable of being mitigated appropriately. The work includes further microsimulation modelling relating to functionality of Junctions 16 and 17 of the M4, along with junction and route modelling covering the A-road network in Wiltshire. This work will be largely complete before submission and is following a brief agreed with National Highways.

With specific regard to Junction 16 of the M4, work is ongoing with Swindon Borough Council and National Highways to understand the forecast implications for the junction taking into account development at Swindon. The aim is to consider what mitigation measures are achievable within the cost envelope of development. It is anticipated that such analysis will continue beyond formal submission and the Inspectorate will be kept informed of modelling outcomes.

On Junction 17, an additional junction modelling exercise is being carried out to confirm that proposed development in the Plan is accommodated within a deliverable scheme to enhance the junction.

In terms of the A303, the main outstanding concern revolves around the proposed new community (the location for which would be addressed in a future Plan) and the need to secure improvements around Stonehenge.

The modelling work also considers the implications for proposed development on road junctions within Salisbury and the A36.

To provide a summary of the transport evidence base, a Transport topic paper has been prepared and summarises the outcome of this work, what is still in progress and when this is due to be completed. This forms a background paper to this report. It is not anticipated that the outcomes of this work will undermine the soundness of the Plan.

- Heritage Impact Assessments - In response to concerns raised by Historic England regarding the level of evidence underpinning heritage matters for sites, CBA have been commissioned to produce detailed Heritage Impact Assessments for seven of the proposed allocated sites (at Chippenham, Salisbury and Westbury). This work concludes that each of the seven sites assessed is capable of delivering development subject to mitigation and the scale and form of development being informed by more detailed assessment at planning application stage. A Heritage Topic Paper, which is provided as a background paper, has also been prepared in response to Historic England's comments to provide greater clarity on how the Plan has addressed heritage matters to support the examination. The SoCG will suggest amendments to some policies for consideration by the Inspector in the interests of clarity and precision.
- Flood risk assessments and Strategic Water Cycle Study - In their comments, the Environment Agency suggested the Plan would benefit from updates to the 2019 Level 1 Strategic Flood Risk Assessment (SFRA) as this would help underpin the council's site selection process. JBA Consulting, who prepared the 2019 SFRA have been commissioned to undertake this work, which is in the process of being finalised and is not raising the need to make amendments to the Plan. Further detailed Level 2 SFRAs are being carried out for some allocations to better understand flood risk - which may have implications for the form and layout of developments - and help support the Plan through the examination process.

In addition, JBA Consulting has prepared a Strategic Water Cycle Study at the request of the Environment Agency and in the light of the findings of the Habitats Regulations Assessment (HRA), which is in the process of being finalised. Natural England has also been involved given the relationship to the HRA and impact of water resources on the natural environment. The Study essentially examines whether the level of planned and committed growth can be resourced with potable (drinking) water and serviced with sufficient wastewater treatment. It demonstrates that the council is taking a defensible position on water efficiency standards in all new development, as established in draft Policy 96 (Water resources). In addition, it recommends that through working with water utility companies (exchanging data on committed/planned growth) and their Water Resource Management Plans (funding bids to OfWAT to support growth), there is either sufficient capacity within existing water treatment facilities, or the scope to influence investment in improvements - a

matter that Wessex Water are about to embark upon to assist with phosphate stripping within their operational catchment. Continued dialogue is being undertaken with the Environment Agency and Natural England to further the outstanding work.

- Ammonia and air quality assessments, mitigation strategies - Natural England advised that the Habitats Regulations Assessment (HRA) of the Plan would benefit from an assessment of ammonia levels and air quality associated with vehicular movements. This work includes modelling to better understand the potential impact relating to ammonia deposition that planned development may have on European designated protected sites. The outcome has been included in an update to the HRA, which is provided as a background paper. It shows that there is only a very localised area on the Salisbury Plain Special Area of Conservation is potentially affected, for which mitigation would be relatively straight forward.
- In addition to the updated HRA, work has been undertaken to finalise in agreement with Natural England mitigation strategies for protected sites. These have all been completed except for the review of the Trowbridge Bat Mitigation Strategy Supplementary Planning Document, which is due to be completed for consultation early 2025.

34. Alongside the above work, as explained SoCGs are being prepared with the Environment Agency, Historic England, National Highways and Natural England to support the council through the examination process, and, where necessary, neighbouring authorities covering relevant strategic matters. It is anticipated that these will be complete when the Plan is ready to be submitted to the Secretary of State.

35. The purpose of these SoCGs is to provide focus on key issues and to thereby 'narrow the gap' on (or remove) matters of disagreement, as well as establish common ground on matters of principle. To inform the examination process and assist the Inspector, they will, where it is considered appropriate to do so, present suggested changes that parties determine could be made by the Inspector to address any soundness and/or legal compliance issues. They would be suggested in the interest of improving effectiveness of policy to strengthen and clarify them. The SOCG with Natural England will consider regulatory changes to biodiversity net gain that have taken place since publication of the Plan and the need for changes to Policy 89 (Biodiversity net gain). A topic paper is also being prepared to provide further information supporting the requirement for 20% BNG.

36. Of note are the two SoCGs with Swindon Borough Council (SBC) and, Test Valley Borough Council (TVBC) and Hampshire County Council (HCC).

37. The council is engaged with SBC on strategic cross boundary matters in the north of the county, largely relating to the proposals around Royal Wootton Bassett given the proximity to J16 and the urban area of Swindon, a small part of which falls within the Royal Wootton Bassett and Cricklade community area. The two authorities have also worked constructively to prepare a joint strategy with Cotswold District Council to mitigate recreational impacts on North Meadow and Clattinger Farm Special Area of Conservation. While both authorities are meeting their needs in their respective areas, SBC had questioned whether the plan should be more positive in supporting economic growth around Junction 16; whether the plan period looked ahead enough; there was sufficient certainty in delivery of housing across the plan period; and the need to



ensure that growth within Wiltshire at Royal Wootton Bassett does not adversely impact on Swindon's infrastructure. Since the Regulation 19 consultation SBC has made further progress on its new Local Plan, supporting evidence base and strategy for growth. Positive dialogue continues between both authorities and good progress has been made on addressing and where possible resolving cross boundary matters, an update to the SoCG with SBC will be finalised for submission.

38. In the south of the county, the council is engaged with both TVBC and HCC on matters largely surrounding the proposed allocation of Land South East of Empress Way, Ludgershall (Policy 40), but also on other cross boundary matters. Key matters of discussion are delivery of highways and transport infrastructure required to facilitate the Policy 40 allocation, the site's relationship with emerging proposals for development at Ludgershall within Test Valley's Regulation 18 Local Plan, and the mitigation of Salisbury Plain protected sites. Positive dialogue continues towards resolving matters and all three authorities are engaged in the production of a joint SoCG, which is expected to be finalised for submission of the Wiltshire Local Plan.
39. Where work in respect of SoCGs and the additional commissioned work set above is considered likely to extend into the examination, timeframes for completion of such work will be provided to assist the Inspector.

#### Other matters - suggested changes to the Plan

40. While it is the role of the Inspector to ultimately recommend Main Modifications to a plan that are of a substantive nature, the council can identify changes that it considers the examination process will likely need to address. Two such changes that are considered necessary are:
- Proposed deletion of Policy 24 - Land at Netherhampton Road Garden Centre (Salisbury) which is no longer considered available for development because of its continued use as a garden centre. Only the part of the site that is 'greenfield' (and not taken forward as a proposal through the council's site selection process) has been promoted through the consultation; and
  - Proposed deletion of Policy 59 - Land at Brook Street (Warminster), which is unavailable for the delivery of a wetland scheme designed to assist with phosphate mitigation. However, alternative measures are being delivered to deal with this issue through other projects.
41. Officers have prepared an initial schedule of changes to assist the examination. It is not unusual for such schedules to be added to, at the request of the Inspector, as the examination progresses following the discussion of main matters with participants through the examination process. The two above proposed changes are included in the first part to a schedule of proposed changes at **Appendix 4**.
42. The schedule includes three other parts comprising other proposed main modifications, modifications to the policies maps (e.g. correcting site allocation boundaries) and more minor changes that relate to, for example typographical errors and points of clarification. If agreed and made, the minor changes would not materially alter the Plan, its proposals and policies and the council could therefore make them without the need for them to be recommended by the Inspector. The other suggested changes can be considered through the examination process alongside others matters that the Inspector considers need to be addressed.

## Other matters - proposed changes to national policy

43. Consultation on proposed changes to the NPPF ended on 24 September 2024. Whilst the matters and proposed changes being consulted upon have no immediate bearing on the passage of the Plan to submission and examination, it remains to be seen how long the Government will take to fully consider representations and then publish the revised NPPF. The Government has stated that it intends to “publish NPPF revisions before the end of the year”. If the proposed transitional arrangements set out within the consultation draft are maintained, the council would have one month from publication of the revised NPPF to submit its Plan for examination under existing policy arrangements. 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 and any increases in housing numbers and other policy changes would be addressed through a future Plan. If submission were not to occur before the end of the transitional period, the Plan would likely need to be revised and subjected to further statutory consultation, which would lead to delay.

### **Safeguarding Implications**

44. Although there are no direct safeguarding implications arising from the proposals, the Plan is a key document in determining how communities can thrive together; and therefore, has a role in the prevention of escalation into safeguarding services.

### **Public Health Implications**

45. The built and natural environment is a key environmental determinant of health and wellbeing. Therefore, planning for sustainable development to meet the employment, housing and infrastructure needs of communities helps foster their well-being. Well planned development and good place shaping supports the health and wellbeing of local communities. The design of a neighbourhood can contribute to the health and well-being of the people living there.

46. Several aspects of neighbourhood design (walkability and mixed land use) can also maximise opportunities for social engagement and active travel. Neighbourhood design can impact on our day-to-day decisions and therefore have a significant role in shaping our health behaviours; and living in good quality and affordable housing is associated with numerous positive health outcomes for the general population and those from vulnerable groups. An example is through the provision of green infrastructure and infrastructure to encourage active travel (walking and cycling) which can lead to an increase in physical activity levels and improve physical and mental wellbeing. Active travel can also reduce over-reliance on motorised transport, contributing to improved air quality and a reduction in road injuries. To support this a new policy ‘Health and Wellbeing’ has been introduced.

### **Procurement Implications**

47. The examination of the draft Plan will entail the need to procure the services of a suitably experienced Programme Officer to help support the appointed Inspector. The role of the Programme Officer is to act as a conduit for information sharing between the council, Third Party representors and the Inspector. The appointment of a Programme Officer is mandatory. The financial implications include provision for this appointment.

48. The development of the Plan to date has been supported by evidence procured from suppliers, who may be needed to support the council through the examination process.

### **Equalities Impact of the Proposal**

49. The council is subject to a public sector equality duty under the Equality Act 2010, pursuant to which it must, in the exercise of its functions, have due regard to the need to: (a) eliminate discrimination, harassment, victimisation and any other conduct that is prohibited under the 2010 Act; (b) advance equality of opportunity between persons who share a protected characteristic and persons who do not share it; and (c) foster good relations between persons who share a relevant protected characteristic and persons who do not share it. The consultation, as all previous consultations, was undertaken in accordance with the council's adopted Statement of Community Involvement, which takes an inclusive approach to consultation ensuring that everyone can be involved. Moreover, each stage of the plan making process has been supported by an Equalities Impact Assessment (EqIA) which considered the potential for policies and proposals to negatively impact on equality in society.

50. The EqIA prepared to inform and support the Regulation 19 draft Plan identified rurality issues associated with accessing services and facilities could lead to inequality, particularly in the elderly community. Whilst these issues are relevant considerations in Wiltshire, the draft Plan presents policies designed to tackle social inequality themes, such as encouraging improvements to sustainable modes of transport.

51. As the Regulation 19 version of the draft Plan is proposed to be submitted for examination (along with all supporting evidence, including the EqIA prepared at the time) an addendum to the most recent EqIA has been prepared. The Regulation 19 EqIA and the Addendum are both included at **Appendix 5**.

### **Environmental and Climate Change Considerations**

52. To be legally compliant, the Plan must contain policies designed to secure that the development and use of land in the area contribute to the mitigation of, and adaption to, climate change in line with Section 19(1A) of the 2004 Act.

53. Central to this is sustainable development and ensuring that the spatial strategy delivers a sustainable distribution of new growth that reduces the need to travel and promotes sustainable transport including walking and cycling. Furthermore, specific policies have been developed to require the delivery of sustainable design and construction, as well as renewable energy generation appropriate to Wiltshire. In addition, the policies and proposals in the Plan have been considered and designed in the light of the NPPF around matters such as: flood risk, water resource management, enhancing green and blue infrastructure, promoting biodiversity, delivering sustainable design and construction, and supporting renewable energy generation appropriate for Wiltshire. These policies contribute to the national 2050 net zero target and support delivery of the council's adopted Climate Strategy 2022.

54. Sustainability Appraisal (incorporating the provisions of Strategic Environmental Assessment) and Habitats Regulations Assessment also form an integral part of the plan making process. These help to ensure negative environmental impacts are

avoided, appropriate mitigation is identified, and policies and proposals deliver development in a sustainable manner.

### **Workforce Implications**

55. Preparation and implementation of the Wiltshire Local Plan Review has workforce implications for services across the council, as well as the Planning service. Services have contributed by providing specialist input into policy development and site selection processes as well as commissioning of evidence including further work set out in this report, to ensure that their interests have been taken into account and business plan outcomes reflected as far as possible. Involvement of Legal service has been integral due to the statutory nature of the process and Communications in supporting consultations.

56. Input will continue to be required from services as the plan progresses through the next stages of the process and resources will need to be aligned to ensure there is sufficient capacity. It is anticipated that this will be absorbed within the current capacity of services but will be kept under review.

### **Risks that may arise if the proposed decision and related work is not taken**

57. If the proposed decision is not taken the council would fail to meet the obligations it set itself through the Local Development Scheme. It would be failing to meet statutory requirements to have an up-to-date Local Plan in place. It would put at risk the council's ability to meet its climate change and environmental ambitions. It would delay bringing forward land for homes and employment, which are crucial for Wiltshire's residents and businesses, impacting upon the local economy.

58. Any delay in submitting the draft Plan could leave the council open to speculative planning applications, in particular for housing schemes (given the current housing land supply position). Progression of the draft Plan will therefore help reduce this risk by ensuring that the council is able to boost housing supply and ensure (unless material considerations indicate otherwise in a particular case) that development is plan-led.

59. The principal risks are: that progress is not made with developing up to date planning policy; and Wiltshire is placed at greater risk from unplanned development through developers continuing to exploit (among other things) the current 5-year housing land supply position. The opportunity to put in place as soon as possible new policies that respond to Wiltshire's development needs over the period beyond 2026 and secure higher standards of development e.g. that better address climate change, as well as provide an up-to-date framework to guide neighbourhood plans, will potentially be lost. Critically, there is the risk of Government intervention if progress is not made on preparing an up to date Plan.

60. The Government's proposed changes to the NPPF, as drafted, would also have significant implications for the Plan if it is not submitted in time to benefit from the transitional provisions explained at paragraph 41 above. If the proposed decision is not taken, a significant delay is likely for the Plan to be revised pursuant to a new version of the NPPF and subjected to further Regulation 19 consultation.

## **Risks that may arise if the proposed decision is taken and actions that will be taken to manage these risks**

61. It is considered that the draft Plan is a sound and legally compliant plan (subject to potential main modifications as discussed above) but nonetheless to manage any risk that the submitted draft Plan could be found to be unsound or not legally compliant through the examination process and hence recommended for withdrawal by the Inspector the council can manage this risk by:

- Ensuring that it provides all the documents prescribed by statute (see Legal Implications);
- Submitting further information to inform and assist the examination process in response to representations made to the draft Plan;
- Requesting that the Inspector recommend any modifications necessary to make the submitted draft Plan sound and legally compliant. This can be achieved through a direct request to the appointed Inspector in accordance with the provisions set out in Section 20(7C) of the 2004 Act; and
- Ensuring any detailed matters that need to be subject to refinement are finalised prior to adoption as part of an iterative process. One such example is ensuring that the Mitigation Strategies for protected sites, which support the Habitat Regulations Assessment, continue to be progressed and agreed with Natural England.

62. There remains a reputational risk to the council if it proceeds with the draft Plan. This would likely arise from local people who do not want to see development occurring close to where they live, or areas they value. Whilst this risk is real, the council is nonetheless charged with making difficult, often controversial decisions in the interests of ensuring it maintains an up-to-date Local Plan and a planned approach to development.

### **Financial Implications**

63. The financial implications of taking forward the Local Plan Review through the examination stage and onto adoption have been planned for in the council's Medium Term Financial Strategy. They will be met from the Strategic Planning Service revenue budget of £0.230m and the Local Plan earmarked reserve, which has a balance of £0.579m as at 31st March 2024.

64. Adoption of the Plan will bring forward new sites for housing, thereby enabling the council to benefit from revenue associated with the delivery of new homes including contributing to the council's council tax base and new homes bonus. The Plan will also bring forward new employment sites enabling the council to benefit from business rates revenue.

65. Regaining the 5-year housing land supply position through an adopted Local Plan is likely to reduce the burden of costs associated with planning appeals.

### **Legal Implications**

66. The main legislation governing plan-making is found in the 2004 Act and the 2012 Regulations. In accordance with Sections 19 and 20 of the 2004 Act, the council has a statutory duty to prepare planning policies and maintain an up-to-date development plan (this is further reinforced through the NPPF and Planning Practice Guidance). The draft Plan has therefore been prepared in compliance with primary legislation.
67. In preparing the Plan, it is considered that the council has complied with the statutory duty to co-operate and engaged with prescribed bodies, local communities and other stakeholders throughout the plan making process in accordance with its Statement of Community Involvement.
68. A report highlighting how the council had fulfilled the duty to cooperate up to the publication of the draft Plan was made available to support the consultation documents at the Regulation 19 stage of the plan making process. An Addendum to this report has been produced to reflect steps since the publication stage and thereby support the submission materials. Both the Regulation 19 Duty to Cooperate Report and Addendum are provided at **Appendix 3**.
69. The Plan has been supported by a process of sustainability appraisal, in accordance with section 19(5) of the 2004 Act and the Environmental Assessment of Plans and Programmes Regulations 2004, and habitats regulations assessment, in accordance with the Conservation of Habitats and Species Regulations 2017.
70. Reflecting on the entire process to date, it is considered that the council has discharged its functions in respect of Regulation 18 (Preparation of a local plan) and Regulation 19 (Publication of a local plan) of the 2012 Regulations. Representations relating to the draft Plan submitted at the Regulation 19 consultation stage have been duly recorded in accordance with Regulation 20.
71. The next stage of the process (if authorised by Cabinet and Council) is submission of the Plan to the Secretary of State for independent examination. By section 20(2) of the 2004 Act, the council can only submit the Plan for independent examination if: (a) they have complied with any relevant requirements contained in the 2012 regulations; and (b) they think the Plan is ready for independent examination.
72. It is considered that the council has complied with the relevant requirements in the Regulations and will continue to do so. Moreover, although there are certain outstanding issues to resolve, the council considers that all outstanding technical issues can be satisfactorily resolved to allow the Inspector to find the Plan sound at examination. As such, it is considered that there is no impediment to submitting the draft Plan and all supporting documents. According to Section 20(3) of the 2004 Act and Regulation 22 (1), the next stage of the process involves the Council submitting a prescribed list of documents to the Secretary of State, alongside the draft Plan. These documents are:
- the sustainability appraisal report;
  - a submission policies map (i.e. changes to the adopted policies map);
  - a statement setting out how the draft Plan has been prepared<sup>1</sup>;
  - copies of the representations received through the Regulation 19 consultation; and
  - such supporting documents considered relevant to the preparation

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<sup>1</sup> Addressing the various matters set out in Regulation 22(1)(c) of the 2012 Regulations

of the draft Plan.

73. The 'supporting documents' include those published as supporting documents to this report together with the appropriate Appendices.
74. Once submitted to the Secretary of State, the draft Plan will be examined by an independent Inspector whose role is to consider compliance with section 20(5) of the 2004 Act, in essence whether the Plan is legally compliant and sound and whether the council has complied with the duty to cooperate. Under section 20(7C) of the 2004 Act, if formally requested by the council, the Inspector can recommend main modifications to the Plan if they are necessary to make it sound and/or legally compliant. As set out above, it is considered that the draft Plan is a sound and legally compliant plan (subject to potential main modifications as discussed above) and that the council has complied with the duty to cooperate.
75. If the Plan passes the examination and is adopted, it will form part of the statutory development plan for the area and be used as such for the purpose of determining relevant planning applications and appeals.

### **Overview and Scrutiny Engagement**

76. Environment Select Committee (ESC) on 3 September 2024 were provided with a notification on the next stage of the process via a Chair's announcement.

### **Options Considered**

77. Consideration has been given to the option of making changes to the Plan prior to submission which would then form part of the submitted plan to be examined. This would require further consultation similar to what was done at the Regulation 19 stage on the proposed changes, together with updated sustainability appraisal and Habitats Regulation Assessment and would result in additional delay to the process.
78. Progression of the draft plan to the formal submission and examination stages will ensure that the council maintains the commitment it gave through the published Local Development Scheme. To inform and assist the examination process a schedule of proposed changes has been prepared (**Appendix 4**), as well as further work undertaken to inform the examination including the preparation of Statements of Common Ground. The Regulation 22 Statement (**Appendix 2**) clarifies how this additional work helps respond to issues. Where appropriate, suggested changes are proposed. The Inspector would not treat these as part of the submitted plan but may consider it appropriate for them to be considered in full or part through the examination process when considering the need for main modifications to the Plan.

### **Conclusions**

79. This report seeks Full Council approval to submit the Wiltshire Local Plan to the Secretary of State for independent examination. This represents the final stage of the Local Plan process, having been through extensive public consultation. The document has been refined over several years to arrive at a growth strategy that will deliver high quality sustainable development for existing and future residents of Wiltshire. The Plan strives to deliver the right infrastructure at the right time to support the levels of growth while also preserving the county's most attractive natural and historic environment.

80. It is considered that the council has complied with the relevant requirements under the 2012 Regulations and will continue to do so, and that the Plan is ready for independent examination. Through undertaking further work since the Regulation 19 consultation, the council has taken positive steps to prepare for the examination process.
81. Whilst some of the comments received through the Regulation 19 consultation challenge the soundness of the draft Plan, the matters raised are considered capable of resolution through the examination process (whether through justification of the Plan as drafted or through main modifications) and further work has been undertaken to assist the examination. It will be within the Inspector's remit to work pragmatically and positively with the council, and the delegated authority proposed in this report will ensure the council supports an efficient process.
82. The Plan has been in preparation since 2017 and as the Wiltshire Core Strategy is nine years old it is imperative that the council moves forward to get an up-to-date plan in place. Subject to Council approval, submission of the draft Plan together with the accompanying documents will accord with the timescale within the approved Local Development Scheme. It is anticipated that this would align with the transitional arrangements proposed by Government within the consultation on the revised NPPF.

### **Nic Thomas - Director, Planning**

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### **Appendices**

- Appendix 1: Wiltshire Local Plan Review - Pre-submission Draft Plan, July 2023
- Appendix 2: Regulation 22(1)(c) Consultation Statement
- Appendix 3: Duty to Cooperate Report and Addendum
- Appendix 4: Schedule of proposed changes, September 2024
- Appendix 5: Equalities Impact Assessment and Addendum, September 2024

### **Background Papers**

- Housing topic paper
- Heritage topic paper
- Wiltshire Local Plan Heritage Impact Assessments, CBA
- Habitat Regulations Assessment (updated September 2024)
- Addendum to Sustainability Appraisal (September 2024)
- Transport Topic Paper





# Wiltshire Local Plan

Pre-Submission Draft 2020-2038 (Regulation 19)

September 2023

Page 145

**Wiltshire Council**

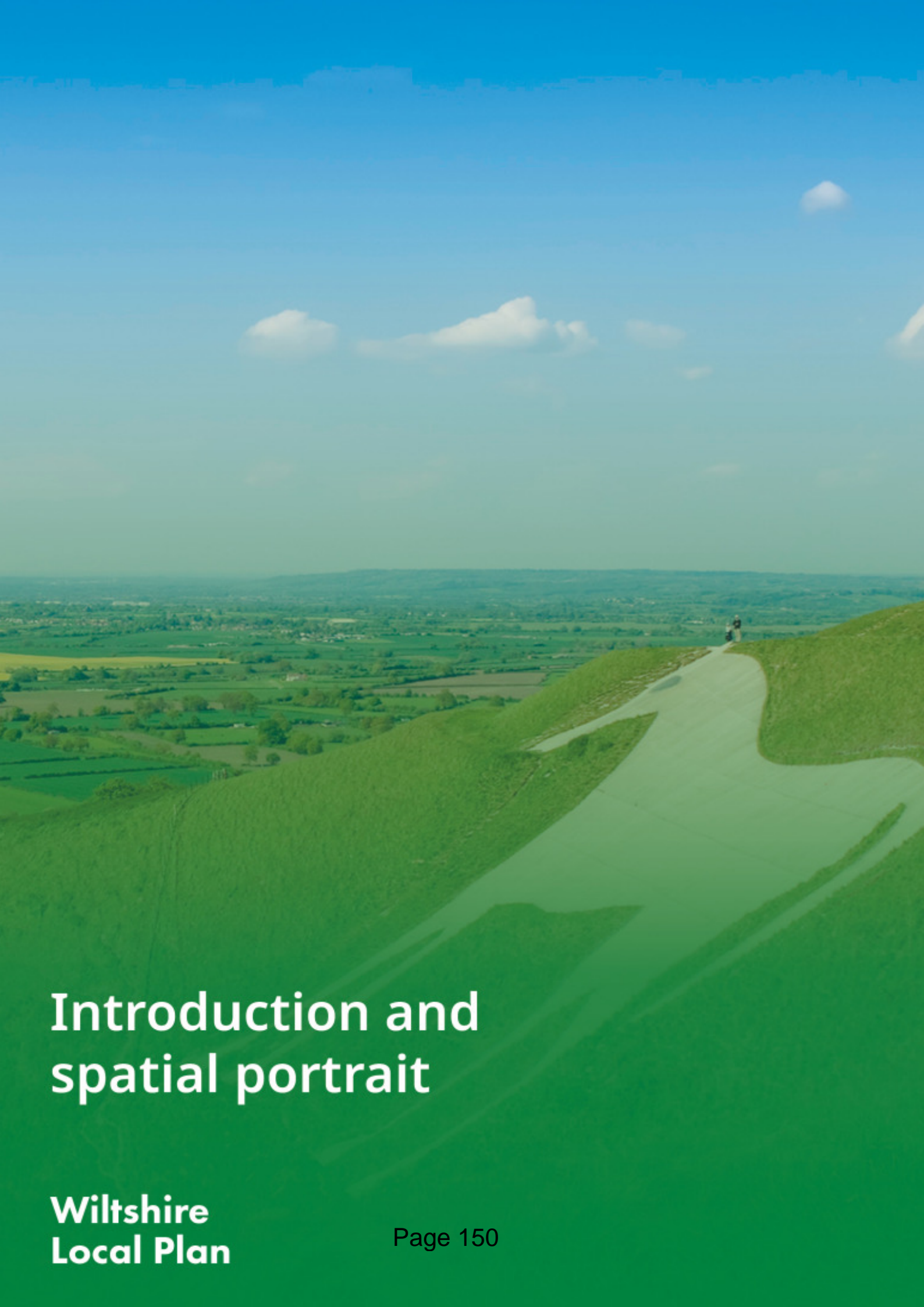
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# Introduction and spatial portrait

# 1. Introduction and spatial portrait

## Introduction

### What is this Plan?

- 1.1** The Local Plan is a statutory document that all local authorities must produce to guide and inform the delivery of 'sustainable development'. The Local Plan sets out Wiltshire Council's strategic vision for growth, providing land to meet objectively assessed development needs, providing for infrastructure, environmental improvements and necessary mitigating and adapting measures to tackle the impacts of climate change. The policies and proposals contained within this Local Plan will provide for the needs of existing communities, safeguarding the ability of future generations to meet their own needs.
- 1.2** Wiltshire's Local Plan (hereafter referred to as the 'Plan') has been described throughout its production as a 'Local Plan Review'. The Local Plan Review is produced against an up-to-date evidence base, making provision for land across the county to provide for the homes and employment needs for Wiltshire residents and businesses up to the year 2038. The Local Plan Review does not revisit the strategic objectives that were set out in the 2015 Wiltshire Core Strategy, but it does update and introduce new policies to guide the determination of planning applications. The Local Plan Review has been produced to ensure consistency and alignment with the National Planning Policy Framework.
- 1.3** The planning system should be plan-led and all planning applications should be determined in accordance with the development plan unless material considerations indicate otherwise. This Plan, as part of the development plan, is the starting point for all day to day decisions on whether planning applications should be permitted or refused.
- 1.4** This Plan is central to the strategic development plan for Wiltshire from which other strategic and non-strategic plans flow. The current development plan includes other plans that allocate sites for development at Chippenham <sup>1</sup> and for new homes across Wiltshire <sup>2</sup>. They complement non-strategic neighbourhood plans prepared by local communities. A separate Gypsy and Travellers Development Plan Document is also being prepared to review Wiltshire Core Strategy Core Policy 47 (Meeting the needs of gypsies and travellers). In the interim, Core Policy 47 and the up-to-date Gypsy and Traveller Accommodation Assessment will continue to inform related development proposals.
- 1.5** The Plan seeks to guide future development to ensure that communities have a balance of jobs, services, facilities and homes. This Plan ensures that housing needs are met and identifies land for jobs and services to ensure that Wiltshire remains strong and prosperous.

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<sup>1</sup> *Chippenham Site Allocations Plan*, Wiltshire Council (2017)

<sup>2</sup> *Wiltshire Housing Site Allocations Plan*, Wiltshire Council (2020)

## How to use this Plan?

- 1.6** Chapters one to four of the Plan set out how Wiltshire will develop over the Plan period up to 2038. These policies set an overall strategy that guides the pattern, scale and form of development for Wiltshire. National planning policy distinguishes between 'strategic' and 'non-strategic' policies. All the policies in this plan are strategic. The policies in the Plan set out how land use planning can help tackle climate change, protect the environment and bring about nature recovery. They also make provision for new homes (including affordable housing), employment, retail, leisure and other commercial development; and infrastructure (including transport), community facilities such as health, education and cultural infrastructure. The Plan refers to growth expressed as numbers of additional homes and as land for different types of employment. It describes how each of the main settlements in Wiltshire will grow and provides a strategy for the rural area. It provides a framework for developers, service providers, business and others. It also guides local communities wishing to prepare neighbourhood plans with their community's vision for the future of their area.
- 1.7** Chapter five sets out planning policies, organised in three thematic sections that cover economic, social and environmental considerations. Not all planning policies apply to every planning application, but it is important to note the Plan must be read as a whole. There will be times where a development proposal will accord with some parts of the Plan, but conflicts with other parts. In these circumstances it will be a matter for the decision maker to apply weight and judgement to the various matters, taking account of other material planning considerations that may not be contained within policies in this Plan.
- 1.8** The Plan also contains Appendices, which are referred to in the Plan. Appendix A contains a schedule of all the Plan's policies and explains how they relate to the Wiltshire Core Strategy.

## How has the Plan been prepared?

- 1.9** This Plan is a review of the Wiltshire Core Strategy adopted in 2015, with the exception of Core Policy 47 (Meeting the needs of gypsies and travellers). The Wiltshire Core Strategy covers the period 2006 to 2026 and contains a list of saved policies (Appendix D) from the former district council's local plans that still form part of the development plan. Appendix A of this plan identifies those policies in the current development plan that it supersedes with another policy. It also lists those that are deleted and those that were updated. Reviewing and updating the Core Strategy revises the Plan period to relate to the period 2020 to 2038, within which there are additional needs for homes, business, infrastructure and community facilities that are all planned for.
- 1.10** Consultation statements show how the Plan has been informed by community aspirations and developed through public engagement. A Statement of Community Involvement sets out how the council has engaged the local community, statutory consultees and others.
- 1.11** The duty to cooperate, as set out in the National Planning Policy Framework places a legal duty upon local authorities to work closely with neighbouring authorities in relation to strategic cross boundary planning matters, and other relevant bodies. To inform the preparation of this Plan, the council has worked closely with neighbouring authorities such as Swindon Borough Council. A statement setting out how the council has addressed the duty to cooperate forms part of the Local Plan evidence base and will be updated until the Plan is submitted for examination.



- 1.12** All local plans must be prepared in accordance with relevant regulations and this will be tested as part of the examination process, including the Examination in Public where invited representors can present evidence on soundness and legal compliance matters. Amongst other things, these require sustainability appraisal of reasonable alternatives to assess their significant effects and inform decision making about site selection and policies. Assessments are also carried out to satisfy the protection of ecological sites under the Habitats Regulations. These stages ensure a transparent and equitable process is carried out to inform the choices that have been made in developing the Plan.

## A spatial portrait of Wiltshire



## Geographic Context

- 1.13** Wiltshire Council is one of the largest local authorities in England. Its area covers approximately 1,257 square miles and is home to a population of approximately 510,400 people. Wiltshire adjoins the higher tier local authorities of Dorset, Somerset, South Gloucestershire, Oxfordshire, West Berkshire, Hampshire, Swindon and Bath and North East Somerset. The urban area of Swindon, while predominantly within Swindon Borough, has expanded into Wiltshire.
- 1.14** Generally, our communities benefit from safe living and working environments. While deprivation is generally low there are pockets of deprivation in some areas, including Salisbury and Trowbridge. Wiltshire enjoys strong sub-regional links and is within commutable distance of London, Bristol, Swindon, South Wales and the south coast.

## Environment

- 1.15** Wiltshire is a largely rural area encompassing many natural and historic features which make it special and distinctive. The character of the county is shaped by parts of three Areas of Outstanding Natural Beauty, part of the New Forest National Park, over 16,000 listed buildings, over 240 conservation areas, a World Heritage Site and significant numbers of designated and non-designated heritage assets. Wiltshire also includes an element of the Western Wiltshire Green Belt, which protects the openness of the countryside between Bath, Bradford-on-Avon and Trowbridge.
- 1.16** Wiltshire's natural, built and historic environment is under threat from the effects of climate change and pressures relating to development. Rising levels of nutrients (phosphorous and nitrogen) from development - e.g. foul and storm waters, particulate matter emissions and farming practices are affecting the conservation objectives of the River Avon Special Area of Conservation (SAC), as well as the quality of tributaries in the wider catchment. In addition, like many parts of the Country, Wiltshire is classified as being in 'water stress' and therefore a combination of metering and water resource management will be needed over the Plan period to significantly reduce the pressure on water resources.

## Settlements

- 1.17** The largest settlements in Wiltshire are the historic cathedral city of Salisbury in the south, the county town of Trowbridge in the west, and the market town of Chippenham in the north. For the purposes of this Plan these settlements are referred to as Principal Settlements. The city of Salisbury serves a large rural hinterland area. With its cathedral and close proximity to the internationally famous World Heritage Site of Stonehenge, Salisbury is a very popular tourist destination. Trowbridge plays a role as an employment, administration and service centre for the west Wiltshire area, and has good transport links to many nearby settlements, including Bath and Bristol. Chippenham has a busy town centre and, in recent decades, an expanding urban area. It is a focus for employment growth due to its proximity and good access to the M4 and very good rail links with Swindon, Bath, Bristol and London.
- 1.18** Wiltshire has a number of Market Towns throughout the county. Devizes and Marlborough are located in the eastern part of Wiltshire, together with Market Lavington and Pewsey which are smaller settlements and referred to as Local Service Centres in the Plan. Both have attractive town centres. Marlborough is popular for tourism, shopping and leisure as well as business. Calne, Corsham, Malmesbury, Royal Wootton Bassett and the Local Service Centre of Cricklade are located in the north of Wiltshire, and Bradford on Avon, Melksham, Warminster and Westbury are located in the west. Amesbury has an important role as a Market Town in the south Wiltshire area, providing a good level of services, shops and jobs. Downton, Mere, Tisbury and Wilton, are also Local Service Centres in this area. The garrison towns of Tidworth and Ludgershall in the east are dominated by the presence of the Army which is the largest local employer.
- 1.19** The relationships between the main settlements and surrounding villages are strong and help characterise the identity of places. Around half of the people living in Wiltshire live in towns or villages with populations of fewer than 5,000 people, reflecting the rural nature of the county.

## Cross-border relationships

**1.20** Wiltshire has important relationships with the surrounding large urban centres of Bath, Bristol, Swindon and Southampton, and the whole county is within 115 miles of London. Those larger towns and the cities provide a wider range of employment, leisure and cultural opportunities than can be found across Wiltshire and result in out-commuting of Wiltshire's residents for work and leisure activities. Evidence identifies that in some instances workers are commuting into Wiltshire, whilst residing in larger centres such as Bristol and Southampton and this could be due to cheaper housing and enhanced leisure facilities providing a greater draw. The air and seaports related to these settlements are also widely used by Wiltshire residents.





# Key challenges, vision and objectives

## 2. Key challenges, vision and objectives

### A spatial vision for Wiltshire

- 2.1** The Spatial Vision is a concise statement that describes what Wiltshire will look like as a function of delivering planned growth and managing development over the Plan period - 2020 to 2038. As this is a review of the current Local Plan (the Wiltshire Core Strategy), amendments to the previous Vision have been made to reflect the council's Business Plan and recent changes to national planning policy.

#### Spatial Vision

By 2038 Wiltshire will have made significant strides towards carbon neutrality through positive interventions that help Wiltshire's communities tackle and adapt to climate change. Our communities will be healthier, stronger and more resilient, with access to the right housing and employment opportunities. Our environment will have been enhanced through a comprehensive range of measures that include meaningful biodiversity net gain, nature recovery programmes, access to quality open spaces and responsible management of natural resources.

The management of growth will be based on a sustainable pattern of development, focused principally on Trowbridge, Chippenham and Salisbury. Market towns and local service centres will have become more self-contained and supported by the necessary infrastructure, with a consequent reduction in the need to travel. In all settlements there will be an improvement in accessibility to local services, a greater feeling of security and the enhancement of a sense of community and place.

Sustainable employment, housing and other forms of development will have been provided to meet local needs as well as the changing climate and incorporate exceptional standards of design that enhance the natural, built and historic environment.

Partnership working with communities will have helped plan effectively of local areas and allow communities to receive the benefit of manages growth, where appropriate.

### Challenges, objectives and outcomes

- 2.2** There are six strategic, long term and interlinked challenges in Wiltshire that apply across the whole county. For each challenge, the Plan has an objective and a set of outcomes to address each one through planning policy.

## Economic development

**2.3 Challenge:** The primary economic challenges are: to increase workplace wages in Wiltshire by attracting higher-value employment opportunities; and reducing out-commuting to ensure that there are a range of appropriate employment opportunities available, reflecting the needs of inward investors and Wiltshire's communities. Delivering a good level of local opportunities close to the main centres of population will help reduce the need to commute out of Wiltshire to seek work. An important part of this challenge is to provide the correct amount and type of employment provision to take account of the anticipated levels of growth. It is also necessary to put in place contingency plans to ensure that the loss of major employers can be mitigated.

**2.4 Objective:** Wiltshire needs to have a buoyant, resilient and 'green' local economy in order to boost the local economy and provide high quality, accessible employment opportunities. The Plan enables development to take place and encourages economic vitality, providing local jobs for Wiltshire's population. Residents within Wiltshire should have access to facilities and retail choice in convenient locations throughout Wiltshire. The Plan should strengthen the role and function of established town centres to secure their future vitality and viability. They should fulfil the roles appropriate to their sizes and the communities they serve, and should complement one another. The potential of tourism should be realised as an economic sector, capitalising on the quality of the environment and location that the county benefits from.

### **2.5 Outcomes:**

- Land will have been identified in sustainable locations to provide jobs over the Plan period to 2038 and significant progress to tackle the issue of out-commuting from Wiltshire will have been achieved.
- Existing employment sites will have been protected and the suitable intensification and regeneration of previously developed land will have taken place.
- Smaller business premises will have been provided to support business start ups.
- Wiltshire will have secured sustainable growth in established and emerging employment sectors, including defence-related employment, bioscience, advanced manufacturing, green technology, sustainable construction and business services.
- Appropriate retail, leisure and employment opportunities will have been located to reinvigorate town centres.
- Provision of 16+ education, including higher education, will have been enhanced to provide trained employees necessary to deliver economic growth from target sectors.

## Infrastructure

**2.6 Challenge:** The Plan will ensure that services and infrastructure, to meet the needs of Wiltshire's growing population and economy, are brought forward in a timely and responsive manner through new development proposals. Appropriate and sustainable modes of transport, highway improvements, school facilities, water management, green spaces, power supply, high speed and affordable internet connectivity, access to emergency services, sustainable waste management facilities are all essential components of daily life and therefore critical to delivering the strategic goal of building strong and healthy communities.

**2.7 Objective:** Infrastructure requirements need to be appropriately planned, secured and implemented to ensure the timely delivery of development proposals.

**2.8 Outcomes:**

- Provision of infrastructure will have been coordinated and provided in a timely manner within new development.
- Existing infrastructure, services and facilities will have been protected wherever, unless they are clearly no longer needed, or there is alternative provision elsewhere.
- The provision of new or improved infrastructure will have been positively supported and environmental impacts mitigated.
- A range of viable, efficient, sustainable transport alternatives will have been provided to reduce reliance on the private motor vehicle, including effective choices for those people without access to a car and for the distribution of freight.
- The use of existing transport infrastructure will have been optimised through effective design, management and maintenance. Measures will result in less delay and improve journey time reliability on key routes. Where possible, barriers to transport and access for people with disabilities and mobility impairment will have been provided.

## Providing new homes

**2.9 Challenge:** The challenge for the Plan is to deliver enough new homes in the right places to meet Wiltshire's objectively assessed housing needs. Providing decent and affordable homes to complement the economic growth being promoted will help improve the self-containment and resilience of Wiltshire's communities. New homes will need to be delivered at appropriate, sustainable locations and must be supported by necessary improvements to infrastructure. Within a predominantly rural area, with a limited amount of previously developed land for redevelopment, the identification of enough strategic sites to ensure an adequate supply of new homes is a challenge.

**2.10 Objective:** To provide approximately 36,740 new homes in the right locations to meet objectively assessed needs through the Plan period from 2020 to 2038. There should be an appropriate mix of types, sizes and tenures, particularly to address affordable housing needs, and will ensure a continuous supply of housing over the Plan period that is aligned to job growth and the delivery of necessary infrastructure.

**2.11 Outcomes:**

- The primary focus of new housing development will have been at the Principal Settlements of Trowbridge, Chippenham and Salisbury and the Market Towns.
- New homes will have been designed and delivered to have regard to the scale, character, heritage and local distinctiveness of the local area.
- More modest and sustainable growth, proportionate to the size of the settlement, will have been delivered within settlements in rural areas.
- The Plan will have made significant progress towards addressing the shortfall in affordable homes.



- Development, wherever possible, will have maintained the separate identity of the outlying villages near to the Principal Settlements and Market Towns, Swindon and Bath.
- A range of housing types and sizes will have been provided in order to help meet local needs for different groups of the population in a sustainable manner, including many new homes meeting the needs of an ageing population.
- New sites will have been provided for gypsy and traveller policies within the Gypsies and Travellers Plan.
- The needs of the boating community will have been addressed through an update to the Wiltshire Boaters Strategy and a positive planning policy relating to residential moorings.
- The accommodation needs of military personnel and their families will be better integrated with the wider community.

## Planning for strong and healthy communities

**2.12 Challenge:** Certain communities within Wiltshire experience social exclusion as a result of their isolation from essential services and facilities. Travel modes are more limited in rural areas and exclusion has been exacerbated by declining levels of public transport, increasing reliance on access to the private car that is limited for some sections within communities. More generally, to support places where everyone can thrive the right building blocks need to be in place: stable jobs, good pay, quality housing and good education.

**2.13** There is a need to improve the level of skills beyond the age of 16 and to retain those skills within local communities. There is also a need to achieve healthier life styles for all ages. There are particular needs for certain groups within communities and more generally to support the growing proportion of elderly, many of whom live alone and do not drive. One part of the challenge is to foster a sense of community belonging, safety, social inclusion and self sufficiency.

**2.14 Objective:** Wiltshire's communities should be enabled to help themselves and supported, to improve their quality of life, lead healthier lifestyles and foster a sense of community belonging, safety, social inclusion and self-sufficiency.

**2.15 Outcomes:**

- Local communities will have been supported to prepare neighbourhood plans, progress community-led development, protect valued elements, and enhance their local environment within the framework provided by this Plan.
- A positive contribution will have been made to help areas of social exclusion, especially access to essential services and local facilities in the rural areas, which will have been improved.
- Strategic growth will have been matched by the provision of new educational and healthcare provision where appropriate.
- The Plan will have sought to protect community facilities such as village shops and pubs including, where practicable, by encouraging community management.
- Significant progress will have been made towards addressing the identified shortfall in the range of sport, leisure and recreation facilities within settlements.

## Climate change

- 2.16 Challenge:** The challenge Wiltshire faces can be viewed in terms of both mitigating and adapting to climate change. Mitigation is required to reduce the amount of carbon released in Wiltshire. This is largely related to emissions from vehicles, construction and the energy used to heat and power homes and businesses. Adaptation is also required and associated with becoming more resilient against the impacts of climate change, allowing people to live their lives without being negatively affected by events such as flooding and heatwaves. Allied to these important themes is the need to reverse the growing ecological crisis through a programme of measures that include the Nature Recovery Strategy, biodiversity net gain and placing green spaces at the heart of sustainable place shaping.
- 2.17 Objective:** The Plan will help mitigate and adapt to climate change by contributing to the delivery of sustainable development and helping to ensure that communities are resilient to the unavoidable consequences of a changing climate.
- 2.18 Outcomes:**
- New development will have been designed to be 'carbon neutral', either by mitigation as part of a scheme, or by off-setting carbon emissions through a programme of measures.
  - Improvements to the self-containment levels within the Main Settlements will have led to an overall reduction in the need to travel to access local services and enable increased opportunities to use sustainable, active modes of transport.
  - Preparation and support for transport infrastructure to accommodate low energy/electric vehicles and the use of appropriate artificial intelligence will have been facilitated in order to enable the effective use of 'smart', sustainable transport.
  - Measures to improve and help the transition to a decarbonised energy supply grid will have been facilitated through dialogue with energy providers including, where necessary, the preparation of a Local Area Energy Plan in collaboration with Scottish and Southern Electricity Networks (our local Distribution Network Operator).
  - Higher energy efficiency, heating and cooling standards in new buildings will have been delivered.
  - The supply of energy and heat from renewable sources will have contributed towards meeting national targets and helped to address fuel poverty.
  - Proposals for new development will be sequentially planned to reduce the overall risk of flooding from all sources.
  - The function of floodplains will have been maintained and improved through natural flood management techniques.
  - Appropriate surface water management measures will be a pre-requisite for development to ensure that flood risk is not increased elsewhere.
  - New development will have incorporated sustainable building practices and where possible will have contributed to improving the existing building stock through retrofitting.

- New development will have incorporated appropriate adaptation measures for tackling the effects of climate change through comprehensive high quality design standards.
- New development will have been supported by sustainable waste management including increased opportunities for communities and industry to recycle more materials.

## Environmental quality

**2.19 Challenge:** Wiltshire is home to a wide range of environmental assets that form the heart of what Wiltshire has to offer investors, visitors and the community alongside hosting a valuable array of flora and fauna. With many of these assets under threat from the effects of climate change, the challenge will be to accommodate Wiltshire's developmental needs whilst conserving and enhancing the natural and historic environment. A healthy, diverse and resilient natural and historic environment is important to underpin the long-term delivery of multiple ecosystem services and interpretation of Wiltshire's rich heritage value which ultimately benefits all.

**2.20 Objective:** New development will protect and enhance Wiltshire's natural, built and historic environment. This will include making effective use of land, enhancing biodiversity, embedding multifunctional and strategically linked green and blue infrastructure, meeting public open space standards, improving water management and security, and conserving and enhancing features of historical, archaeological and cultural value alongside Wiltshire's landscape character. Development and construction will incorporate the principles of the circular economy, minimise its contribution to wasteful use of finite resources, and limit the persistent use of undegradable chemicals and materials.

### 2.21 Outcomes:

- Biodiversity and geodiversity will have been conserved and enhanced in line with council strategies and legislative requirements.
- New development will have appropriately protected soils wherever possible and delivered enhanced green/blue infrastructure coverage along with open spaces to sequester carbon and help communities adapt to effects of climate change.
- The built environment will have included provision to enable nature to thrive, embedding biodiverse space for nature and wildlife corridors with development directed away from Wiltshire's most sensitive and valuable natural assets, habitats and species, towards less sensitive locations.
- Increased recreational pressure arising from development on sensitive wildlife and habitats will have been effectively managed to facilitate nature recovery.
- Development will have provided public open space at the required standards, contributing to and reducing any deficits in supply.
- Development will have embedded within the built environment strategically linked green and blue infrastructure and contribute to the enhancement of this network.
- Good air quality will have been maintained and significant progress will have been made in treating areas of risk through the implementation of Wiltshire's Air Quality Strategy.
- New development will have reflected local character and distinctiveness through the delivery of high quality design.

- The reuse and regeneration of Wiltshire’s previously developed land will have been maximised.
- Development and construction will have incorporated the principles of the circular economy and minimised its contribution to the wasteful use of finite resources.
- Wiltshire’s groundwater and surface water features will have been improved to achieve the Objectives within the Water Framework Directive and, where appropriate, sustainable drainage systems will have been incorporated in developments to maximise environmental benefits, including tackling the effects of climate change.
- Development will have incorporated measures to address water stress and facilitate water security through maximising the efficient use of water.
- Development will have contributed to nutrient neutrality within sensitive catchments such as the River Avon Special Area of Conservation (SAC).
- Features and areas of historical, archaeological and cultural value will have been conserved and where possible enhanced, including the sensitive re-use of historical buildings where appropriate.
- Development will have respected Wiltshire’s landscape character, conserving and enhancing key features.





# Spatial strategy for Wiltshire

**Wiltshire  
Local Plan**

## 3. Spatial strategy for Wiltshire

### Delivering the vision - the spatial strategy for Wiltshire

- 3.1** The Spatial Strategy for Wiltshire sets how the Plan's vision, objectives and outcomes are achieved. It describes how policies establish the scale and distribution of growth expressed in the additional homes and land for business that are needed over the plan period. It sets out how carbon neutrality will be achieved by setting requirements that development proposals should meet and how growth will support healthy communities and lifestyles. Policies on these aspects are central to planning Wiltshire's future.
- 3.2** The Spatial Strategy consists of the following elements:
- Settlement Strategy - that describes the different roles and functions of settlements.
  - Delivery Strategy - that sets overall levels of growth over the plan period, how Wiltshire will develop in the most sustainable way, the contribution types of settlements make to meeting them and how housing land supply will be maintained.
  - Climate Change Strategy - that sets out how growth addresses carbon reduction and adaptation to climate change.
  - Infrastructure Delivery - that describes how infrastructure will be provided to support growth.
- 3.3** It is supported by the other policies in the Plan including the Area Strategies in Chapter 4 that set out the scales of growth proposed at settlements over the plan period, how they are to be accommodated and allocates additional land.
- 3.4** The Spatial Strategy provides for 36,740 homes from 2020 to 2038 and 160ha of employment land that will, alongside regeneration opportunities, help deliver approximately 21,300 jobs.

### Settlement strategy

- 3.5** The Settlement Strategy sets the basis for how sustainable development is defined and applied within Wiltshire. It identifies the different tiers of settlements based on their role and function, and how they relate to their wider hinterland, namely:
- Principal Settlements
  - Market Towns
  - Local Service Centres
  - Large Villages
  - Small Villages
- 3.6** In terms of this Plan, any land beyond built-up areas is countryside. 'Settlement boundaries' generally delineate the extent of urban areas typically reflecting what has been built. They are used around Principal Settlements, Market Towns, Local Service Centres and Large Villages and are a policy tool for managing how development should take place, with development

within boundaries being generally supported. 'Settlement boundaries' are identified on the Policies Map. They will continue to be amended and kept up to date, as and when needed during the Plan period, as development takes place and allocations are built out on the edge of settlements. Boundary lines are defined using an established methodology, which is included as Appendix B to this Plan. Amendments may be made by the council to reflect changes brought about through the neighbourhood planning process.

- 3.7** Development outside settlement boundaries is more controlled in order to preserve the intrinsic, undeveloped character of open countryside and in the interests of sustainability.

## Principal Settlements and Market Towns

- 3.8** Wiltshire's Principal Settlements and Market Towns serve different strategic roles. These strategic roles have been identified through an objective assessment of their individual characteristics and functional relationships with their surrounding area.
- 3.9** Chippenham, Salisbury and Trowbridge are Principal Settlements and as the largest settlements in Wiltshire are the main concentrations for business and homes. They contain a large range of services and facilities important for serving much wider areas. They will be a primary focus for change that will see them adapt and expand and they will continue in these roles.
- 3.10** Market Towns also serve a wide hinterland and will continue as focal points for homes, jobs, services and facilities. Smaller than the Principal Settlements, they each have different characteristics, which need to be considered when planning for their development.
- 3.11** Principal Settlements and Market Towns, also referred to collectively as Main Settlements, are locations where evidence<sup>3</sup> suggests there is the most need for new homes and additional land for business, and therefore where most growth will occur over the plan period.

## Local Service Centres

- 3.12** In areas away from larger Market Towns, Local Service Centres have a reasonable level of services, facilities and employment opportunities and provide for a significant rural hinterland. There are seven in total, with four in the rural part of south Wiltshire where there are fewer Main Settlements. They will accommodate less development than that at Principal Settlements or Market Towns. Developments at Local Service Centres will provide for local employment opportunities, improved communities facilities and/or additional homes including affordable housing provision. This will safeguard their role and help to support the more rural smaller communities around them.

## Large Villages

- 3.13** Large Villages contain limited facilities and services that serve a village community and its immediate hinterland. There are 58 Large Villages designated across Wiltshire. Development will help ensure these communities thrive, for example by meeting housing needs and supporting employment opportunities, services and facilities, with additional homes helping to support local provision.

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<sup>3</sup> *Revising the Spatial Strategy*, Wiltshire Council (September, 2023)



## Small Villages

**3.14** Small Villages, are generally smaller and have a low level of services and facilities. There are 148 Small Villages designated in total across Wiltshire. They may accommodate some very modest development to respond to local needs and to contribute to their vitality. Although they don't have settlement boundaries, they have built up areas where infill may take place. This recognises a more limited scope for development and a role more limited than larger settlements.

### Policy 1

#### Settlement Strategy

The Settlement Strategy identifies the settlements where sustainable development will take place to improve the lives of all those who live and work in Wiltshire.

The Area Strategies that follow later in the Plan refer to the specific settlements which fall within each category

#### Principal Settlements

Wiltshire's Principal Settlements are strategically important centres and the primary focus for development. This will safeguard and enhance their strategic roles as employment and service centres.

They will provide significant levels of jobs and homes, together with supporting community facilities and infrastructure, meeting their economic potential in the most sustainable way to support better self containment.

The Principal Settlements are: Chippenham, Trowbridge and Salisbury.

#### Market Towns

Outside the Principal Settlements, 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.

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

The Market Towns are: Amesbury, Bradford on Avon, Calne, Corsham, Devizes, Malmesbury, Marlborough, Melksham, Tidworth and Ludgershall, Warminster, Westbury, and Royal Wootton Bassett.

#### Local Service Centres

Local Service Centres are defined as smaller towns and larger villages which serve a surrounding rural hinterland and possess a level of facilities and services that, together with improved local employment, provide the best opportunities outside the Market Towns for greater self containment.

Local Service Centres will provide for modest levels of development in order to safeguard their role and to deliver affordable housing.

The Local Service Centres are: Pewsey, Market Lavington, Cricklade, Tisbury, Mere, Downton and Wilton.

## Large and Small Villages

Large Villages are defined as settlements with a limited range of employment, services and facilities. Small Villages have a low level of services and facilities, and few employment opportunities.

Development at Large Villages will be limited to that needed to help meet the housing needs of settlements and to improve employment opportunities, services and facilities.

Development at Small Villages will be limited to respond to local needs and to contribute to their vitality.

The Large and Small Villages are listed in each Area Strategy at Chapter 4.

## Delivery strategy

- 3.15** The Delivery Strategy sets overall scales of housing and employment growth over the plan period and complements the policies in the Area Strategy that set the broad distribution of development to settlements according to their role within the settlement strategy.
- 3.16** The Delivery Strategy makes provision for approximately 160ha of employment land with new sites that supplement a review of existing supply. This responds to forecasts derived from an analysis of functional economic market areas affecting Wiltshire, for demand ranging from 95ha to 120ha. New employment land has been allocated to supplement existing supply and respond to needs to encourage new jobs and business with choices for investment. The Plan retains and supports the intensification and renewal of Principal Employment Areas (Policy 65) and also allows flexibility and greater freedom to use land adjoining Principal Settlements and Market Towns for employment development offering further scope for economic growth.
- 3.17** The Delivery Strategy will accommodate a sufficient scale and rate of house building to meet the measure of housing need provided by the Government's standard method. The standard method has been calculated to forecast a need for 36,740 additional homes over the period 2020 to 2038. Meeting this need, homes and forecast jobs balance each other and take proper account of long term migration trends. The supply of land also builds a degree of flexibility and contingency.
- 3.18** The County is divided into four areas. Area Strategies set scales of growth at settlements, allocate land for development and show where and how, alongside other policies in the Plan, needs will be addressed for the following:
- housing (including affordable housing), employment, retail, leisure and other commercial development;
  - infrastructure for transport, telecommunications, security, waste management, water supply, wastewater, flood risk and the provision of energy (including heat);
  - community facilities (such as health, education and cultural infrastructure); and
  - conservation and enhancement of the natural, built and historic environment, including landscapes and green and blue infrastructure, and planning measures to address climate change mitigation and adaptation.

3.19 A Key Diagram, Figure 3.1, provides an overview of the strategy and the pattern of growth proposed across the County as a whole.

Figure 3.1 Key diagram

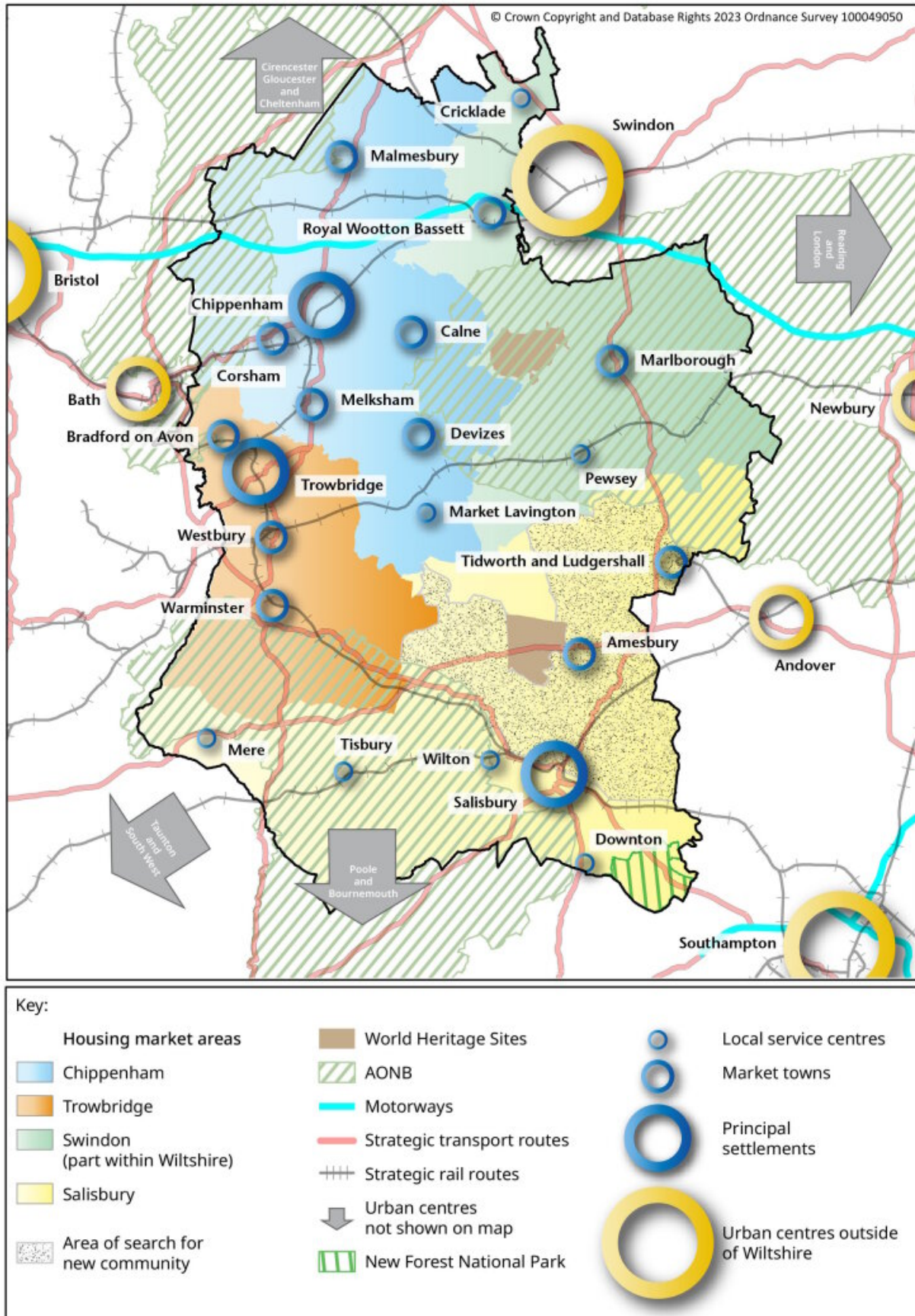
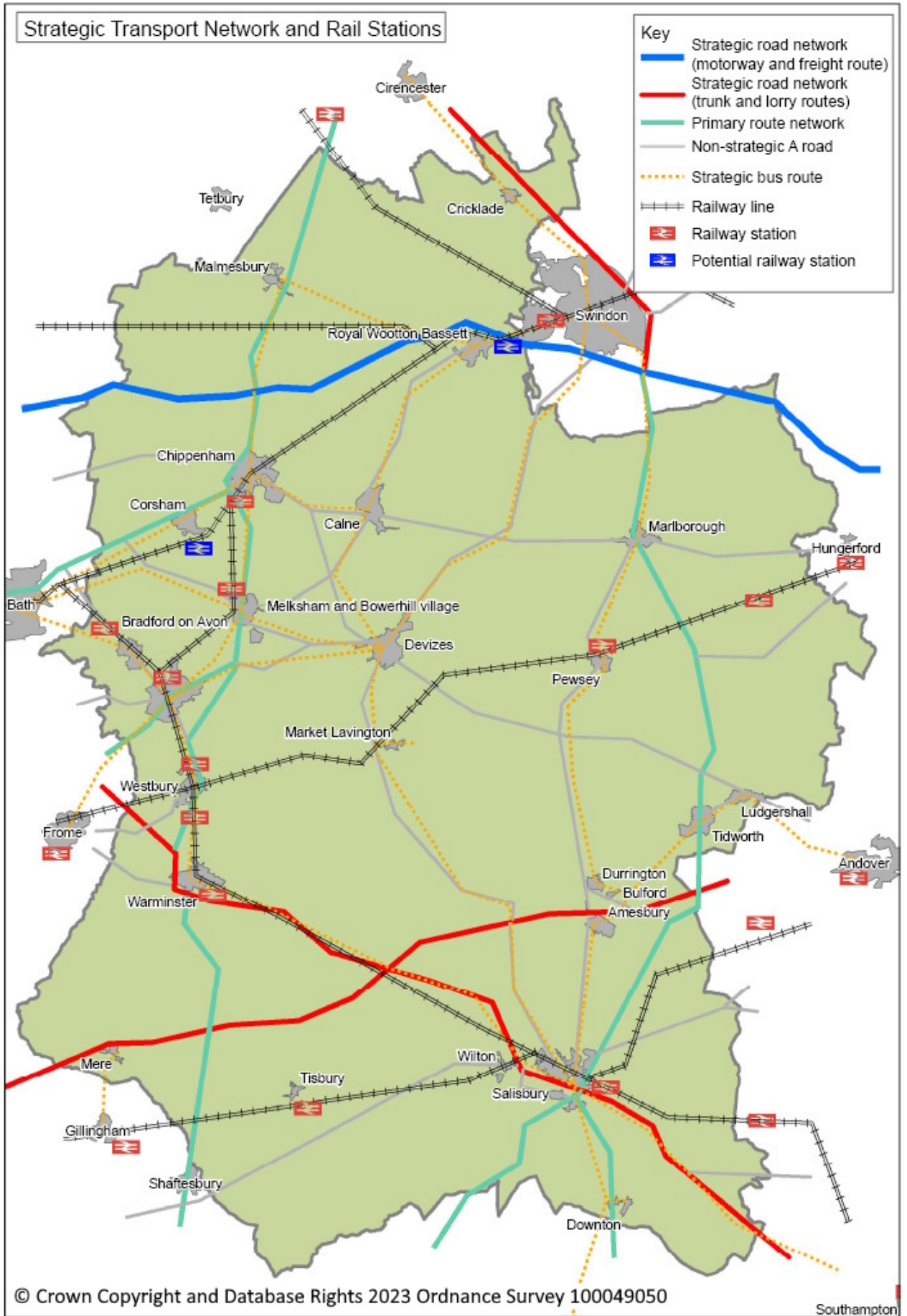


Figure 3.2 Strategic transport route map



- 3.20** Housing requirements are stepped to reflect scales of growth that can be achieved whilst conserving and enhancing the natural, historic and built environments. They take account of circumstances in the Salisbury Area where these factors limit opportunities for development.
- 3.21** In the early part of the Plan period, to allow time both to investigate the need and location for a new community in the Salisbury Housing Market Area, and to set in motion measures to reverse the effects of pollution in the River Avon Special Area of Conservation (in terms of both volume and quality of water), house building rates will be lower than what will be possible in later years. This is explained further in the Salisbury Area Strategy in Chapter 4.
- 3.22** In accordance with the Settlement Strategy, provision, through policies, focuses on Principal Settlements and to a lesser degree on Market Towns. There is a general presumption in favour of development within settlement boundaries that define the general extent of the built up area of these settlements, Local Service Centres and Large Villages to support maximising the reuse of brownfield sites and regeneration. At these settlements, the Plan policies provide for additional employment, community facilities and specialist housing in appropriate circumstances outside but well related to settlement boundaries to support their sustainable development.
- 3.23** Policies and proposals for rural settlements and the countryside make provision to deliver:
- new homes to help meet local needs including affordable housing, support local business, services and facilities;
  - the sustainable growth and expansion of business in rural areas, both through conversion of existing buildings and where appropriate well-designed new buildings at settlements;
  - the development and diversification of agricultural and other land-based rural businesses;
  - sustainable rural tourism, which respect the character of the countryside; and
  - the retention and development of accessible local services and community facilities
- 3.24** Appropriate development will be supported at Large Villages and Local Service Centres. Neighbourhood plans will be a main means to allocate and bring forward sites.
- 3.25** Local Service Centres and Large villages may accommodate housing sites within their settlement boundaries, but sites for housing development on land beyond settlement boundaries should be identified by neighbourhood plans, subsequent site allocations development plan document or as an exception site consistent with Plan policies.
- 3.26** At Small Villages, infill proposals will be supported consistent with their character and will support their vitality. To further support these communities, policies allow for housing that meets a settlement's identified housing need or will support appropriate employment, services and facilities. Schemes will be smaller scale than Large Villages and housing developments geared more closely to meeting community needs in perpetuity.
- 3.27** In rural areas, development in the countryside beyond settlements will be controlled generally, where it is necessary to respond to a local circumstance and consistent with national policy. Consequently, only limited types of development are permissible.

## Policy 2

### Delivery Strategy

In line with Policy 1 (Settlement Strategy), the Delivery Strategy seeks to deliver development in Wiltshire between 2020 and 2038 in the most sustainable manner by making provision for approximately 160ha of new employment land (Use Class B2, B8, E(g)(i-iii) and approximately 36,740 homes in accordance with the form and distribution of development as set out in the policies within the four Area Strategies in Chapter 4.

The housing requirement is phased across the Plan period as follows and will be used to assess land supply:

**Table 3.1 Housing requirement phasing**

	Pre-plan adoption (2020-2024)	Phase 1 (2024-2031)	Phase 2 (2031-2038)
Housing requirement (Additional dwellings)	8,080	10,290	18,370

New housing development will be delivered in a way that prioritises the release of employment land, and the re-use of previously developed land to deliver regeneration opportunities is supported to limit the need for development on greenfield sites.

Within settlement boundaries, as identified on the Policies Map, there is a presumption in favour of sustainable development at the Principal Settlements and Market Towns, Local Service Centres and Large Villages. Settlement boundaries will be kept up to date by the local planning authority in accordance with the methodology at Appendix B of the Plan.

Development including employment land will be subject to the following requirements to prioritise its delivery:

- for mixed use sites, employment land will be: in attractive locations on site to the market, along with appropriate infrastructure; on suitable usable land that is flat and broadly level; and be made fully serviceable and directly accessible no later than following completion of a proportion of the other uses on the wider site, which will be agreed prior to the start of development. Locations should be within walking distance of public transport routes and safe and direct walking and cycling routes.
- marketing of employment land will be undertaken by the developer but agreed prior to the start of development and subject to oversight by the council, who will approve the methodology and review each expression of interest to determine whether it should be pursued.
- should the initial marketing of the employment land be unsuccessful after a period of no less than three years, the site will be transferred to the council to market and bring forward for development.

## **Principal Settlements and Market Towns**

Scales of growth and priorities for the development of Principal Settlements and Market Towns are set out in the Area Strategies for each settlement. Sites are identified within and on the edge of settlement boundaries where development will be supported. Additional housing allocations can be identified through local communities preparing neighbourhood plans and a subsequent site allocation development plan document.

## **Local Service Centres and Large Villages**

Development will be supported that helps sustain the vitality of these communities where it is consistent with the scale, form and role of the settlement and does not detract from its character or appearance. Neighbourhood plans will provide a main means to help carry out this role. Housing, employment and services and facilities are supported within defined Settlement Boundaries.

Sites for housing adjoining settlement boundaries will only be acceptable where identified by neighbourhood plans, subsequent site allocation development plans or as rural housing exception site or first home exceptions site.

A scale of housing growth is set for each Local Service Centre and Large Village, with Tables 4.1, 4.2 and 4.3 of the Area Strategies, that forms the housing requirement for a neighbourhood area designation in whole or part.

## **Small Villages**

At Small Villages infill development for housing, employment or services and facilities within the existing built area will be supported where it respects existing character and form of the settlement, does not elongate the village or consolidate an existing sporadic loose knit area of development related to the settlement.

Other proposals for development adjacent to the built area of Small Villages, as determined by the local planning authority, will be supported where they are for rural housing exception sites or first homes exception sites, or provide for local employment, services and facilities; provided that the development respects the existing character and form of the settlement and its setting.

## **Development outside defined Settlements**

Development adjoining or beyond settlement boundaries will be managed according to the following policies:

- Additional employment land Policy 64
- Military establishments Policy 66
- Tourism and related development Policy 69
- Rural exceptions sites Policy 77
- Meeting Wiltshire's housing needs Policy 78
- First Homes exception sites Policy 79
- Community facilities Policy 81
- Housing in the Countryside Policy 82

## Employment delivery

**3.28** At mixed use sites a priority is placed on ensuring developable employment land (Use Class B2, B8, E(g)(i-iii)) is provided, at attractive locations to the market, along with appropriate infrastructure, so it is brought forward without hindrance as soon as practical. This will ensure residential mixed use developments genuinely support the sustainable development of the settlement to which they relate and make provision for jobs as well as homes ensuring a better balance of land uses and access to local employment opportunities. Locations should be fully serviced with all utilities, i.e. water, electricity and broadband. The rights to use utilities should exist and they must be provided to such points on the boundary of the employment site, as agreed between the developer and the council.

## Housing delivery

- 3.29** Policies identify a supply of deliverable and developable land that together with a commitment to future broad locations of growth will contribute to achieving homes over the Plan period.
- 3.30** National planning policy requires the council to identify a continuous supply of land for house building using the phased requirements set out in Policy 2 (Delivery Strategy). To support the Plan, Appendix C, includes a trajectory illustrating the expected rate of housing delivery over the plan period.
- 3.31** Since the plan period is from 2020 a number of homes have already been built (referred to as 'completions'). A proportion of the land needed to meet housing objectively assessed housing needs, already has planning permission or has been identified in allocations in existing plans, including neighbourhood plans. These are referred to as 'commitments' and are kept under review to check they can still be relied upon. Policies contain measures that help plan for the remaining homes that need to come forward over the Plan period; this is referred to as the 'residual requirement'. Within the Area Strategies, tables are provided that help illustrate what progress has already been made to meeting requirements by setting out 'completions and commitments' and the 'residual requirement'.
- 3.32** The total housing requirement over the whole plan period 2020 to 2038, is 36,740 dwellings. The residual requirement for the county is under half this amount, approximately 14,800 dwellings.
- 3.33** The Plan makes provision for these new homes, using four area strategies that sub-divide the county, and the following sources, beginning with those that deliver with certainty in the shorter term through to those with the ability to deliver later in the plan period.

## Site allocations

**3.34** Policies identify a site area on the Policies Map within which new homes will be built. A policy attached to each site allocation describes the approximate number of dwellings they may accommodate. A policy will also often include other uses. The policy will also set out requirements for supporting infrastructure, mitigation measures as well as design and layout. Allocations will include new ones that are proposed through this Plan together with allocations from earlier Plans that will continue to contribute towards delivery of new homes across this Plan period.



**3.35** Ideally, most site allocations can commence within 5 years (and are termed ‘deliverable’). Other, generally larger sites, are more complex and can take more time (and are termed ‘developable’ sites). The council monitors progress in building out sites.

## Windfall and small sites

**3.36** A significant component of housing land supply is not identified by the Plan, either because it was not known about when the plan was prepared (windfall) or is too small for it to be considered as an allocation (sites of less than 10 dwellings). An overall contribution from both these sources of supply can be difficult to predict; in particular, large windfall sites.

**3.37** Larger windfall sites occur perhaps once or twice per settlement, over a plan period, for example, by the redevelopment of large industrial sites. It is not possible to say that there will be a steady supply of opportunities, making an estimate based on past performance, and count on an allowance in the future. This is the case looking at a Main Settlement and also across the county as a whole. No explicit allowance for new homes is therefore made from this source. Nonetheless, such windfall sites should continue to come forward over the Plan period, which will provide contingency and where they come forward will help Wiltshire maintain its housing land supply across the Plan period.

**3.38** There is, however, strong evidence<sup>4</sup> to show that there is a steady and predictable supply of new homes from small sites of less than ten dwellings. Additional homes result from the conversion of buildings, sub-division and small-scale opportunities and redevelopment. Evidence gathered over the years of recording housing completions shows it is consistent and it can be calculated reliably at a Main Settlement level.

**3.39** In the past, supply from both windfall and small sites to whatever level that transpires, has been treated as an element of unplanned contingency. Describing a land supply starts from a position of not relying at all on any assumptions of homes being delivered from these sources. Fully meeting scales of housing growth proposed for each Principal Settlement and Market Town with site allocations, provides certainty that scales of growth will be achieved.

**3.40** At some Main Settlements however, the supply of greenfield sites is limited (for example because of green belt, Areas of Outstanding Natural Beauty or historic assets) or the release of land needs to be managed particularly carefully, due to future opportunities for expansion being more limited and the need to conserve the character and setting to a settlement, allowing for steady growth.

**3.41** At a strategic level some Main Settlements are more constrained than others. At these ‘constrained settlements’ (see Table 3.2 below) scales of growth are balanced with the need to help each community thrive and work toward the achievement of local priorities. Scales of growth set by policies for these settlements are achieved factoring a forecast contribution of homes from small sites of less than ten dwellings. This gives added protection to the character and setting of these settlements, by ensuring site allocations on greenfield land are minimised and only released when essential to do so.

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<sup>4</sup> *Wiltshire Local Plan Review, Housing Delivery Paper, Wiltshire Council (September, 2023)*

**Table 3.2 Constrained settlements in Wiltshire**

Constrained Settlements
Amesbury
Bradford on Avon
Corsham
Devizes
Malmesbury
Marlborough
Salisbury

## Reserve sites

- 3.42** Sites are identified on the Policies Map and proposed for new homes taking on a specific role as 'reserve sites'. There are only a limited number in the Plan, 3 in total, that collectively may provide for 375 homes. They will only be released for development by the local planning authority should for any reason other allocations be delayed, or, the contribution from small sites fail to materialise and they are required to maintain the land supply requirements set by national policy. This provides a safeguard to allow the council to bring forward new 'plan led' sites relatively easily and to help guard against a situation where developers seek to promote speculative greenfield sites.
- 3.43** Policy 3 (Reserve sites for housing and broad locations for growth) sets out precisely in what circumstances and under what conditions a reserve site may be released and brought forward.

## Neighbourhood planning

- 3.44** National planning policy encourages communities to develop their own local vision for their area and prepare neighbourhood plans. This includes planning positively to meet local housing needs for their communities and by allocating sites for new homes within them. By their nature neighbourhood plans are 'non-strategic' but nevertheless contribute to achieving the strategic objective of providing sufficient homes.
- 3.45** Where a Town, City or Parish Council is preparing or reviewing a neighbourhood plan for a Main Settlement alongside the Local Plan and where it is established that they intend to allocate sites for new homes or could do so later in the plan period, then this expected contribution is factored into policy proposals for the relevant settlement as a contribution toward meeting a planned scale of growth. All other neighbourhood plans, including those in the rural area, are not relied upon to the same extent but they nevertheless will be a source of housing supply across the Plan period.

## Neighbourhood plan area designation housing requirements

- 3.46** National policy places a duty on the council to provide a housing requirement for each designated neighbourhood area which reflects the overall strategy for the pattern and scale of development for the area and any relevant allocations. The requirement for each designation is effectively determined by the type of settlements in the plan area, as set out below. The

Plan anticipates that new neighbourhood areas will be designated over the Plan period and so sets out requirements for all settlements to provide a framework to support the preparation of neighbourhood plans across the Plan period.

- 3.47** At Principal Settlements and Market Towns policies carry the main task of providing for the development needs for housing and employment. The role identified for neighbourhood plans, that in the main focus on their existing urban areas, is likely to provide for small to medium sites for housing development no larger than one hectare. Requirements are set individually for each settlement. The designated neighbourhood area if it includes a Large Villages also, will be higher to include the respective requirement for that settlement also.
- 3.48** In the rural area, policies support the important role played by Local Service Centres and Large Villages because of the services and facilities, and employment opportunities they provide to their community and surrounding rural area. Requirements are therefore framed to also support these roles by associating requirements to these rural settlements. A rural neighbourhood plan area designation corresponds to the scale of growth proposed at all and any Large Villages or Local Service Centres within a designation area. A neighbourhood plan's general conformity with the Plan strategy therefore carries forward these settlements as the appropriate focus for growth. In some instances, neighbourhood designated areas include both a Market Town and Large Village, in these circumstances a requirement for the whole plan area, with clarity on the requirement for each individual settlement is provided.
- 3.49** The neighbourhood plan area designation housing requirements are provided as a part of each Principal Settlement and Market Town's policy, and are listed for Large Villages and Local Service Centres in the tables in the Rural Area section for each of the four Area Strategies.

## Rural housing

- 3.50** A significant proportion of new homes are built in the rural area, the majority at Local Service Centres and Large Villages. Current planning permissions for housing development in the rural area are accounted for when calculating the overall residual requirement (see above) and further planning permissions will supplement supply. The Plan does not generally allocate sites for housing development in the rural area.
- 3.51** As a source of housing land supply, an estimate is made of how many homes will be built over the plan period based on past performance, which is used to help understand how supply can be maintained over the Plan period for Wiltshire as a whole.

## Broad locations for growth

- 3.52** The Plan identifies Chippenham, Melksham and Trowbridge, as settlements which should be strategically planned for in the longer-term. These are referred to as 'broad locations for growth', where additional significant urban extensions should be identified towards the end of the Plan period to provide certainty over the direction of future growth at these places. Further work will define where and what scale, type, mix and form of development these may deliver, enabling a lengthy lead in to identify and plan for the co-ordination of major infrastructure and extensive community engagement to shape their form.
- 3.53** Broad locations for growth are intended to be identified towards the end of the plan period, for delivery then and beyond its end date. They will provide additional assurance that land supply is secure and offer flexibility to adjust supply to meet higher scales of growth, should evidence shift or supply need to be supplemented.

**3.54** Master planning of sites at the broad locations for growth, as work progresses, will enable sections or potentially the whole of these areas to be added to land supply in the longer term. Site specific policies will present the result of this work in development plan documents, such as a revised version of this Plan, as required by Policy 3 (Reserve sites for housing and broad locations for growth). Through the route of a development plan document the local community can be assured that proposals resulting from this further work will have both the weight and independent scrutiny this ensures.

## Area of search

**3.55** An area of search for a new community is shown on the Key Diagram within which a new settlement may be proposed in the future, subject to more detailed work as a part of a future review of this Plan (Policy 21, Salisbury Area New Community). Like its location, the size of a possible settlement would need to be determined too. If a new settlement is needed, building would commence towards the end of the plan period and construction would continue beyond 2038. In terms of estimated housing land supply and matching it to forecast need, an estimate is made of how many homes would be built before 2038 taking account of the planning process and necessary lead in times to assemble land, secure permission and deliver infrastructure.

## Housing delivery

**3.56** Policy 3 (Reserve sites for housing and broad locations for growth) supports the implementation of the delivery strategy for housing delivery.

### Policy 3

#### Reserve sites for housing and broad locations for growth

##### Reserve sites for housing development

Planning permission for reserve sites, as identified on the Policies Map, will be supported for appropriate proposals provided that:

- housing land supply of deliverable sites is less than five years (as set out in the annual Housing Land Supply Statement);
- the site is located within a housing market area where a shortfall has been identified by the housing land supply statement;
- the developer enters into a Planning Performance Agreement with the Local Planning Authority to: commit to early delivery of appropriate high quality development proposals, relevant to the context of the site, supported by infrastructure, and which has been informed by credible community engagement.

##### Broad locations for growth

The following settlements are identified as broad locations for growth, where additional urban extensions will be identified towards the end of the Plan period to meet longer-term strategic needs for housing and employment and ensure the co-ordinated delivery of major infrastructure:

- Chippenham

- Melksham
- Trowbridge

These will be identified through policies within a subsequent development plan document.

## Climate change strategy

### Addressing the challenge of climate change

- 3.57** The climate and ecological emergency represent one of the greatest challenges to address over the coming years. The Plan has a role in making meaningful changes through the Plan period. However, even with action now, current levels of greenhouse gases in the atmosphere will lead to changes in the local climate, such as increased average global temperatures, more extreme weather events and heightened flood risk.
- 3.58** It will be vital to the long-term sustainability of Wiltshire, and the health, safety and quality of life of its residents, that new development is planned and designed to adapt to changes in the climate. Delivering high quality design, accelerating the delivery of zero carbon buildings, maximising the benefits of green and blue infrastructure, maximising opportunities for active and sustainable modes of travel, increasing renewable energy generation and other sustainable interventions all have a role to play in helping to mitigate the impacts of high temperatures, reduce flood risk, and enhance biodiversity.
- 3.59** The council is legally obliged to address climate change through plan making as set out in Section 19 (1A) of the Planning and Compulsory Purchase Act 2004 (as amended). Moreover, the Climate Change Act 2008 contains a legally binding target for the UK to reduce its carbon emissions by at least 100% by 2050 compared to 1990 levels.
- 3.60** Climate change, enhancing biodiversity and sustainable resource management are cross cutting themes running through this Plan. The majority of policies contribute to mitigating and adapting to climate change and particularly those relating to energy use and generation, air quality and pollution, biodiversity, water, green and blue infrastructure, accessibility, design, efficient and coordinated use of land, economic development and housing.
- 3.61** There are of course limitations on how far land-use planning policies can go in terms of addressing climate change. The greatest challenge lies in tackling the carbon footprint of the existing built environment as that will involve significant investment in adapting housing and businesses.
- 3.62** Policy 4 (Addressing climate change) is far reaching and seeks to address many of the themes that go to the heart of tackling climate change. It acts as an anchor for several other policies within the Plan and will be a key policy consideration in its own right in the decision making process.

## Policy 4

### Addressing climate change

Development proposals must support a move to carbon neutrality and adaptation to climate change in the following ways:

A. Minimising carbon emissions, including by:

- i. being located to reduce the need to travel and optimise the opportunities to access services and make trips by sustainable and active modes of transport (in accordance with Policies 70 and 71- Sustainable transport, and Transport and new development);
- ii. delivering a density of development that makes the most efficient use of accessible sites (in accordance with Policy 98 - Ensuring high quality design and place-shaping);
- iii. contributing to increasing use of active travel in between neighbourhoods that reduces demand for private vehicle use (in accordance with Policies 70 and 71- Sustainable transport, and Transport and new development);
- iv. protecting and making opportunities for the sustainable movement of freight (in accordance with Policy 74 - Movement of goods);
- v. adopting the principles of the energy hierarchy as well as delivering energy efficient buildings and developments that are fit for purpose and adaptable over time thereby reducing the need for redevelopment and unnecessary waste (in accordance with Policies 85 and 98- Sustainable construction, and Ensuring high quality design and place shaping);
- vi. taking opportunities to generate, incorporate and connect to renewable and low carbon energy infrastructure wherever feasible (in accordance with Policy 86- Renewable energy);
- vii. adopting the principles of the circular economy to reduce consumption of finite resources, reduce waste and maximise recycling; and
- viii. in the case of existing buildings, retrofitting them with measures to reduce energy consumption firstly, and secondly to have a source of renewable and/or low carbon energy, in a manner consistent with their heritage interest (in accordance with Policy 85 and Policy 86 - Sustainable construction and low carbon energy, and Renewable energy).

B. Maximising carbon storage and sequestration, including by:

- i. providing, conserving, enhancing and restoring habitats and the connectivity of the green and blue infrastructure, in order to provide a carbon storage function (in accordance with the council's Green and Blue Infrastructure Strategy and Climate Strategy and Policy 93 - Green and blue infrastructure);
- ii. incorporating green and blue infrastructure, such as trees and woodland, to help to sequester carbon from the atmosphere (in accordance with Policies 90 and 93 - Woodlands, hedgerows and trees, and Green and blue infrastructure); and
- iii. minimising the loss, degradation and erosion of soils and enhancing soil structure wherever possible (in accordance with Policy 91 - Conserving and enhancing Wiltshire's landscapes).

C. Mitigating and adapting to the impacts of climate change, including by:

- i. managing flood risk from all sources associated with higher peak river flows, groundwater fluctuations and surface water associated with more extreme weather events (in accordance with Policy 95 - Flood risk);
- ii. relocating vulnerable uses to less critical flood zones where it is appropriate to do so.;
- iii. ensuring infrastructure is resilient to the impacts of climate change such as overheating, flooding, drought, storms;

- iv. providing comprehensive and multi-functional sustainable drainage systems (i.e. incorporating the four pillars of SuDS design) to serve all new development, including grey water harvesting and use (in accordance with Policy 95 - Flood risk);
  - v. providing shade and green and blue infrastructure to reduce overheating of urban areas during warmer summers (in accordance with Policies 90, 93 and 98 - Woodlands, hedgerows and trees, Green and blue infrastructure, and Ensuring high quality design and place shaping);
  - vi. creating places that positively promote social inclusion, interaction and well-being to help ensure that communities are more resilient to challenges such as climate change (in accordance with Policy 98 - Ensuring high quality design and place shaping);
  - vii delivering biodiversity net gain that meaningfully contributes towards buffering and tackling the effects associated with a changing climate (in accordance with Policy 89 - Biodiversity net gain);
  - viii incorporating appropriate water efficiency and water recycling measures to help reduce energy demand, reduce abstraction and contribute towards reducing the impact of nutrients on the catchment of the River Avon SAC (in accordance with Policy 96 - Water resources); and
  - ix. minimising and mitigating air pollution (in accordance with Policy 101 - Air quality).
- D. Responding to the economic and policy changes that are likely to accompany climate change, including by:
- i. wherever possible reducing the reliance on the private car and road freight (in accordance with Policies 70, 71 and 73 - Sustainable transport, Transport and new development, and Transport: demand management); and
  - ii. protecting high grade agricultural land for future use and to help support food security.
- E. Proposals for new development will be required to demonstrate through a Sustainable Energy Statement:
- i. how it will take account of embodied carbon, contribute to mitigating and adapting to climate change and to meeting targets to reduce carbon dioxide emissions having regard to the above criteria (in accordance with Policy 87 - Embodied carbon ).

## Infrastructure delivery

### Securing infrastructure provision from new development

**3.63** An appropriate and balanced mix of new development is essential for the long-term prosperity of Wiltshire. The Plan shapes where new development should be located and presents policies to manage the pressure on infrastructure relating to speculative proposals. It will provide new homes, jobs, services and thereby support social, economic, and environmental objectives. The impact of development on local communities and the fabric of the existing built and natural environment is an important consideration. Managing this impact involves protecting existing infrastructure and securing the timely investment of new infrastructure.

- 3.64** The council will work in partnership with a range of internal and external infrastructure providers and, where appropriate, neighbouring authorities to ensure that new or improved infrastructure, including that listed in the Infrastructure Delivery Plan, Infrastructure List, and Infrastructure Funding Statements, is delivered prior to, or in conjunction with, new development.
- 3.65** The timely delivery of new infrastructure to support development proposals must be secured. To achieve this aim, the council will work with developers to prepare robust infrastructure delivery plans to support the overall delivery of strategic sites within the Plan and/ or planning application process. The Delivery Plan will need to be in place prior to the commencement of development and should be agreed by the council, other relevant infrastructure providers and developers. The scope of such plans will cover amongst other things: funding, phasing, accessibility, and impact on the surrounding area.
- 3.66** In addition to managing the provision of the new infrastructure requirements of development proposals, the individual investment plans of infrastructure providers should be recognised and fully considered. It will be important that all new development proposals build safeguards into schemes to protect and enhance appropriate services and facilities, including bus corridors, telecommunications equipment (particularly high-speed broadband infrastructure), electricity power lines, high pressure gas mains, educational facilities, health facilities, flood protection measures, water treatment infrastructure, wastewater treatment works and waste collection and management services. Developers proposing to connect to a wastewater treatment works will need to check with the utilities provider that there is adequate capacity, particularly within the catchment of the River Avon SAC. Development in areas with no mains foul system will need to ensure that there are suitable options available for sewage disposal.
- 3.67** Existing community services and facilities will be protected in line with Policy 81 (Community facilities) and existing green/blue infrastructure will be protected in line with Policy 93 (Green and blue infrastructure). To encourage the most effective use of existing and new infrastructure, co-location and multi-functional use of land and buildings, for services and facilities, will be supported in accordance with other policies of the Plan. The provision of new or improved infrastructure will be positively supported, particularly where opportunities arise through redevelopment or regeneration in sustainable locations, if this has no detrimental impact on the environment and contributes towards mitigation and adaptation to climate change.

## Securing the delivery of infrastructure

- 3.68** Where new development proposals require the delivery of infrastructure, priorities will be set to manage competing demands. The broad categories of prioritisation (i.e. essential infrastructure will be afforded the highest priority) are set out below, but the indicative list of infrastructure typologies should not be viewed as exhaustive, nor as being conveyed in a particular order of preference.

### Essential infrastructure:

- 3.69** Essential infrastructure including but not limited to:
- sustainable transport measures including bus, rail, road and active travel schemes such as Local Cycling and Walking Infrastructure Plan (LCWIP) projects
  - water, sewerage, and electrical utilities and connecting services, including low-carbon and renewable energy



- flood alleviation and sustainable drainage schemes
- telecommunications facilities, including fibre-optic superfast broadband connectivity services, to serve local communities and the business community
- education including early years and SEND
- healthcare facilities
- emergency services
- waste management services such as collection, recycling and processing facilities
- green and blue infrastructure projects designed to address the climate and ecological emergency
- projects needed to ensure compliance with the Habitats Regulations.

### Place-shaping infrastructure:

#### 3.70 Place-shaping infrastructure including but not limited to:

- community safety in the public realm
- maintenance and improvement of Wiltshire's heritage assets, including the long-term storage of archaeological finds and archives
- leisure and recreation provision
- public open space provision
- town centre management schemes
- employer engagement and training schemes
- cultural and community facilities
- libraries
- public art and streetscape features
- cemetery provision.

**3.71** The broad prioritisation of infrastructure provision has been designed to ensure that development proposals present solutions to address essential requirements first and then place shaping items next. This should not be taken to imply that place shaping infrastructure is of lesser importance, rather that the precise timing of providing it is not critical to the phasing of development. It may also be the case that a particular infrastructure project might deliver multiple benefits. For example, a new landscaped pedestrian footpath or cycleway could deliver sustainable transport, green and blue infrastructure, and recreation improvements. Infrastructure requirements are identified through working with providers and listed within the Infrastructure Delivery Plan, which will be updated over the plan period. Infrastructure requirements may therefore change. The council will be flexible and responsive to any changes.

**3.72** Every proposal will be dealt with on its merits and informed by the detail presented in the council's Infrastructure Delivery Plan. These requirements will be sought in addition to other costs associated with development, such as affordable housing, on-site utilities infrastructure and transport access requirements.

- 3.73** The council will seek to ensure that the cost of providing necessary infrastructure will be met through the appropriate use of planning obligations and the Community Infrastructure Levy (CIL). An Infrastructure Funding Statement will be published on an annual basis to ensure that developers and local communities can see when and how money is collected and spent in relation to infrastructure provision. Agreement between the council, other relevant infrastructure providers, the community and developers over the extent and amount of developer contributions will be sought through the planning application process.

## **Policy 5**

### **Securing infrastructure provision from new development**

All new development will be required to provide for the necessary on-site and, where appropriate, off-site infrastructure requirements arising from the proposal. Infrastructure requirements will be delivered directly by the developer and/ or through an appropriate financial contribution prior to, or in conjunction with, new development. In ensuring the timely delivery of infrastructure, development proposals must demonstrate that full regard has been paid to the council's Infrastructure Delivery Plan and all other relevant policies of this plan. Joint working with adjoining authorities will be encouraged to ensure that wider strategic infrastructure requirements are appropriately addressed.

In the event of competing demands for infrastructure provision, developer contributions will be sought in the following order of priority:

1. essential infrastructure
2. place-shaping infrastructure

In circumstances where a developer considers a development to be unviable, a viability assessment, undertaken by an independent third party, on terms agreed by the council and funded by the developer, will be required as part of the submission of a planning application. This will involve an independent 'open book' approach funded by the developer. If the viability assessment adequately demonstrates that development proposals are unable to fund the full range of infrastructure requirements, then the council will:

- i. consider whether a reduced level of infrastructure funding will render the scheme unsustainable;
- ii. where a reduced level of infrastructure does not render the scheme unsustainable, prioritise seeking developer contributions in the order set out above; and
- iii. consider the use of an appropriate mechanism to defer part of the developer contributions to a later date, and/or review viability throughout the lifecycle of the development to capture policy compliant infrastructure if viability circumstances permit.

#### **Delivery responsibility**

This policy will be delivered by:

- i. the direct provision of facilities and services by the council and its public and private sector partners, reflected in the Infrastructure Delivery Plan;
- ii. the development management process. Planning conditions and planning obligations (largely through section 106 agreements) will be sought to mitigate the direct impact(s) of development, secure its implementation, control phasing where necessary, and to secure and contribute

to the delivery of infrastructure made necessary by the development. The council's Planning Obligations Supplementary Planning Document (and any successor document) provides more detail about its approach to securing developer contributions;

- iii. utilising developer contributions to provide enhancements to local facilities and services;
- iv. liaison through the area boards with town and parish councils and appropriate local stakeholders to identify community infrastructure requirements to help establish local priorities;
- v. partnership work with infrastructure providers, neighbouring authorities, and other stakeholders, to identify requirements for and to facilitate appropriate community infrastructure development; and
- vi. the Community Infrastructure Levy (CIL), which will be one of the funding mechanisms that the council will use to fund local infrastructure in line with the Infrastructure Funding Statement.





# Area strategies

## 4. Area strategies

### Area strategies explained

- 4.1** Wiltshire is divided into four separate Housing Market Areas (HMAs) which are shown on the Key Diagram - Figure 3.1. These areas are based around the settlements of Chippenham, Salisbury, Trowbridge and the Wiltshire element of the Swindon HMA. For each there is an area strategy.
- 4.2** The Area Strategies set out community priorities and the outcomes that development can achieve for each Principal Settlement and Market Town supporting their role and function as places, as set out in Policy 1 (Settlement Strategy). The Area Strategies also set scales of growth to be achieved at each settlement over the plan period, in accordance with the Delivery Strategy set out in Policy 2 (Delivery Strategy).
- 4.3** The scales of growth proposed within this Plan are informed by social and economic forecasts. These forecasts use broader geographical areas than individual settlements because this reflects how business and households make decisions, such as where to live, work, run a business or commute.
- 4.4** Evidence<sup>5</sup> about Wiltshire's economy identifies three different broad economic areas within Wiltshire. They each have distinguishing characteristics and it is appropriate to distribute growth according to each one's strengths and opportunities.
- 4.5** The economy in the south of the county has a greater emphasis upon office and professional types of business whilst elsewhere there are strengths in sectors like advanced engineering. Other areas are relatively slower performing because of the legacy of weaker sectors, such as traditional manufacturing, which continues to decline.
- 4.6** A main feature defining each of the three Functional Economic Market Areas (FEMAs) within the county is their access to markets and how they are served by main transport routes. This is an important factor determining their attractiveness to investment and the advantages they offer for different sectors. The three FEMAs are the M4 corridor, A350 corridor, and A303 corridor.
- 4.7** The four HMAs broadly correspond to the three FEMAs. The M4 corridor generally relates to the Swindon HMA but also goes into and overlaps with the Chippenham HMA. The Chippenham and Trowbridge HMAs broadly correspond to the A350 corridor, whereas the A303 corridor FEMA broadly matches the Salisbury HMA. The HMAs are used as the geographical basis for the Area Strategies.
- 4.8** Settlements have differing prospects for growth associated with their attractiveness to investment and because of the existing structure of their economies. This influences the scales of growth to plan for at each settlement, both in terms of what locations and types of business to plan for, but also how many additional workers can be anticipated and the number of new homes that will be needed.
- 4.9** The preparation of the Plan has been influenced by a breakdown of total housing need to the four HMAs (see Table 4.1), with each having their own common characteristics in terms of house purchases, prices and rents as well as forecast growth, differing age profiles and

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<sup>5</sup> *Wiltshire Employment Land Review Update*, Hardisty Jones Associates (September, 2023)

migration trends. The majority of the employed population both live and work within one area. Evidence<sup>6</sup> suggests that many people who move house without changing employment generally choose to stay within it. HMAs are therefore an appropriate basis to address provision for new homes. Additional housing can be aligned to where it is needed if it is apportioned by HMA.

- 4.10** Wiltshire is noted for the attractiveness of its natural and historic environment. Extensive areas are designated as Areas of Outstanding Natural Beauty where development needs to be carefully managed. Heritage assets and ecological designations are also abundant. Their protection is very important and this influences the scale of growth to plan for at settlements. As well as protecting historic and natural features, the demands upon natural and man-made resources influence scales of growth. The characteristics of different areas of Wiltshire vary in terms of their ability to support growth, be that in terms of flood risks and water supply, or critical infrastructure like education, health and transport.
- 4.11** It is important when planning for Wiltshire's future growth to seek to meet development needs whilst conserving and enhancing built, natural and historic environments. The Plan addresses this challenge by setting out an approach within four Area Strategies to recognise and plan for the different needs, constraints and opportunities that are present throughout Wiltshire.
- 4.12** The scales of housing and employment needs in each area are estimated as follows.

**Table 4.1 Scales of housing and employment needs**

Area	Estimated Housing Need (2020-2038) (dwellings)	Forecast Employment Land Demand (2020-2038) (Hectares)
Chippenham	13,625	50.5
Salisbury	11,015	32.1
Swindon	3,455	18.1
Trowbridge	8,640	19.3

- 4.13** The distribution of growth within an area, one settlement compared to another, has been arrived at by a consideration of possible alternatives, by discussing local priorities with town and parish councils and wider public consultation. The starting point was the approach taken within the existing Core Strategy and what evidence<sup>7</sup> points to the need for any change in direction. The result of this process is summarised very briefly at the beginning of each area strategy before policies for each settlement.
- 4.14** Policies for each Principal Settlement and Market Town establish the framework for how each main settlement will develop over the plan period, including scales of growth for additional dwellings and employment. Policies also set out how each settlement's proposed scale of growth will be achieved. They involve current local plan allocations, including those within the core strategy as set out in Appendix D which will continue to come forward over the plan period. In addition, infrastructure and community facilities are identified to support the level and distribution of growth proposed.

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<sup>6</sup> Swindon and Wiltshire Strategic Housing Market Assessment Vol 1: Defining the Housing Market Areas, Opinion Research Services (June, 2017)

<sup>7</sup> Wiltshire Local Plan Review: Revising the Spatial Strategy, Wiltshire Council (September, 2023)

## Delivering allocated sites

- 4.15** This part of the Plan allocates new land for development through a series of place-based spatial policies. These policies require, in certain circumstances, planning applications be informed by a masterplan that secures the principles and requirements established in the relevant policy. Where a masterplan is required, it is expected that once agreed, this will set out the parameters to inform the design, layout and delivery mechanisms for the site.
- 4.16** To inform the development of larger and more complex allocations, concept plans are provided. They show how the land uses proposed can be accommodated on site. concept plans also show what land would be left undeveloped, for instance, to help maintain the setting of a particular settlement, important views, access to the countryside or the setting and separate identity of villages in the wider landscape. They identify areas where there will be planting to provide an attractive environment and opportunities for ecological enhancements. They also show possible locations for infrastructure and facilities necessary to support a growing community such as new schools, additional space for formal sports, public open space, allotments and other such uses. This can help guide and manage expectations amongst landowners and encourage collaboration to achieve the best possible form of development whilst conserving and enhancing the natural and historic environment. The principles of these should inform masterplans where required by policies.
- 4.17** All detailed proposals for site allocations should include at least the following:
- A mix of housing types, including affordable homes, sustainable construction and accessibility standards set out in the Plan
  - Public open space and play facilities
  - Biodiversity net gain
  - Low carbon energy generation (on-site renewables)
  - Sustainable drainage systems (SuDS) with no surface water connection to the foul sewer network
  - Retention of existing hedgerows, water courses and trees within a layout that provides long term protection and enhancement in accordance with the council's Green and Blue Infrastructure Strategy
  - Measures to promote active means of travel, public transport and other transport connections within and outside of allocated development sites.
- 4.18** Policies in this Plan set out requirements and expectations for each of these elements. Site allocation policies contain mitigation and infrastructure requirements that need to be read alongside the Plan as a whole. Design and layout should seek to work with natural features on all sites such as local wildlife and recreational corridors. Direct improvements and/or funding contributions may be required to secure water and electricity supply infrastructure, including waste water disposal, subject to confirmation by operators.



# Strategy for the Chippenham Housing Market Area



- 4.19** Chippenham is a Principal Settlement and primary focus for future growth in the Chippenham Housing Market Area (referred to as the Chippenham area). Evidence<sup>8</sup> supports a greater focus of growth and delivery than in previous plan periods, when there was a period of limited land availability; a consequence of which was to help fuel growth exceeding the plan intentions at other settlements nearby.
- 4.20** Chippenham has good prospects for growth and is comparatively less constrained than other settlements. Expansion will, however, require considerable investment in infrastructure and community facilities. One important component of growth is a new link road to connect the A4 and A350 to provide for a more resilient local transport network in the town and address congestion in the town centre, which in turn helps encourage sustainable transport options.
- 4.21** There has been increasing demand for new employment premises to serve the logistics sector and significant interest from regional and national operators for floorspace along the M4 corridor junctions. New development is taking place at Junction 17 to the north of the town, and further land is being promoted by developers. While the Plan doesn't allocate any specific site or additional land, it is positive about future development within the Chippenham area at Junction 17 of the M4 motorway, provided prospective developers can demonstrate the safe operation of the strategic and local highway network, once the cumulative impact of growth identified within the Plan has been considered, as well as satisfactorily addressing other planning considerations (Policy 64, Additional employment land).

<sup>8</sup> *Wiltshire Local Plan Review: Revising the Spatial Strategy*, Wiltshire Council (September, 2023)

- 4.22** Melksham is one of five Market Towns in the area. Compared with other settlements it is relatively less constrained and its location on the A350 makes it attractive for business investment. An eastern bypass is proposed at the town to improve the functionality of the A350 as part of the strategic road network. Calne, similarly, is less constrained and both towns have experienced significant pressure in relation to housing in recent years than planned for, partly due to the slower delivery of housing at Chippenham.
- 4.23** In terms of the other Market Towns in this HMA, Corsham, Devizes and Malmesbury have accommodated greater levels of house building than originally planned and these settlements are also environmentally more sensitive and more vulnerable to harm. They are constrained settlements because opportunities for outward expansion are more limited than others. Within these settlements, the scales of housing growth being proposed in the Plan are significantly lower than in the past.
- 4.24** Evidence<sup>9</sup> supports a good spread of opportunities for employment development along the A350 corridor. To provide a good choice of sites for investment results in total land supply in excess of forecast demand. This also supports provision for more employment opportunities at Chippenham, Melksham and Calne; with Corsham, Chippenham and Melksham considered one cluster in terms of demand and supply. The constrained nature of Corsham removes scope for land allocations for employment development in this Plan. At Calne, where housing development has carried on apace, additional employment land addresses concerns about the growing imbalance between local employment and the population. At Devizes and Malmesbury, existing supply of land for employment development does not require further allocations.
- 4.25** Outside the above Main Settlements, in the rural area, the overall scale of housing growth is broadly equivalent to past rates of housing development. New business and employment development is also significant but generally met over a large area by small scale developments outside the scope of specific allocations within the Plan. As occurs already, developments are guided by policies of the Plan. Land and sites for development may also be allocated by Neighbourhood Plans or brought forward as Neighbourhood Development Orders to suit individual rural community needs.
- 4.26** The distribution of housing and additional employment provision for the Chippenham Area is summarised in tables 4.2 and 4.3. For housing, the table also shows how many new homes have already been built or planned for over the plan period because they already have planning permission or are allocated for development. The allocations in this Plan will contribute towards delivering the residual figure left to be planned for.

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<sup>9</sup> *Wiltshire Employment Land Review Update*, Hardisty Jones Associates (September, 2023)

**Table 4.2 Distribution of housing growth for the Chippenham area**

Settlement	Housing growth (2020-2038) (dwellings)	Completions and commitments (1 April 2020 - 31 March 2022)*	Residual at 1 April 2022**
Chippenham	5,850	3,759	2,090
Calne	1,230	635	600
Corsham	360	105	260
Devizes	980	936	40
Malmesbury	600	611	0
Melksham	2,160	1,036	1,120
Rural Area	2,460	1,732	730

\*Includes major permissions post 1 April 2022, up to 31 May 2023

\*\*Residual rounded to the nearest ten dwellings.

**Table 4.3 Distribution of employment growth for the Chippenham area**

Settlement	Employment Land Supply (ha)
Chippenham	42.5
Calne	5.1
Corsham	-
Devizes	9.9
Malmesbury	3.3
Melksham	5.5
Rural Area	-

## Chippenham Principal Settlement

- 4.27** Chippenham has excellent transport links, which make it an attractive location for business investment and significant housing growth. There are opportunities for further growth, beyond those sites being allocated in this Plan, that represent a new direction for the town's expansion.
- 4.28** Chippenham is home to a number of Wiltshire's larger employers in sectors including manufacturing, pharmaceuticals, IT and electronics. Evidence<sup>10</sup> suggests that there is virtually full occupancy of sites and premises, and that while allocated and permitted sites will help meet demand, businesses report a shortage of availability. New land for business and new jobs therefore will be incorporated within the proposed extension to the town, with potential for small scale opportunities through the regeneration of sites within the town's central area.
- 4.29** The scale of growth being proposed will exacerbate traffic congestion in and around the town. A new road to link the A4 with the A350 will therefore be required as part of a wider strategy to alleviate congestion and encourage sustainable travel. This will be delivered through the Plan's proposal for a mixed-use extension to the south of Chippenham. It is anticipated that construction of the site will come forward during and beyond the Plan period.
- 4.30** The southern expansion will complement allocations in the Chippenham Site Allocations Plan and will underpin a step change in housing delivery alongside additional employment, community uses and supporting infrastructure that includes a link road. It has additional potential to accommodate further development beyond 2038, which can be considered through a future Plan when the Plan period is extended. As set out in Policy 3 (Reserve sites and broad locations for growth), the Plan identifies Chippenham as a settlement where the pattern for the longer-term future of the town should be identified towards the end of the Plan period, this is referred to as a broad location for growth and reflected in the following policy.

### Policy 6

#### Chippenham Principal Settlement

Development at Chippenham will:

1. Provide new employment opportunities including for Small and Medium Enterprises (SMEs) and start-up businesses with a strong emphasis on timely delivery to redress the existing levels of net out-commuting within the town and better enable people to live and work locally.
2. Ensure the town centre will be a vibrant meeting place for the community to shop, interact and enjoy their leisure time, and a visitor destination in its own right by:
  - serving as a centre for sub-regional public services; and retaining a mix of national traders and attracting independent traders whose presence will embed its Market Town character;
  - conserving and enhancing the special historic character of the town centre;
  - developing the Bath Road Car Park and Bridge Centre site as a mixed-use scheme which complements and enhances the town centre and secures highways improvements; and
  - continuing to make improvements to Chippenham Railway Station and Cocklebury Road area to attract inward investment to this area.

<sup>10</sup> *Wiltshire Employment Land Review Update*, Hardisty Jones Associates (September, 2023)

3. Improve access to the River Avon valley through Chippenham as an important green and blue infrastructure corridor for the town.
4. Ensure a network of well-connected footpaths and cycleways and connectivity for public transport across the town, to/from the town centre, and through into the surrounding countryside, so that more people can choose active travel and public transport as a means of getting around.
5. Link the A4 to the A350 which will provide for a more resilient local network addressing traffic congestion within the town centre.
6. Respect the individual identities of villages within the landscape setting of Chippenham and their relationship to the town.
7. Deliver funding contributions towards a Chippenham Transport Strategy.

Over the plan period (2020 to 2038) approximately 5,850 homes and 42ha of employment land will be provided at Chippenham, including:

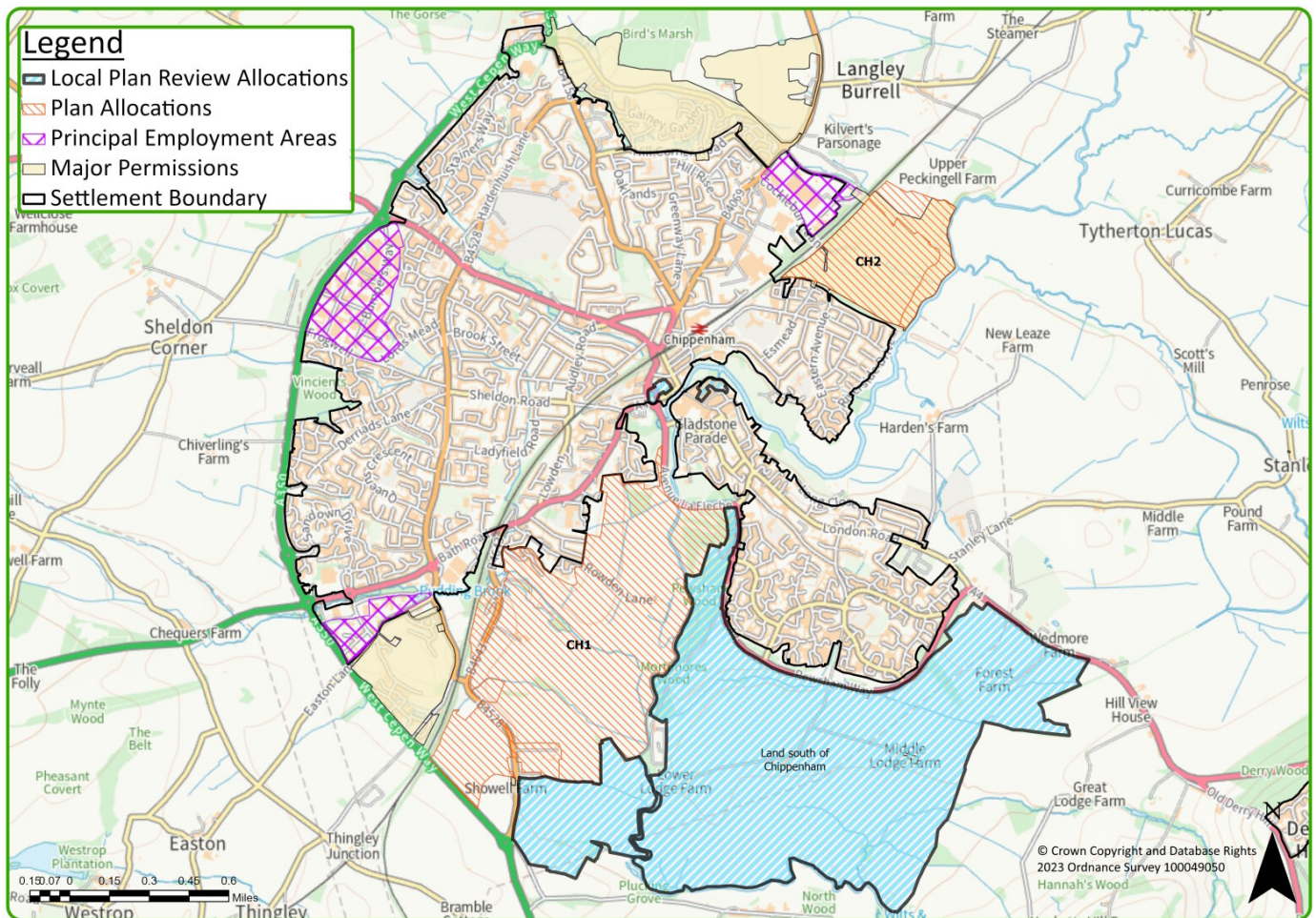
- existing allocations at South West Chippenham and Rawlings Green, as shown on the Policies Map; and.
- new allocation for approximately 2,525 dwellings and 15ha of employment land.

The neighbourhood area designation requirement is 200 dwellings.

The following Principal Employment Areas will be retained in accordance with Policy 65 (Existing employment land): Bumpers Farm Industrial Estate, Methuen Park and Parsonage Way Industrial Estate.

Longer term, a broad location for growth will be considered for further housing, employment development and co-ordinated delivery of infrastructure.

**Figure 4.1 Chippenham policies map**



## Site allocation - Land South of Chippenham and East of Showell Farm

- 4.31** Approximately 347ha is allocated for the development of 2525 dwellings, 15ha employment land, along with a district and local centre, schools and an extended River Avon country park. It is well located with regard to local facilities and services. It forms a southern expansion of the town of Chippenham. Development will be designed so as not to encroach on the nearby villages and in particular Lacock and Derry Hill.
- 4.32** The allocation will require a new road transport corridor linking the A4, south-east of Abbeyfield School, southwards to link with the A350 via a new river bridge. New and improved walking and cycling routes, including the Avon Valley Walk, to the existing and planned community would encourage future residents to use sustainable forms of transport and promote active lifestyles.
- 4.33** The River Avon corridor to the west and south of this site will need to be protected from noise and light pollution by leaving wide, dark undeveloped buffer zones that will benefit wildlife.

## Policy 7

### Land South of Chippenham and East of Showell Farm

Land at South Chippenham, as identified on the Policies Map, is allocated for mixed use development of approximately 2,525 dwellings, approximately 15ha employment land, a district and local centre, 12.4ha of land safeguarded for a 10 form entry secondary school, two 2ha sites for two 2 form entry primary schools incorporating two 60 place nurseries, and two 0.3ha sites to accommodate additional 80 place nurseries.

A single comprehensive masterplan, phasing and delivery strategy for the development, must be prepared and approved by the local planning authority in advance of any planning application being submitted for the whole or part of the allocated site. This must take account of the requirements of this Policy and the principles shown within the concept plan and be prepared in consultation with the local community and local planning authority. Subsequent planning applications must be in accordance with the approved masterplan.

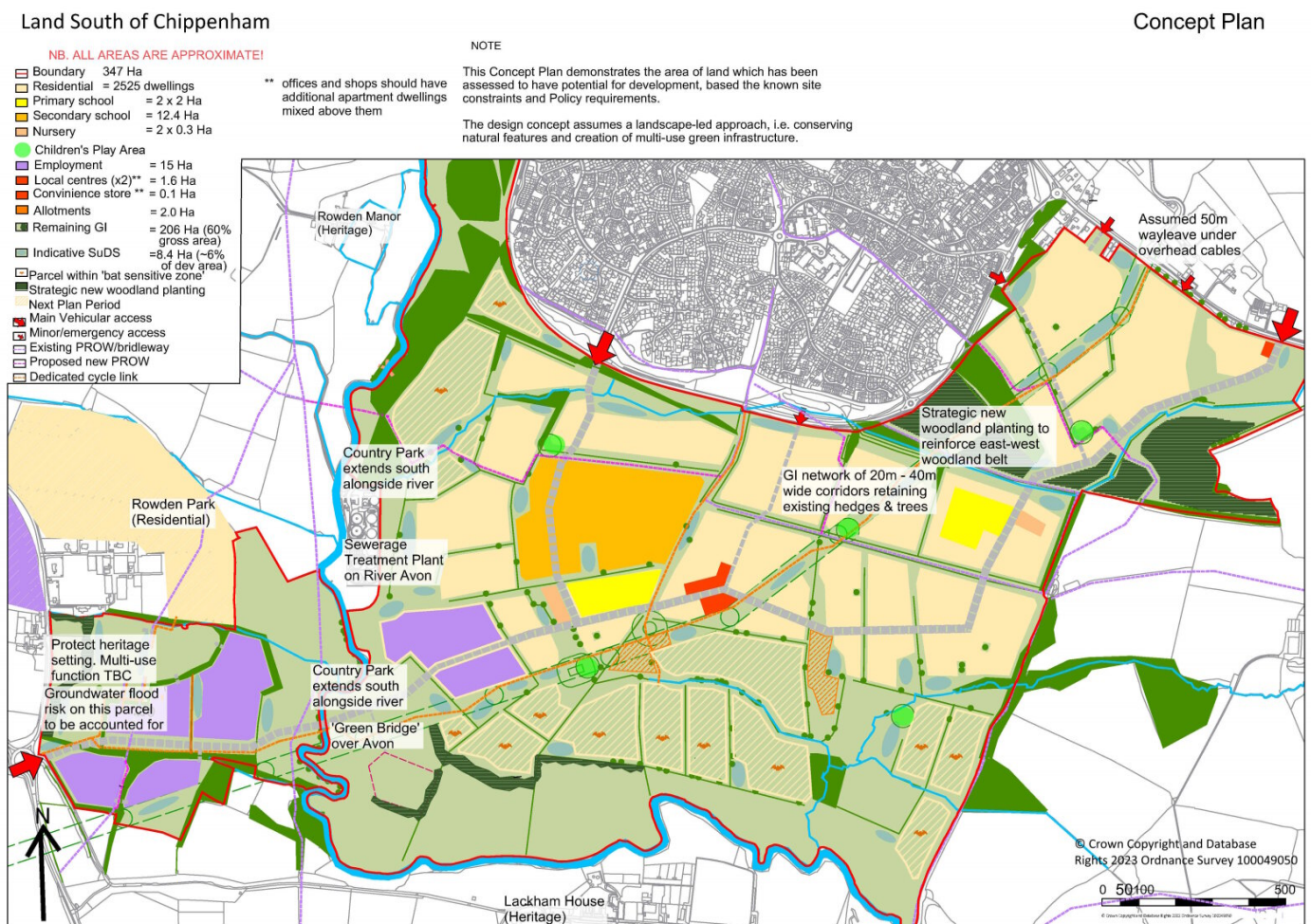
Infrastructure and mitigation requirements include:

- new road transport corridor from the A4 southwards connecting with the A350 via a new river bridge delivered in accordance with trigger point(s) determined by a transport assessment;
- improvements to cycling and walking, having regard to the Chippenham Local Cycling and Walking Improvement Plans, and internal bus priority networks through the site to link with the existing network, including Pewsham Way, and connections through to the town centre, railway station and Chippenham Community Hospital;
- an extension to the River Avon Country Park;
- improved green and blue infrastructure corridors alongside the River Avon and habitat creation throughout the site layout to provide connectivity to adjacent or nearby habitats;
- allotments;
- further investigation and mitigation including providing an appropriate separation distance from the nearby sewage treatment works;
- protection of the route of the former canal;
- enhancement of retained features to mitigate against the loss of pastoral land of relatively low ecological value;
- areas of planted wet woodland near to watercourses to provide stepping stones for connectivity between established woodland areas;
- landscape mitigation to safeguard areas of highly sensitive surviving historic landscape character;
- avoiding impacts on designated and non-designated heritage assets including Showell Farm, Rowden Conservation Area and respecting the setting of Lackham House;
- preserve archaeological remains as determined by archaeological survey and mitigation strategy;
- taking due regard of the Minerals Safeguarding Area that is present alongside the River Avon;

- a crossing over the River Avon allowing onward travel through Rowden Park to the Chippenham Community Hospital site.
- reinforcements to off-site water supply and foul network infrastructure, including offsite sewer. Depending on scale of development west of the River Avon, works may be required to the twin siphons crossing beneath the river; and
- funding contributions towards provision of health services and secondary education provision;

**4.34** How the site may be developed is shown on the concept plan as shown in Figure 4.2. This illustrates one treatment of the site that considers mitigation requirements and the homes, other uses and infrastructure envisaged.

**Figure 4.2 Land South of Chippenham Concept Plan**



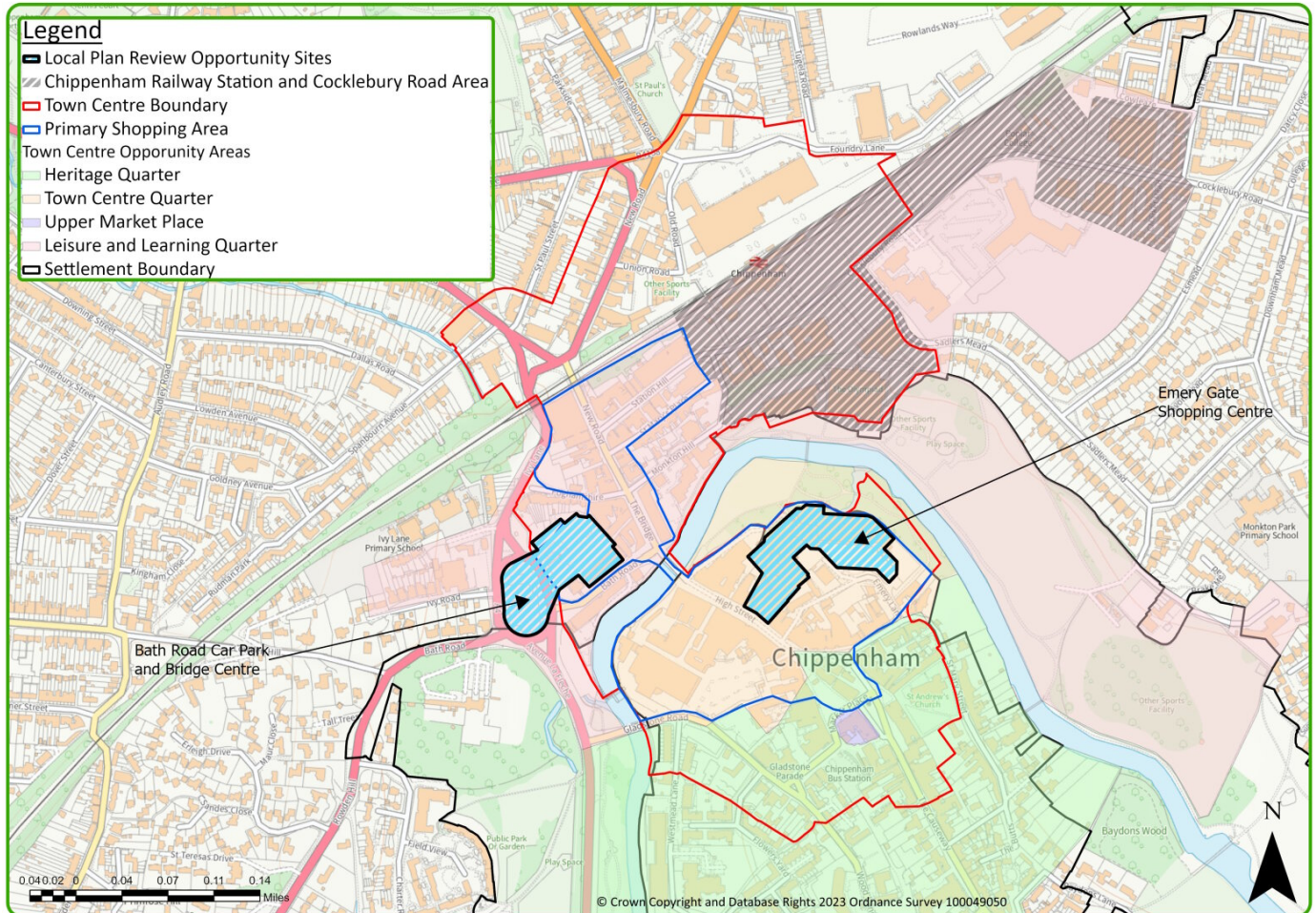


## Chippenham Central Area

- 4.35** Chippenham is defined as a Principal Settlement in the town centre hierarchy for Wiltshire. Its town centre boundary and primary shopping area boundary are identified on the Policies Map, in Appendix E and in Figure 4.3. Policy 67 (Sequential test and retail impact assessment,) and Policy 68 (Managing town centres) set out general policies to safeguard and promote the vitality and viability of town centres. The town centre benefits from good links with the Chippenham railway station and the adjacent established employment area at Cocklebury Road.
- 4.36** Chippenham provides services and facilities for the local community and residents in surrounding villages in north Wiltshire. The Wiltshire Town Centre and Retail Study 2020 identifies that Chippenham experienced a decade of strong retail growth. This has included the development of several out-of-town convenience and comparison-shopping sites. The town centre has in recent years seen changes.
- 4.37** Due to new supermarkets being granted planning permission in recent years which caters for demand, new sites for additional convenience retail at Chippenham are not being proposed in the Plan.
- 4.38** In terms of comparison shopping, whether Chippenham has any needs for improvement beyond those already achieved over the past decade is likely to be challenging on the basis of the current state of the UK non-foods sector and a general reluctance by a number of retailers to open new stores or expand. The continuing influence of larger competing destinations such as Bath, Bristol, Swindon Outlet Centre and Cribbs Causeway regional shopping centre is expected to continue to draw comparison shopping spend away from Chippenham.
- 4.39** The Bath Road Car Park and Bridge Centre site, as shown on Figure 4.3, has been a longstanding allocation to form an extension to the town centre through the provision of a new supermarket and comparison units. However, the site has yet to be redeveloped and the current allocation proposals are unlikely to be delivered. The site remains important as an extension to the town centre, but it should provide a wider mix of uses including retail, commercial, cultural, leisure, evening economy and residential uses. Highway improvements to the Bridge Centre gyratory will also be necessary to enable the reuse of the site to be considered comprehensively.
- 4.40** It is important that Chippenham High Street continues to play a key role in the function of the town centre. Proposals include strengthening it as a commercial hub, providing more residential opportunities, supporting more shops and providing more leisure opportunities including the night economy. Emery Gate Shopping Centre, as shown on Figure 4.3, offers the opportunity to be refurbished and remodelled to broaden what is on offer to include leisure, evening economy and residential opportunities, whilst still retaining some units for retail use.
- 4.41** Other changes to the town centre include making it a more pleasant space for people by reducing the dominance of cars, providing more seating and using different paving surfaces and planting.
- 4.42** The River Avon flows through the town centre. The riverfront area includes Monkton Park which could be adapted to allow for more leisure activities on the riverfront, whilst also making improvements to the setting and quality of the river and replacing the outdated weir structure.

**4.43** Chippenham railway station is an important public transport interchange and transport gateway to the town centre and to the nearby Wiltshire College and businesses, located in the Cocklebury Road area and on Langley Park Industrial Estate. The Cocklebury Road area provides the opportunity for further inward business investment that will enhance the identity of the area and complement the town centre.

**Figure 4.3 Chippenham Town Centre**



## Policy 8

### Chippenham town centre

Proposals which contribute to the delivery of a thriving, vibrant and prosperous town centre will be supported. Significant development proposals within the town centre should contribute to its regeneration and repurposing to support its role as a resilient service centre and a primary location for services and facilities to meet the day to day needs of communities in north Wiltshire.

Proposals for redevelopment, informed by masterplans prepared by the developer, in consultation with the local community and local planning authority, will be supported in the opportunity sites as identified on the Policies Map, as follows:

**Bath Road Car Park and Bridge Centre** - will form an extension to the town centre to provide a mix of retail, commercial, cultural, leisure, evening economy and residential uses and to secure highway improvements. Development must ensure:

- heritage assets are protected and enhanced;

- pedestrian links to the town centre and River Avon corridor are improved and enhanced; and
- a review is carried out of car parking requirements at the Bath Road Car Park to consolidate that use where possible and open up development opportunities on the site.

**Emery Gate Shopping Centre** - Refurbishment and reconfiguration to include a mix of retail commercial, leisure, evening economy and residential uses. Development must ensure:

- the shopping centre retains some anchor retail units, which in combination with other uses help to encourage people to visit the town centre;
- any residential uses will be on upper floors and not have a detrimental impact on the continuing use of other units for retail, leisure and commercial uses;
- active frontage onto the River Avon corridor is maximised;
- improved pedestrian links between the shopping centre, the River Avon and the High Street; and
- a review is carried out of car parking requirements at the Emery Gate Car Parks to consolidate that use where possible and open up development opportunities on the site.

**Chippenham railway station and Cocklebury Road area** - Proposals for further inward business investment in this area, as identified on the Policies Map, will be supported. Development must ensure improved pedestrian and cycling links to/from the railway station, nearby residential areas and the town centre will be provided.

Development of all sites within the town centre should be in line with Policy 6 (Chippenham Principal Settlement) and Policy 68 (Managing town centres)

## Neighbourhood planning

**4.44** A Chippenham Neighbourhood Plan, focused on the town parished area, is being prepared by the local community led by Chippenham Town Council. The neighbourhood plan requirement for the designated area is 200 homes over the Local Plan period to 2038. The total requirement is relatively modest for the plan area and recognises that it can be difficult to identify residential sites within urban areas which by their nature often come forward as windfall sites. The requirement can be delivered through the emerging and/or a future neighbourhood plan for Chippenham town. While the emerging neighbourhood plan is not currently proposing to allocate sites for housing, it does include a proposal for the redevelopment of the Bath Road and Bridge Centre site, which includes residential uses as part of a mix of uses. This would contribute towards the housing requirement identified within this Plan.

## Calne Market Town

- 4.45** Calne is not significantly constrained in environmental terms when compared with some of the other Market Towns in the HMA, and in recent years has seen rates of housing growth higher than those planned for in the development plan. Alongside new homes there has been some recent investment in retail within and out of the town centre. However investment in the town centre has been limited in recent years.
- 4.46** Evidence<sup>11</sup> suggests that further significant growth would not be appropriate for the town; this includes in combination with new road links that would, overall, not deliver clear positive benefits. A key consideration under-pinning the strategy for the town is more balanced growth between housing and employment, with investment in businesses, services for the local community and a stronger town centre. New employment land is needed to help diversify job opportunities with a move away from a concentration in manufacturing.
- 4.47** Careful consideration has been given to the potential impacts of any new development on traffic congestion and air quality issues along the A4 in Calne town centre.

### Policy 9

#### Calne Market Town

Development at Calne will:

1. provide a balanced approach to housing growth, that allows the wide-ranging housing needs of Calne to be met whilst conserving the special market town feel, including its heritage and landscape qualities;
2. protect and provide new and existing employment land, ensuring the role and function of Calne is maintained as an important local employment centre;
3. support development that is well connected to Calne town centre by sustainable modes of transport and encourage delivery of infrastructure such as primary schools, open space, allotments, land for cemetery space and health services to support sustainable communities;
4. ensure infrastructure improvements to the local road network where necessary that will aim to reduce traffic congestion and improve air quality in the town centre;
5. minimise the impact of development and associated infrastructure on the environment to help meet the Calne Town Council Climate and Environmental Emergency Pledge;
6. be supported by the implementation of a town centre masterplan to ensure continued investment in the town centre and improve the provision of services, facilities and amenities, particularly the level and quality of retail outlets, hospitality venues and public spaces;
7. provide and promote sustainable transport and active travel, including new and improved bus routes and pedestrian and cycling routes; and
8. deliver funding contributions towards a Calne Transport Strategy.

<sup>11</sup> Revised Spatial Strategy, Wiltshire Council (September, 2023)

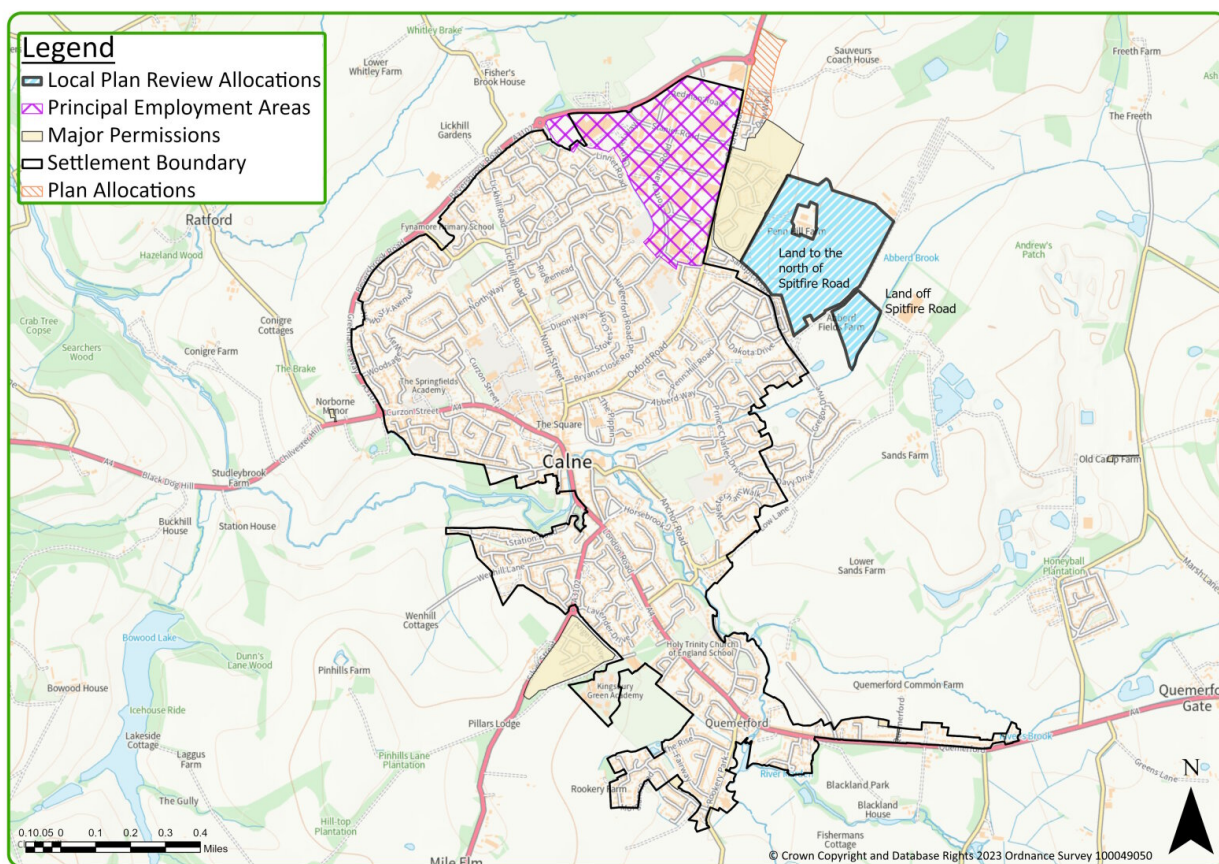
Over the plan period (2020 to 2038) approximately 1,230 homes and 5.1 ha of employment land will be provided at Calne, including:

- remainder of existing employment land allocation on Land East of Beversbrook Farm and Porte Marsh Industrial Estate, as shown on the Policies Map;
- new allocation for approximately 570 dwellings and 0.5ha employment land on Land to the North of Spitfire Road; and
- new allocation for 2.7ha of employment land on Land off Spitfire Road.

The neighbourhood area designation requirement is 130 dwellings.

The following Principal Employment Areas will be retained in accordance with Policy 65 (Existing employment land): Porte Marsh Industrial Estate.

**Figure 4.4 Calne Policies Map**



## Land off Spitfire Road, Calne

**4.48** Land off Spitfire Road is allocated for the delivery of employment land at Calne. The site is well located in terms of accessibility to the town centre and has potential to incorporate opportunities for sustainable travel. The site is also well related to existing and new homes, as well as existing business clusters at Porte Marsh Industrial Estate. The employment land will be brought forward in accordance with Policy 2 (Delivery Strategy).

**4.49** Development of the site has the potential to impact existing hedgerows and trees throughout the site, which will need to be safeguarded and enhanced through an appropriate layout and landscaping approach.

## Policy 10

### Land off Spitfire Road, Calne

Land off Spitfire Road, Calne, as identified on the Policies Map, is allocated for the development of approximately 2.7 ha employment uses. Development should come forward in accordance with the principles in the concept plan.

Infrastructure and mitigation requirements include;

- appropriate landscape buffers in the east and south of the site and throughout the development, to ensure a well-integrated settlement expansion to the east of Calne whilst retaining, with a suitable buffer, and enhancing Abberd Brook in its role as a green corridor linking to the town centre;
- funding contributions toward measures that improve air quality. An assessment will be needed to understand cumulative effects of development on relevant receptors in the Air Quality Management Area, and to identify appropriate mitigation measures;
- significant offsite infrastructure reinforcement for both water supply and foul water disposal will likely be required;
- assessments of potential noise and odour impacts from the adjacent biomass processes, landfilling operations and HGV relief road serving the waste site, to inform an appropriate layout and necessary mitigation measures; and
- a detailed land contamination assessment and, if necessary, remediation of the site would be required prior to any development coming forward.

**4.50** How the employment allocation proposed at Calne may be developed is shown on the concept plan in Figure 4.5, together with the adjoining allocation in Policy 11 (Land to the North of Spitfire Road, Calne).

### Land to the North of Spitfire Road, Calne

**4.51** Land to the north of Spitfire Road, Calne is allocated for the delivery of a residential led development of approximately 570 homes and 0.5ha employment land for office use. The site is of a scale whereby it will be necessary to secure the delivery of a supporting local centre to serve the new community, along with a small element of onsite employment and retail, alongside significant green space.

**4.52** The site benefits from its relative accessibility to the town centre with potential to support future residents walking and cycling, with local bus transport options also available.

**4.53** Development of the site has the potential to impact on the rural landscape setting of Calne, and the nearby North Wessex Downs Area of Outstanding Natural Beauty. Proposals for the development of the site must demonstrate an appropriate layout and landscape strategy to ensure that any potential landscape impacts can be suitably mitigated. This should include landscape buffers and the retention and enhancement of hedgerows and trees as part of a mature landscape framework.

## Policy 11

### Land to the North of Spitfire Road, Calne

Land to the north of Spitfire Road, Calne, as identified on the Policies Map, is allocated for the development of approximately 570 dwellings, local centre, a site of at least 0.3ha for an 80 place nursery, and 0.5ha employment land for office use.

A single comprehensive masterplan, phasing and delivery strategy for the development, must be prepared and approved by the local planning authority in advance of any planning application being submitted for the whole or part of the allocated site. This must take account of the requirements of this Policy and the principles shown within the concept plan and be prepared in consultation with the local community and local planning authority. Subsequent planning applications must be in accordance with the approved masterplan.

Infrastructure and mitigation requirements include:

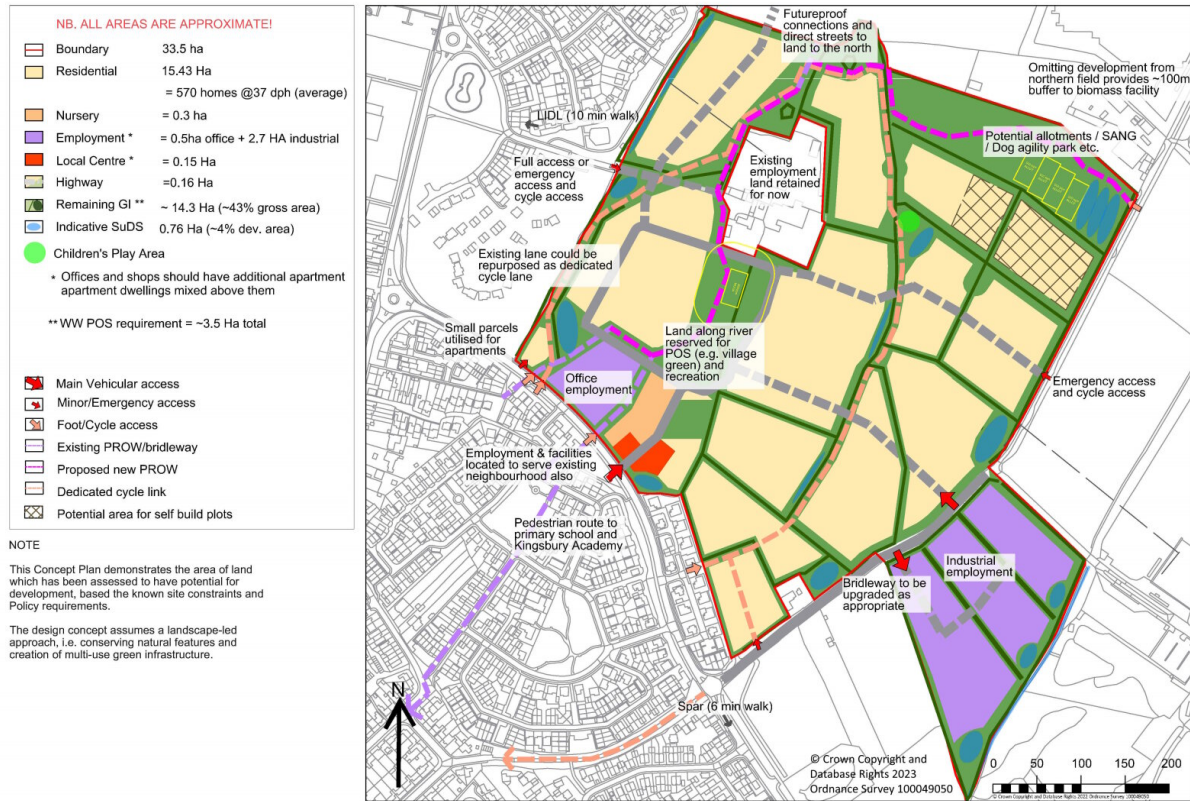
- vehicular access from both Sandpit Road and Spitfire Road;
- an enhanced crossing between Spitfire Road and Abberd Lane for walking and cycling use;
- measures to positively support walking, cycling and public transport use between the site and Calne town centre; and ensure connectivity between the new allocation in Policy 10 (Land off Spitfire Road);
- enhanced bus stops along Oxford Road, including mobility impaired access, seating, real time bus service information and cycle parking;
- a financial contribution for an onsite 80 place nursery, together with funding contributions for secondary education if required dependent on available school places at the time of the application;
- appropriate landscape buffers to new settlement edges in the north and east of the site and through the development, to ensure a well-integrated settlement expansion to the east of Calne and avoid where possible development on higher landform to prevent harm to the Area of Outstanding Natural Beauty;
- funding contributions toward measures that improve air quality. An assessment will be needed to understand cumulative effects of development on relevant receptors in the Air Quality Management Area, and to identify appropriate mitigation measures;
- assessments of potential noise and odour impacts from the adjacent waste and recycling depot on the amenity of future residents; and
- significant offsite infrastructure reinforcement for both water supply and foul water disposal will likely be required.

**4.54** How the site may be developed is shown on the Concept Plan as shown in Figure 4.5 This illustrates one treatment of the site that considers mitigation requirements and the homes, other uses and infrastructure envisaged.

**Figure 4.5 Land off and North of Spitfire Road Concept Plan**

Land off and North of Spitfire Road

Concept Plan



## Town centre

**4.55** Calne is defined as a Market Town in the town centre hierarchy for Wiltshire. The town centre boundary and primary shopping area boundary for Calne are identified on the Policies Map and in Appendix E. Policy 67 (Sequential test and retail impact assessment) and Policy 68 (Managing town centres) set out general policies to safeguard and promote the vitality and viability of town centres, including Calne.

**4.56** Based on shopping trends and growth in catchment spending, there is no need to allocate any sites for additional retail floorspace. Further regeneration initiatives should boost services, tourism, and hospitality sectors, as well as including elements of residential development, including the night-time economy, and improving the attractiveness of the environment. A masterplan for the town centre, adopted by the town council in 2014, has established a vision and areas for further work that could bring forward regeneration and enhance the visitor environment.

## Neighbourhood planning

**4.57** The first Calne Community Neighbourhood Plan was made in February 2018. The neighbourhood area designation includes both Calne Town and Calne Without parishes, and encompasses Calne Market Town as a whole, together with the Large Village of Derry Hill/Studley. The Plan is under review and the neighbourhood area designation requirement in Policy 9 (Calne Market Town) is for the revised neighbourhood plan, including approximately 100 homes at Calne (additional to the allocations in the 2018 neighbourhood plan) and a



requirement for the Large Village of approximately 30 homes as set out in Table 4.4 later in the Plan. The neighbourhood area designation provides scope within and on the edge of the Calne urban area to allocate suitable sites, as well as at Derry Hill/Studley.

## Corsham Market Town

- 4.58** Corsham is constrained in environmental terms - the Bath and Bradford on Avon Bats Special Area of Conservation (SAC) and associated foraging habitat and flight corridors to the west, some areas of flood risk associated with small tributaries heading east towards the River Avon, the historic park and garden of Corsham Court to the east of the town, historic and current mining activity to the north, at and around Hartham Park, and a Corsham green buffer identified in the Corsham Neighbourhood Plan to the west and south of the town, to maintain the separate character and identities of the villages of Rudloe, Westwells, Gastard and Neston. The Plan recognises and protects their importance. Consequently, recent rates of housing growth are planned to be reduced.
- 4.59** There is demand for further employment land. This has surfaced to the west of Corsham, near to the Ministry of Defence site and the villages of Rudloe and Westwells. Recent development has included the Bath Science Park, located near Rudloe. Evidence<sup>12</sup> suggests there is potential for further employment growth in science-related industries, extending to marketing, research and development, and pharmaceuticals. However, environmental constraints in this area and land availability prevent the allocation of additional land for further employment uses. Consequently, an employment land allocation for Corsham has not been identified. Policy 64 (Additional employment land) may bring forward opportunities should they arise during the Plan period. The Neighbourhood Plan also supports development which safeguards and/or contributes to the strengthening of the vitality and identity of west Corsham, which includes expanding the business potential west of Corsham in accordance with an identified need.
- 4.60** The growth planned at Corsham will help to facilitate the delivery of improved services and facilities in the Corsham area including any forthcoming proposals for a reopened railway station at Corsham. The site for the provision of a railway station at the town continues to be safeguarded in Policy 75 (Strategic transport network).
- 4.61** Policy 12 (Corsham Market Town) also makes provision for a reserve site for housing development, which could provide approximately 200 homes (see Figure 4.6). Reserve sites are proposed at some Market Towns and will only be released by the local planning authority, should for any reason other allocations be delayed, or, the contribution from small sites fail to materialise and they are required to maintain the land supply requirements set by national policy. The site could also be considered as a potential site for allocation as part of any forthcoming review of the Corsham Neighbourhood Plan.

### Policy 12

#### Corsham Market Town

Development at Corsham will:

1. maintain the separate identities of Corsham from the settlements around the town (Rudloe, Westwells, Gastard and Neston);
2. regenerate and revitalise Corsham town centre, in particular the Martingate Centre;

<sup>12</sup> Wiltshire Employment Land Review Update, Hardisty Jones Associates (September, 2023)

3. protect, improve, and extend the green and blue infrastructure network, including protecting important habitats for bats and providing additional allotment sites to meet high demand;
4. improve public transport connectivity and pedestrian and cycle routes in and around Corsham, and road network capacity where possible;
5. safeguard land for a railway station;
6. provision of a second supermarket for the town to provide the opportunity for people to shop locally.
7. conserve and where possible enhance the distinctive characteristics of Corsham's historic landscape, historic centre and other heritage rich areas including underground stone mines; and
8. deliver funding contributions towards a Corsham Transport Strategy;

Over the plan period (2020 to 2038) approximately 360 homes will be provided at Corsham, including:

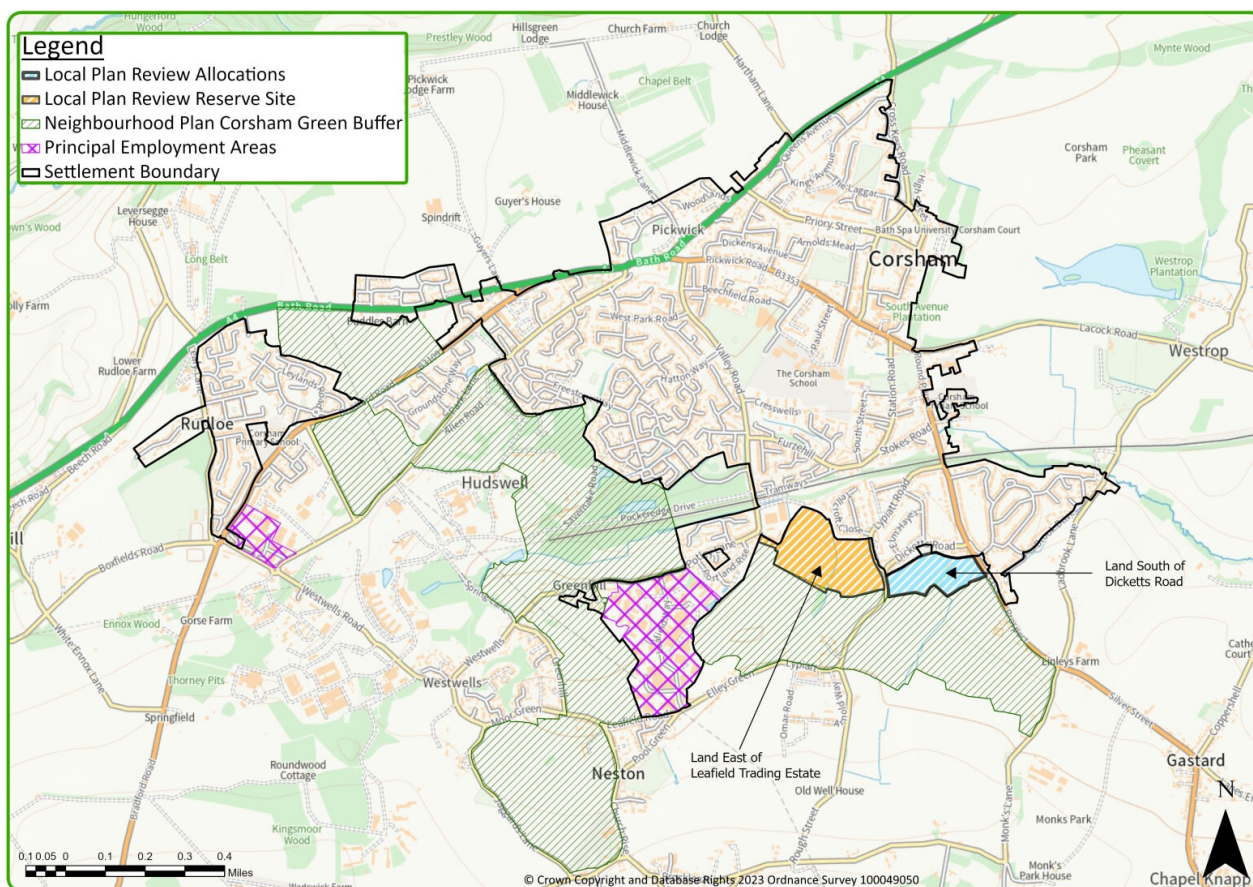
- a new allocation for approximately 105 dwellings on Land South of Dicketts Road; and
- 110 dwellings on small sites of less than ten dwellings.

The neighbourhood area designation requirement is 40 dwellings.

The following Principal Employment Sites will be retained in accordance with Policy 65 (Existing employment land): Leaffield Industrial Estate and Five Ways Trading Estate.

A reserve site of approximately 200 dwellings is identified on Land East of Leaffield Trading Estate, as shown on the Policies Map, which will only be brought forward in accordance with Policy 3 (Reserve sites and broad locations for growth).

**Figure 4.6 Corsham Policies Map**



## Land South of Dicketts Road, Corsham

**4.62** Approximately 2.8ha of land south of Dicketts Road is allocated for development to provide 105 dwellings and supporting infrastructure. The site is reasonably well connected to the town centre; within an approximate 15-minute walk. There would be the opportunity to improve the pedestrian and cycleways to and from the town centre, so residents would be able to easily visit through sustainable travel choices, which would help to increase footfall and boost local trade.

**4.63** The proposed development would help maintain the separate identity of Corsham from the settlements to the west of the town.

### Policy 13

#### Land South of Dicketts Road, Corsham

Land West of B3533 as identified on the Policies Map, is allocated for residential development comprising approximately 105 dwellings. Development should come forward in accordance with the principles in the concept plan.

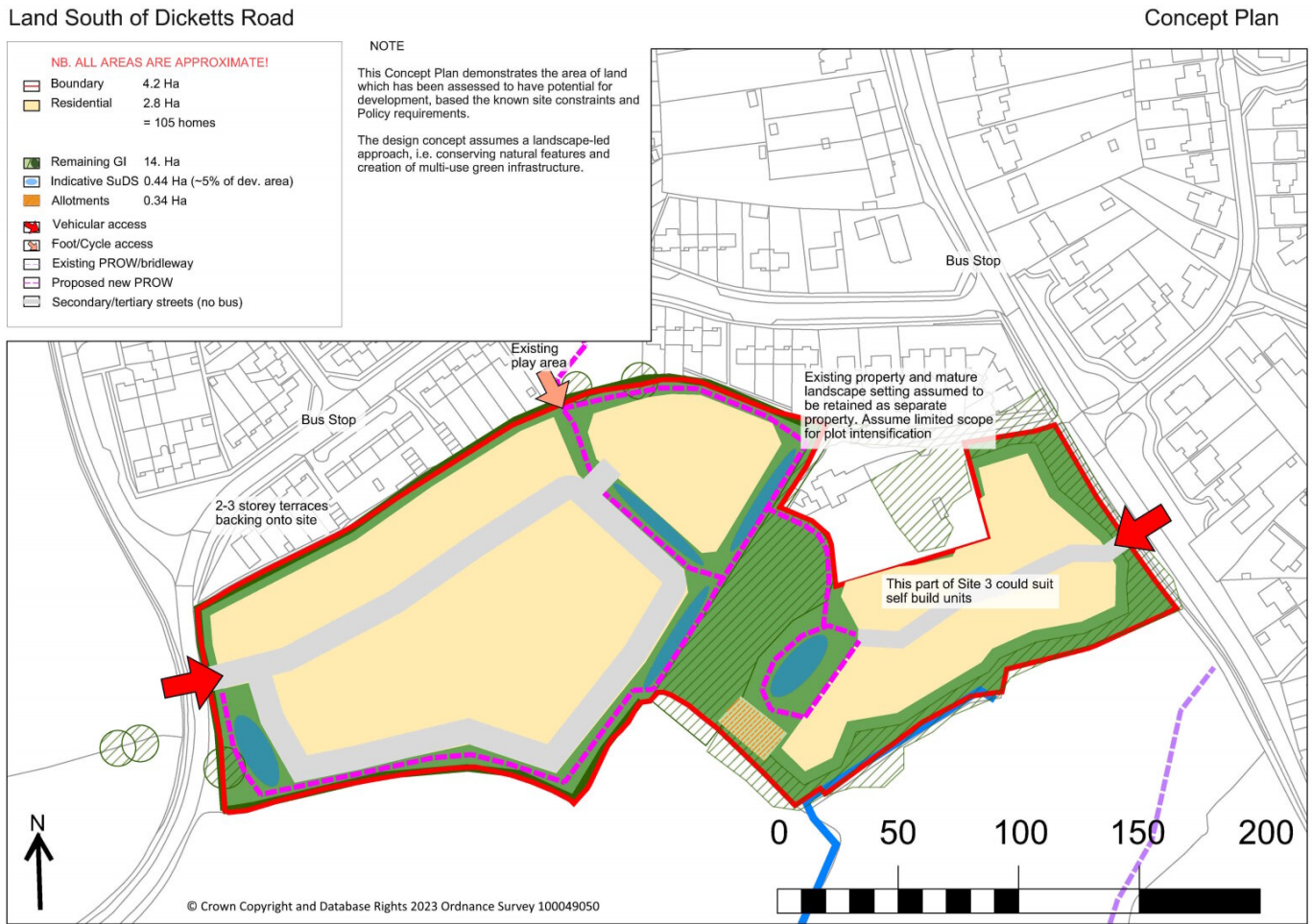
Infrastructure and mitigation requirements include:

- access onto the B3533 Prospect and Lypiatt Road;
- improvements to cycling and walking through the site to link with the existing network and connections through to the town centre and employment sites;

- habitat creation throughout the site layout to provide connectivity to adjacent or nearby habitats, to support protected bat species and the condition of the Bath and Bradford Bats Special Area of Conservation. Design and layout will be informed by appropriate surveys, impact assessments and the Corsham Batscape Strategy. Appropriate mitigation to protect bats, including financial contributions towards management, monitoring, and any off-site measures as necessary;
- allotments;
- significant off-site infrastructure for water and foul supply;
- easements for existing public water main crossing part of the site and a strategic sewer north of the site near to the railway line which will require suitable easements. Land may need to be put aside for a pumping station;
- if surface water from this development is to connect upstream to the Southerwicks / Station Road surface water network appraisal must assess impact and mitigation measures. Some of the site is associated with a medium risk of groundwater flooding which could impact upon some sustainable drainage techniques;
- further investigation is likely needed to identify the presence and significance of any unknown archaeological remains across the site;
- buffers may be required to the west and southeast edges of the site to mitigate impact on the setting of farmsteads and avoid coalescence with hamlets to the south; and
- funding contributions for secondary education and early years provision if required, dependant on places available at the time of the application.

**4.64** How the site may be developed is shown on the Concept Plan as shown in Figure 4.7. This illustrates one treatment of the site that considers mitigation requirements and the homes, other uses and infrastructure envisaged.

**Figure 4.7 Land South of Dicketts Road Concept Plan**



## Town centre

- 4.65** Corsham is defined as a Market Town in the town centre hierarchy for Wiltshire. The town centre boundary and primary shopping area boundary for Corsham are identified on the Policies Map and in Appendix E. Policy 67 (Sequential test and retail impact assessment) and Policy 68 (Managing town centres) set out general policies to safeguard and promote the vitality and viability of town centres including Corsham.
- 4.66** Corsham's town centre is attractive and characterful, part of which is protected by conservation area status and benefits from many historic buildings and points of interest, such as Corsham Court. It is important to conserve and where possible enhance Corsham's historic centre, whilst also supporting innovatively designed proposals which add to the vitality.
- 4.67** The town centre performs a localised retail and service function. The convenience goods offer has remained constant over the past several years, continuing to focus upon primarily a top-up food shopping role, with main food shopping trips by local residents primarily flowing to nearby Chippenham. There is an opportunity to enhance or remodel the Martingate Shopping Centre. An opportunity for new convenience retail floorspace catering for main food shopping to promote self-containment could also be supported with care taken relating to scale and location to protect town centre vitality and viability. There is a sufficient supply of comparison goods retail floorspace at the town, which supports local independent traders and differentiates from the retail offer at Chippenham.

## Neighbourhood planning

**4.68** The first Corsham Neighbourhood Plan was made in 2019. The town council is considering whether to review their plan and to allocate some sites for housing. Corsham is generally restricted by environmental constraints. However, there may be some opportunities for smaller sites within or adjacent to the built up area which are suitable to be allocated for housing. A total neighbourhood area designation housing requirement is set at 40 dwellings.

## Devizes Market Town

- 4.69** Outward expansion of the settlement is constrained by steep topography, the need to conserve and enhance the town's landscape setting, and the qualities of the Area of Outstanding Natural Beauty. Rates of house building have exceeded those previously planned for and rates of growth are substantially reduced. Existing land supply for housing including recent approval of Land at Coate Road for 200 homes mean there is no need to allocate further greenfield land or include a reserve site for housing in this Plan. Housing land is expected to be identified for development in the Neighbourhood Plan and, along with small sites of less than 10 dwellings, this will meet planned scales of growth. There is a good supply of land for employment development including existing employment allocations and no further allocations in the Plan are necessary.
- 4.70** The plan provides a framework for the regeneration of the Wharf area; a redevelopment opportunity that will boost the town's prosperity and environment with a mix of new uses. Approximately 100 new dwellings are anticipated as part of the mix, which will help supplement land supply at the town and support the regeneration of this central site.

### Policy 14

#### Devizes Market Town

Development at Devizes will:

1. provide homes that respond to local needs, in locations that are within the environmental constraints of the town recognising the proximity of the North Wessex Downs Area of Outstanding Beauty, the unique topography, historic fabric and setting of the town, the extent of best and most versatile agricultural land and air quality issues;
2. contribute towards the improvement of air quality and support the Air Quality Management Area in Devizes town centre;
3. deliver jobs to maintain a buoyant local economy in Devizes and bring forward the employment allocations and employment development;
4. encourage town centre and tourism-led regeneration including through the delivery of the Devizes Wharf Regeneration, Assize Court and Wadworth Brewery Scheme, and support for the Devizes Gateway train station proposal;
5. have high design standards to reflect the high-quality built form in Devizes;
6. be well connected to the town centre to encourage the use of sustainable transport methods, particularly walking and cycling, and help alleviate traffic congestion; and
7. connect to green and blue infrastructure and protect and enhance important bat habitats around the town. □

Over the plan period (2020 to 2038) approximately 980 homes and 9.9ha of employment land will be provided at Devizes, including:

- 140 dwellings on small sites of less than ten dwellings;

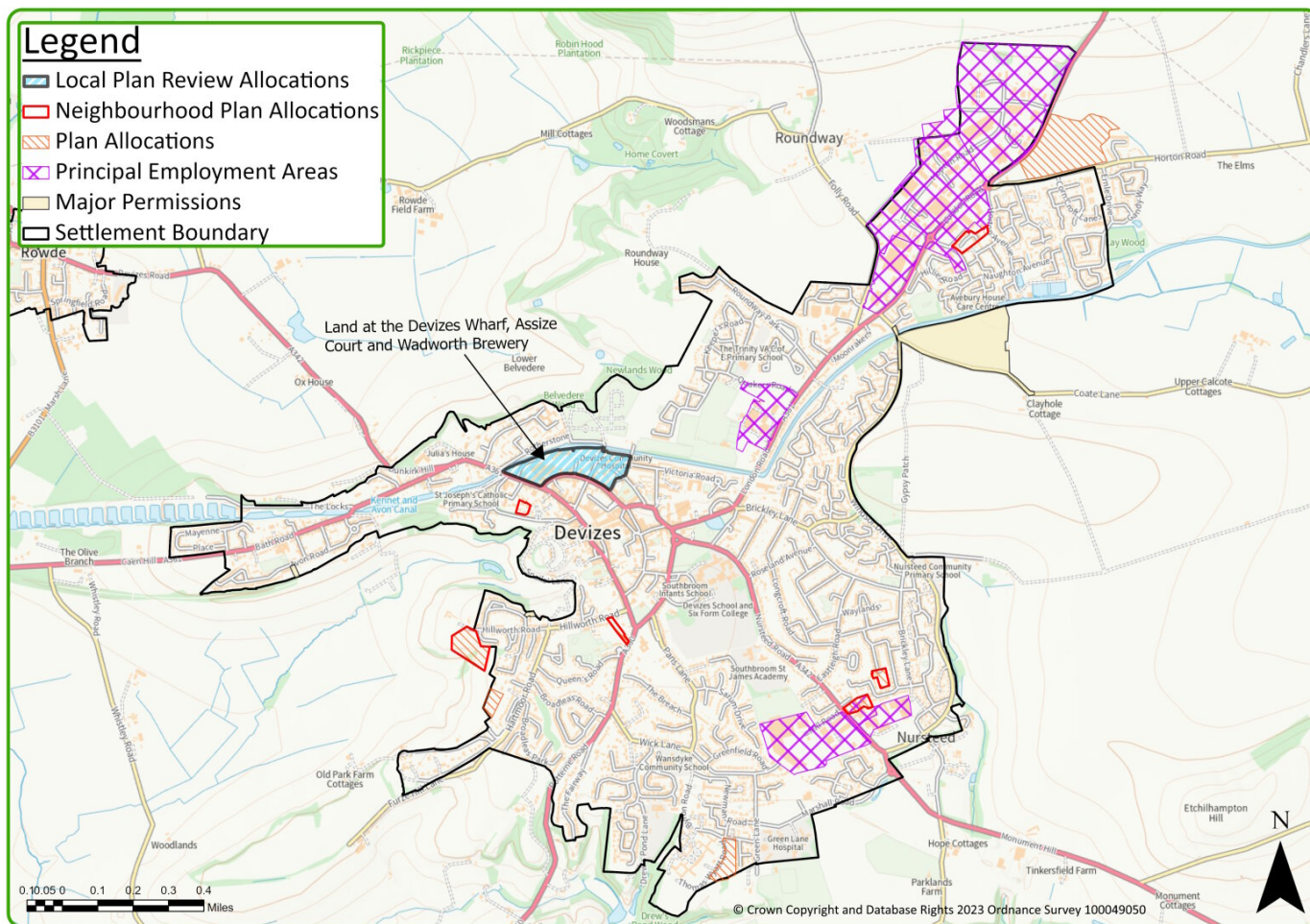


- additional dwellings forming part of the regeneration of the Wharf, Assizes Court and Wadworth Brewery site (Policy 15); and
- existing allocation for 8.4ha of employment land on land between A361 and Horton Road, as identified on the Policies Map.

The neighbourhood area designation requirement is 170 dwellings.

The following Principal Employment Areas will be retained in accordance with Policy 64 (Additional employment land): Banda Trading Estate, Folly Road, Hopton Industrial Estate, Hopton Park, Le Marchant Barracks, Mill Road, Nursted Industrial Estate and Police Headquarters.

**Figure 4.8 Devizes Policies Map**



## Land at the Devizes Wharf, Assize Court and Wadworth Brewery, Devizes

- 4.71** Land at Devizes Wharf, Assize Court and Wadworth Brewery is allocated for regeneration to deliver a mixed use quarter to the town which will comprise a range of commercial, residential, recreation and cultural uses. Regeneration of the site will secure the restoration and reuse of its heritage assets, including the listed brewery buildings and Assize Court.
- 4.72** The allocation is split into three distinct areas as shown in figure 4.9<sup>13</sup> These comprise the Lower Wharf, Central Wharf and Upper Wharf. The three areas combined form a large regeneration project for Devizes, which is to be guided by a masterplanned approach. Further work to progress this scheme will take account of 'The New Masterplanning Devizes Wharf Area Redevelopment and Feasibility Study 2022 Update'.

**Figure 4.9 Devizes Wharf Zones**

**Lower Wharf Area**

Wadworth Brewery and Assize Courts are dominant buildings on Northgate Street and are an important part of the town's history and identity. The Brewery is a visitor destination in its own right and the Assize Court should hopefully become one.

**Central Wharf Area**

The central Wharf Area is characterised by the public access to the Canal, the Theatre building and the associated public space. It provides the most obvious opportunity for exploiting the recreational potential of the Canal and attracting visitors from the town centre and the Brewery area.

**Upper Wharf Area**

East of Couch Lane there is a stronger community character, dominated by the church and the hospital buildings. Potential exists to create a residential community with a strong local character and identity, within easy walking distance of the shops and leisure facilities of the town centre.



**Policy 15**

**Land at Devizes Wharf, Assize Court and Wadworth Brewery, Devizes**

Regeneration and redevelopment of Devizes Wharf on land at the Lower Wharf, Central Wharf and Upper Wharf Areas, including Assize Court and Wadworth Brewery, will secure the conservation and viable use of heritage assets and provide mixed commercial, residential, recreation and cultural uses.

Development of the three wharf areas combined must ensure:

**Land use and masterplanning requirements**

- The three wharf areas must be developed in combination to ensure that the full wharf area is regenerated in line with the New Masterplanning (May 2022) Devizes Wharf Redevelopment and Feasibility Study Update.
- The Wadworth Brewery site should be redeveloped to contain a mix of uses including securing the restoration and reuse of the historic brewery building in its optimum viable use.
- The community hospital site and police station should be redeveloped to contain a mix of uses including securing the retention and reuse of non-designated heritage assets.

13 Map from the New Masterplanning (May 2022) Devizes Wharf Area Redevelopment and Feasibility Study 2022 Update

- The Lower Wharf area should be redeveloped to secure the future use of Assize Court as the new Wiltshire Museum and to create an attractive interface with adjacent development and the canal. All new development should retain active frontages onto the sides and rear of Assize Court.
- Development in the three wharf areas must ensure that linkages are extended from the current town centre to create an integrated network of streets and public space from the market square to the canal.
- A continuous footpath will be provided along the south side of the canal including between the Central and Lower Wharf area.
- Development on New Park Street will be carefully designed to provide an attractive gateway into the Devizes Wharf development.
- The pedestrian routes between the town centre and the canal, between key destinations and from the car parking will be improved to ensure better and safe access throughout the site.
- Access to the canal through the brewery building is opened up.
- Redevelopment should be of high quality design which enhances existing heritage assets and creates positive interfaces between key buildings and sites within the area.
- A review of car parking requirements at the Wharf and Station Road Car Parks should be carried out as part of the planning application process to consolidate that use where possible, and to open up development opportunities at the Wharf.
- Moderate offsite infrastructure reinforcement for both water supply and foul water disposal will be provided where necessary.

#### Heritage requirements

- Listed buildings which are currently vacant or underused, including the former Wadworth Brewery and Assize Court must be retained, restored and converted to viable new uses. Their settings should be conserved and enhanced and development on adjacent sites should not impact negatively on the viability of their future uses.
- Non designated heritage assets that make a positive contribution to the character of the conservation area should be retained including the Kennet and Avon Visitor Centre, The Wharf Theatre and historic buildings at the former community hospital.
- Redevelopment of the area must respect the settlement pattern, character and appearance of the town and the settings of heritage assets inside and outside the area, including Assize Court, brewery and canal.
- The alignment of New Park Street in relation to the outer bailey of Devizes Castle should be respected.
- Investigation will be needed to identify the presence and significance of unknown archaeological remains across the site. Mitigation should include avoidance of high value archaeological remains where preservation in situ is likely to be required.

#### Transport and education requirements

- A funding contribution should be made towards measures in the Devizes Transport Strategy, including upgrades to the A361/A342/A360 junction in the town centre, improvements to the Market Place/Long Street for pedestrians and cyclists, and works to improve air quality around Shane's Castle.
- Funding contributions for secondary education and early years provision may be required dependent on available places at the time of the application.

#### Protection of the canal and its use

- The Kennet and Avon Canal borders the north of the site and must be retained along with all hedgerows and trees along with a wide buffer and ecological protection zone. This should include the root protection zone of the tree line on the northern edge of the site. The canal is a well used commuting and foraging route for bats, otters, water voles and birds and the buffer and ecological protection zone should be maintained to avoid light spill onto the canal corridor either from external lights or interior lighting within buildings.
- Public space alongside the canal should be safeguarded.

## Town centre

- 4.73** Devizes is one of the main historic and cultural centres within the eastern part of Wiltshire and provides an attractive and unique retail environment with a strong presence of independent businesses. It has a healthy town centre with a limited, but strong local catchment with a high level of self-containment. The quality of the built environment adds to this. It has many heritage assets including the market square and a historic street pattern, the Wadworth Brewery building and the setting of the Norman castle that is located to the west of the town centre
- 4.74** Devizes is defined as a Market Town in the town centre hierarchy for Wiltshire. The town centre boundary and primary shopping area boundary are identified on the Policies Map. Policy 67 (Sequential test and retail impact assessment) and Policy 68 (Managing town centres) set out general policies to safeguard and promote the vitality and viability of town centres including Devizes.
- 4.75** There is some capacity for additional convenience goods retailing but fresh opportunities have not been identified. Additional floorspace should be located within or on the edge of the town centre. Ensuring market competition and avoiding potential impacts on existing food-stores within the town centre will be a key consideration for any proposals. There could be potential to grow the food and beverage market over the plan period.

## Neighbourhood planning

- 4.76** The first Devizes Area Neighbourhood Plan was made in September 2015. It sets out the vision, objectives and policies for Devizes for the period 2015 to 2026 and focuses on delivering smaller scale brownfield sites, some of these have already been delivered.
- 4.77** The neighbourhood plan is being reviewed and will be based on an extended designated area, including the Large Village of Rowde, as well as the Market Town of Devizes. There is an appetite to continue to allocate housing sites through the plan at Devizes to help ensure an appropriate scale of housing growth is achieved. It is also anticipated that the neighbourhood

plan will include a town centre masterplan that amongst other matters may identify opportunities for convenience retailing and capitalise on the regeneration of the Devizes Wharf, Assize Court and Wadworth Brewery.

- 4.78** A significant level of growth is already committed at the town and in excess of a further 200 dwellings is expected to be provided by the combination of sites of less than ten dwellings and the Devizes Wharf, Assize Court and Wadworth Brewery site. The neighbourhood area designation also provides scope within and on the edge of the urban area to allocate suitable sites. In this context a designation area housing requirement of 100 dwellings is considered appropriate for the town.
- 4.79** The neighbourhood plan designation area includes the Large Village of Rowde. Independent of Devizes Town, a requirement of 67 dwellings over the Plan period has been set for this settlement in order to support the vitality of the community and its role serving the rural area around it. The total requirement for the area designation is therefore 170 homes.

## Malmesbury Market Town

- 4.80** Malmesbury is a relatively small, hill-top town serving a wide rural hinterland. It is surrounded by high quality physical environment with the Cotswolds Area of Outstanding Natural Beauty to the west and the confluence of the River Avon and Tetbury Avon south in the town. It has an exceptionally high-quality built environment including the historic Malmesbury Abbey in the west of the town. For these reasons the level of growth is set lower than in the past and is intended to meet local housing needs.
- 4.81** The amount of land needed for new homes has already been provided for at the town through planning permissions including those granted at appeal and the housing allocation planned for through the Malmesbury Neighbourhood Plan, to the north west of the town. Additional housing development will occur by small sites of less than 10 dwellings. Policy also makes provision for a reserve site for housing development, on Land off Park Lane and Sherston Close, which could provide approximately 55 homes (Figure 4.10). Reserve sites are proposed at some Market Towns and will only be released by the local planning authority, should for any reason other allocations be delayed, or, the contribution from small sites fail to materialise and they are required to maintain the land supply requirements set by national policy. The site could also be considered as a potential site for allocation as part of any future review of the Malmesbury Neighbourhood Plan
- 4.82** Malmesbury has a relatively small employment base focused on Dyson but its location on the A429 and near the M4 provide the opportunity to broaden the employment offer in the town. The existing supply of allocated employment land will help meet demand and further diversification of the local economy may be possible through the reuse or replacement of existing buildings or new employment opportunities arising through Policy 64 (Additional employment land). Malmesbury is an important retail centre for the wider area as well as a tourist attraction and this will continue to be encouraged and enhanced.
- 4.83** A further review of the Malmesbury Neighbourhood Plan is expected to lead to a refresh of the need for further housing and employment allocations to meet particular local needs.

### Policy 16

#### Malmesbury Market Town

Development at Malmesbury will:

1. provide a range of housing to respond to local needs recognising the environmental constraints that affect the town including its historic character and setting with Malmesbury Abbey and Market Cross at its core, areas of flood risk within the town and proximity to the Cotswolds Area of Outstanding Natural Beauty;
2. be supported by infrastructure including providing for the younger population, improving traffic congestion and parking issues, provision of local sports and leisure, provision of adequate early years and primary school places and improvement and protection of green and blue infrastructure;

3. support good prospects for economic growth including diversifying the local economy, building on local skills and protecting the town centre; and
4. be supported by the implementation of a strategy for the town centre that builds on Malmesbury's historic town centre and further encourages spending and tourism, improves accessibility, better manages traffic and parking and safeguards, as well as capitalises on, heritage assets in the town centre.

Over the plan period (2020 to 2038) approximately 600 homes and 3.3ha of employment land will be provided at Malmesbury including:

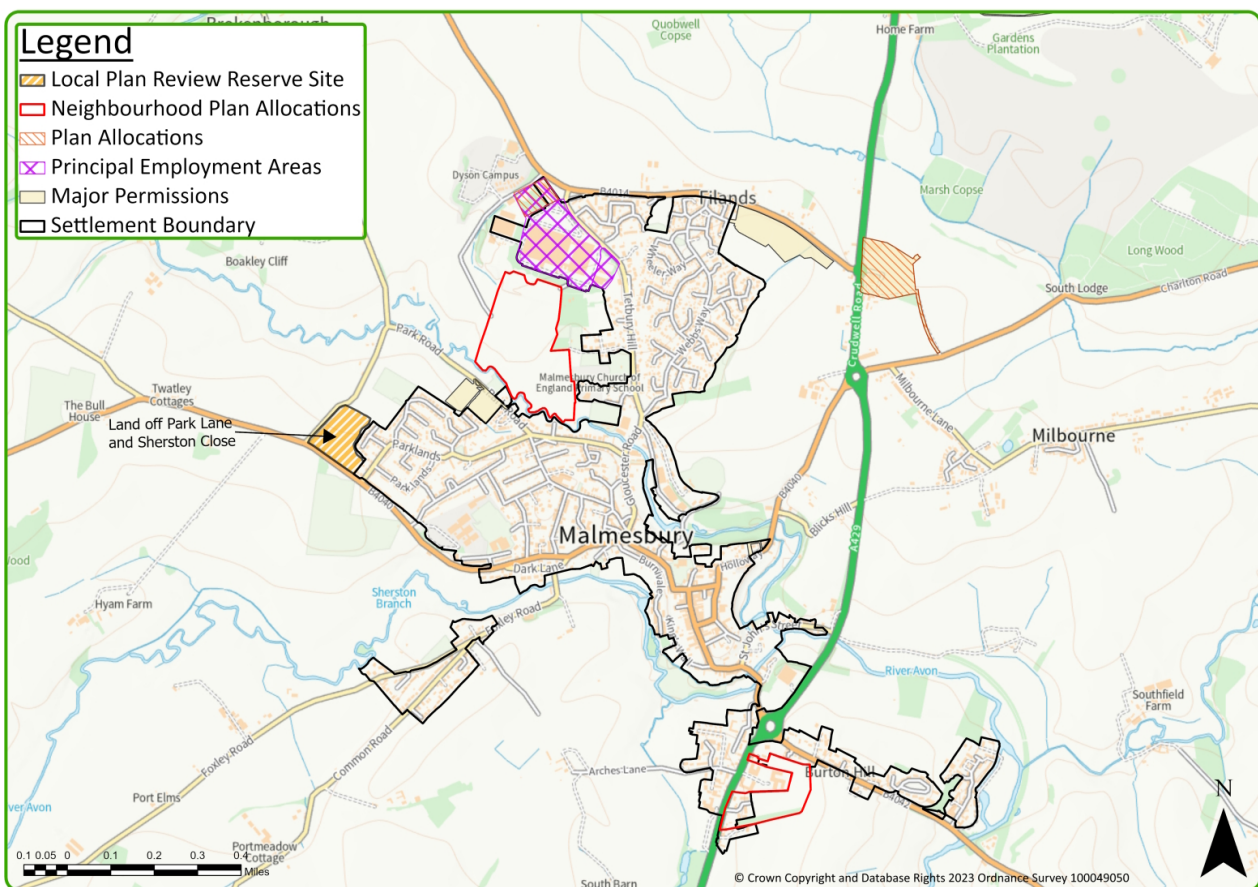
- 60 dwellings on small sites of less than ten dwellings; and
- remaining employment land on the existing allocations at the Garden Centre and Land North of Tetbury Hill.

The neighbourhood area designation requirement is 35 dwellings.

The following Principal Employment Areas will be retained in accordance with Policy 65 (Existing employment land): Malmesbury Business Park, Dyson Site and Land North of Tetbury Hill.

A reserve site of approximately 55 dwellings is identified on Land off Park Lane and Sherston Close, as shown on the Policies Map, which will only be brought forward in accordance with Policy 3 (Reserve sites and broad locations for growth).

**Figure 4.10 Malmesbury Policies Map**



## Town centre

- 4.84** Malmesbury is defined as a Market Town in the town centre hierarchy for Wiltshire. The town centre boundary and primary shopping area can be identified on the Policies Map. Policy 67 (Sequential test and retail impact assessment) and Policy 68 (Managing town centres) set out general policies to safeguard and promote the vitality and viability of town centres including Malmesbury.
- 4.85** Recent growth in the number of food retail stores in the town has been able to enhance self-containment for this type of local shopping needs. There is a small capacity for new comparison floorspace. Overall, existing retail floorspace is reasonably sufficient to meet these needs over the period to 2035.
- 4.86** However, proposals for both convenience and comparison floorspace through new developments and redevelopments of expansion within the town centre will be supported at the town over the period to 2035 to support a trend of retaining shopping trips, reducing the need for the local population to travel to Chippenham and Tetbury for these services. There could be potential to grow the food and beverage market over the plan period.
- 4.87** Policy 16 (Malmesbury Market Town) encourages the development of a town centre strategy for Malmesbury to further draw in tourists, protect and enhance the heritage in the town centre and ensure it functions well with improved parking.

## Neighbourhood planning

- 4.88** The first Malmesbury Neighbourhood Plan was made in 2015. It covers Malmesbury Town and the adjoining Brokenborough Parish and St Paul Malmesbury Without Parish. The area includes the Small Villages of Corston and Milbourne, but no Large Villages.
- 4.89** The neighbourhood plan sets a vision, objectives and allocates sites for housing in two locations. Housing at Burton Hill to the south west of the town has come forward for development. Land at the north west of Malmesbury, south of Dyson Limited research and west of Malmesbury CE School have yet to be developed. The neighbourhood planning group are reviewing the neighbourhood plan and this is expected to revisit the quantum of development on the allocated site north west of Malmesbury.
- 4.90** As the environs of Malmesbury are constrained and there is already a neighbourhood plan allocation at the town, the neighbourhood plan requirement for Malmesbury is 35 dwellings.



## Melksham Market Town

- 4.91** Melksham is one of Wiltshire's larger Market Towns. It has an important strategic employment role and its location on the A350 corridor makes it attractive to business. Melksham is not significantly constrained in environmental terms but there are concerns over the adequacy of local infrastructure to be able to support future growth with the A350 recognised as particularly constrained at peak times, leading to traffic congestion. A bypass to the east of the town is under consideration to relieve traffic pressure and secure improvements to the A350 strategic corridor, which in turn could lead to improved efficiency of the transport network and other social, environmental and economic benefits for the town.
- 4.92** The town has a reasonably broad economic base and has historically been able to attract large employers. Businesses and agents regularly reference significant demand for expansion space in the area against a shortage of available sites and premises, and additional employment land is allocated alongside housing to ensure there is a sufficient supply of land to meet demand over the Plan period. Housing growth over the Plan period is lower than in recent years, which exceeded planned rates in the development plan, but maintains a steady pace of growth at the town with additional allocations to the east. Additional growth will help to deliver a stronger, more vibrant town centre and needs to be balanced with additional investment in business, services and facilities for the local community.
- 4.93** The Plan allocates three sites, which will collectively deliver new infrastructure for the town and employment land including the expansion of the Melksham Oak Academy secondary school. As set out in Policy 3 (Reserve sites for housing and broad locations for growth), the Plan identifies Melksham as a settlement where the pattern for the longer-term future of the town should be identified towards the end of the Plan period, this is referred to as a broad location for growth and reflected in the following policy.

### Policy 17

#### Melksham Market Town

Development at Melksham will:

1. ensure town centre regeneration through continued investment in the town centre, maximising use of brownfield land and encouraging employment opportunities;
2. reduce out-commuting through an improved employment offer, including delivery of new employment land to allow existing businesses to expand and to attract inward investment;
3. not undermine the delivery of an A350 bypass to the east of the town;
4. increase levels of train passenger transport and help reduce traffic congestion through improvements to railway station parking facilities, together with improved facilities for public transport, pedestrian and cycle access that have strong links with the town centre;
5. ensure sufficient healthcare facilities, schools and transport infrastructure are delivered;
6. ensure a town-wide approach to future education provision, with sufficient early years, primary and secondary school places provided to meet the needs of all new housing development;

7. continue to safeguard a future route of the Wilts and Berks Canal and enable its delivery to provide significant economic, environmental and social benefits for Melksham;
8. deliver improvements to the town's green and blue infrastructure networks, optimising their accessibility and ecological capital, connecting communities and contributing to mitigating and adapting to climate change; and
9. deliver funding contributions towards a Melksham Transport Strategy;

Over the plan period (2020 to 2038) approximately 2,160 homes and 5 ha of employment land will be provided at Melksham, including:

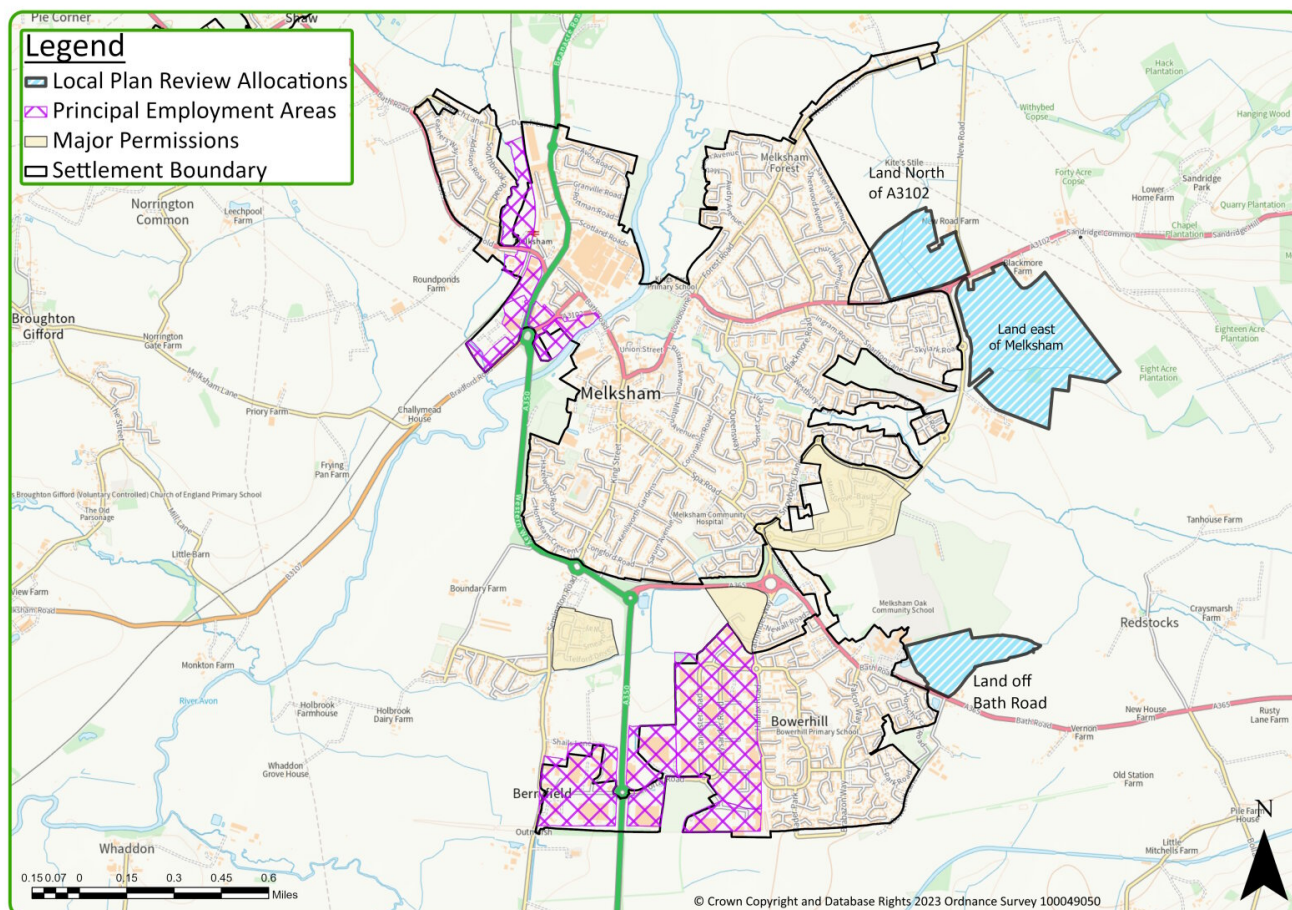
- new allocation for approximately 425 homes and 5ha employment land on Land East of Melksham;
- new allocation for approximately 135 homes on Land off Bath Road;
- new allocation for approximately 285 homes on Land North of the A3102; and
- remaining employment land on existing allocation at Hampton Business Park.

The neighbourhood area designation requirement is 270 dwellings.

The following Principal Employment Areas will be retained in accordance to Policy 65 (Existing employment land): Bowerhill Industrial Estate, Hampton Business Park, Avonside Enterprise Park, Intercity Industrial Estate, Upside Business Park, Challeymead Business Park and Bradford Road Employment Area.

Longer term, a broad location for growth will be considered for further housing, employment development and co-ordinated delivery of infrastructure.

**Figure 4.11 Melksham Policies Map**



## Land East of Melksham

- 4.94** Land East of Melksham is allocated for the development of 425 dwellings and 5 ha of employment land, a primary school with nursery provision and local retail /service centre with large swathes of green spaces to accommodate a range of children’s play areas, public open space and allotments.
- 4.95** A tributary watercourse flows through the site which will require significant buffers creating corridors and assist net gain for biodiversity. Protection, maintenance and enhancement should be provided for habitats such as hedgerows, trees and water features within and along the boundaries of the site, alongside other ecologically valuable habitat/features.

### Policy 18

#### Land East of Melksham

Land East of Melksham, as identified on the Policies Map, is allocated for approximately 425 dwellings, 5ha of employment uses, a local centre, and a 2ha site for a 2 form entry primary school to include 60 early years places.

A single comprehensive masterplan, phasing and delivery strategy for the development, must be prepared and approved by the local planning authority in advance of any planning application being submitted for the whole or part of the allocated site. This must take account of the requirements

of this policy and the principles shown within the concept plan, and be prepared in consultation with the local community and local planning authority. Subsequent planning applications must be in accordance with the approved masterplan.

Infrastructure and mitigation requirements include:

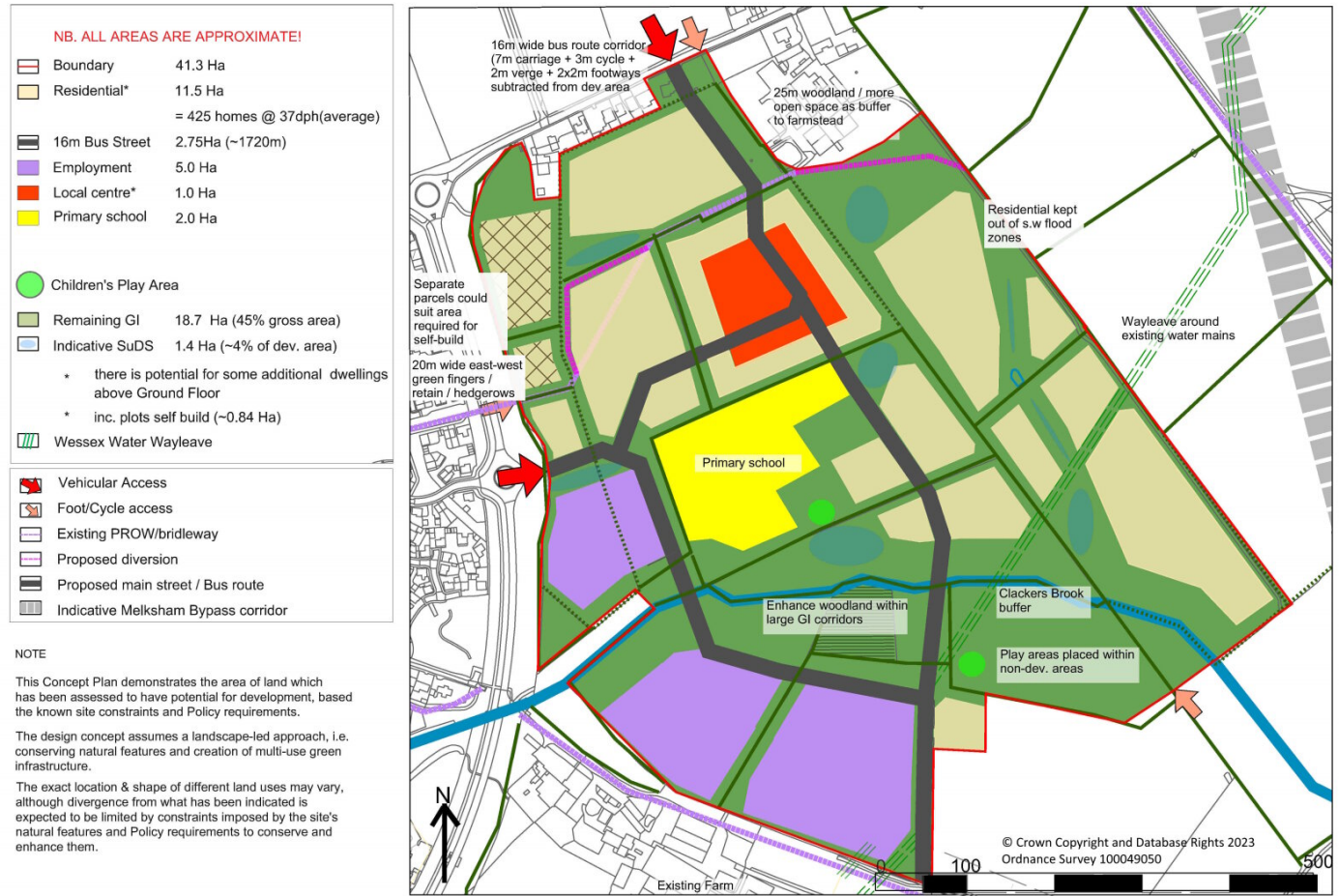
- vehicular accesses from the A3102 and existing roundabouts on Eastern Way;
- measures to protect and enhance watercourses, as well as ponds, within the site;
- green and blue infrastructure through the development that incorporates new and existing woodland and protects and enhances existing hedgerows and hedgerow/field trees;
- lower density development in the east of the site to retain the rural character of the wooded hills towards Sandridge Park;
- design and layout that safeguards high value archaeological features including the former medieval settlement of Snarlton and heritage assets including the listed Blackmore Farmhouse and its setting;
- offsite infrastructure improvements to water supply and foul water network;
- water infrastructure running through the site will need safeguarding through appropriate buffers to allow for access and maintenance;
- a mobility hub, including bus and cycle infrastructure provision;
- funding contributions towards early years, primary and secondary education and on, or off-site healthcare capacity to meet the needs created by the development;
- implementation of ecological buffer zones alongside habitats to be retained and protected within the scheme layout, and wildlife sensitive lighting design in order to minimise adverse effects on light sensitive and intolerant wildlife, particularly bats;
- appropriate mitigation and compensation for protected species, such as great crested newts; and
- measures to positively support walking, cycling and public transport use between the site, Melksham town centre and Melksham railway station and linking into existing networks.

**4.96** How the site may be developed is shown on the concept plan as shown in Figure 4.12. This illustrates one treatment of the site that considers mitigation requirements and the homes, other uses and infrastructure envisaged.

**Figure 4.12 Land East of Melksham Concept Plan**

Land East of Melksham

Concept Plan



## Land off Bath Road, Melksham

- 4.97** Approximately 11.3ha is allocated for the development of 135 dwellings, public open space and 2ha of land to enable Melksham Oak school to be expanded.
- 4.98** A tributary watercourse running through the site will require a significant buffer to create a green and blue corridor and assist biodiversity net gain. Protection, maintenance and enhancement should be provided for habitats such as hedgerows, trees and watercourses within and along the boundaries of the site alongside other ecologically valuable habitat/features.

## Policy 19

### Land off Bath Road, Melksham

Land off Bath Road, Melksham, as identified on the Policies Map, is allocated to provide approximately 135 dwellings and 2ha of land secured for the expansion of Melksham Oak Academy. Development will be brought forward in accordance with the principles in the concept plan.

Infrastructure and mitigation requirements include:

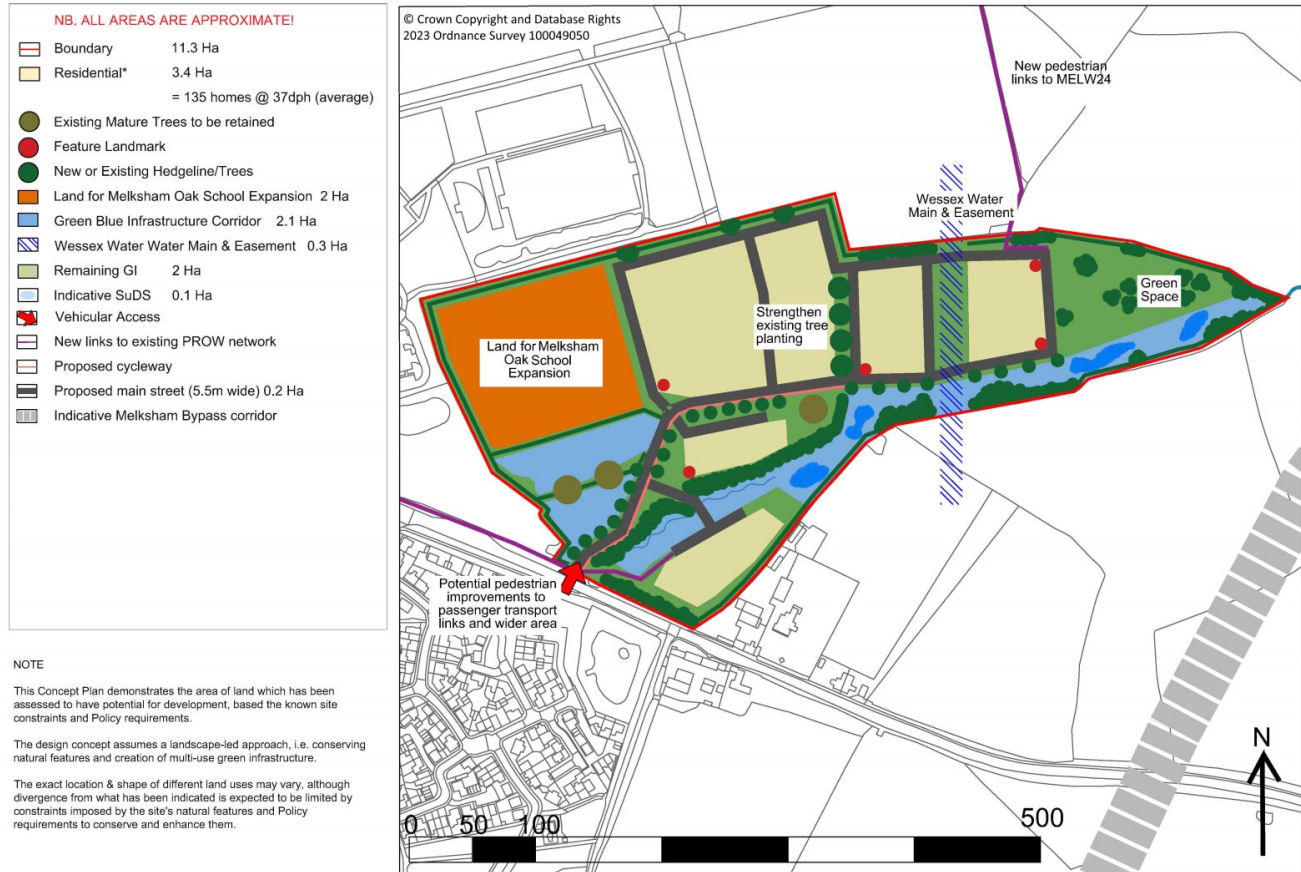
- vehicular access from the A365;
- Public Open Space within the development and as the main recreational area on the eastern part of site;
- measures to protect and enhance watercourses within the site;
- offsite infrastructure improvements to the water supply and foul water network;
- water infrastructure running through the site will need safeguarding through appropriate buffers to allow for access and maintenance;
- green and blue infrastructure through the development that incorporates new and existing woodland and protects and enhances existing hedgerows and trees;
- lower density development in the east of the site to prevent coalescence with and retain the rural character and separate identity of outlying rural settlements;
- design and layout that safeguards high value archaeological features;
- provision of pedestrian crossing facilities on the A365 if achievable;
- funding contributions towards early years, primary and secondary education and on, or off-site healthcare capacity to meet the needs created by the development; and
- measures to positively support walking, cycling and public transport use between the site, Melksham town centre and Melksham railway station and linking into existing networks; and
- implementation of ecological buffer zones alongside habitats to be retained and protected within the scheme layout, and wildlife sensitive lighting design in order to minimise adverse effects on light sensitive and intolerant wildlife, particularly bats: and
- appropriate mitigation and compensation for protected species, such as great crested newts; and
- contributions to be made towards a Melksham Transport Strategy.

**4.99** How the site may be developed is shown on the concept plan as shown in Figure 4.13. This illustrates one treatment of the site that considers mitigation requirements and the homes, other uses and infrastructure envisaged.

**Figure 4.13 Land off Bath Road, Melksham Concept Plan**

Land off Bath Road, Melksham

Concept Plan



## Land North of the A3102, Melksham

- 4.100** Land North of the A3102, Melksham is allocated for the development of 285 dwellings and land for a nursery. The site benefits from being reasonably well connected to the town centre, which is accessible by walking and cycling.
- 4.101** The site will deliver a sensitively designed residential led development set alongside a significant provision of greenspace, including a range of children's play areas and allotments.
- 4.102** Proposals for the site will need to demonstrate protection and enhancement of the nearby wooded greensand hills, and conservation and enhancement of habitats such as mature hedgerows, trees, water bodies/ponds and watercourses, including a tributary of the River Avon. The site is close to a working farm/industrial units and proposals must be accompanied by a noise impact assessment.

### Policy 20

#### Land North of the A3102, Melksham

Land North of the A3102, as identified on the Policies Map, is allocated for approximately 285 dwellings and 0.4ha of land for a 100-place nursery.

A single comprehensive masterplan, phasing and delivery strategy for the development, must be prepared and approved by the local planning authority in advance of any planning application being submitted for the whole or part of the allocated site. This must take account of the requirements

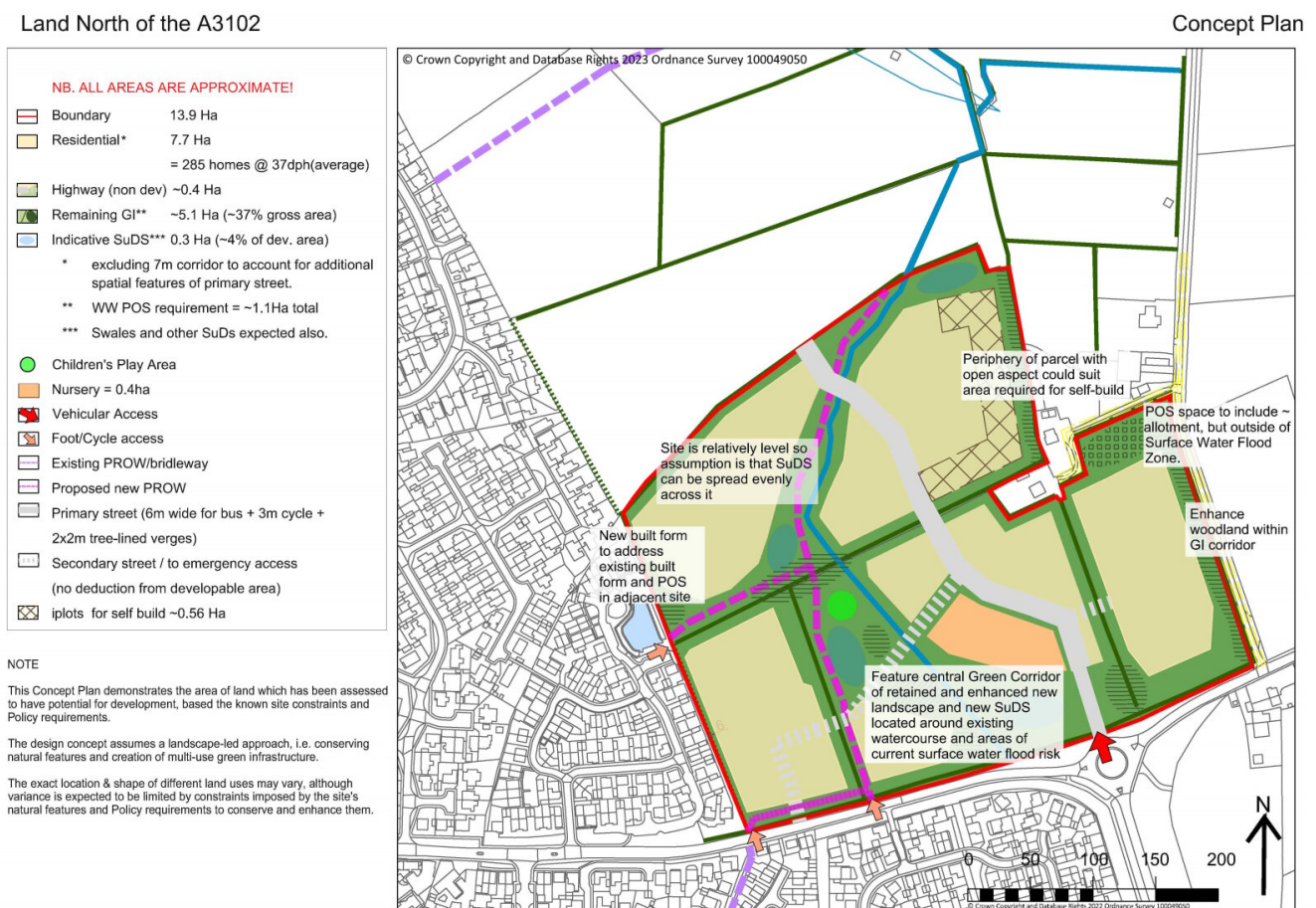
of this policy and the principles shown within the concept plan, and be prepared in consultation with the local community and local planning authority. Subsequent planning applications must be in accordance with the approved masterplan.

Infrastructure and mitigation requirements include:

- vehicular access from the existing roundabout on the A3102 adjacent to the southern boundary;
- offsite infrastructure improvements to water supply and foul water network;
- introduce green and blue infrastructure through the development that incorporates new woodland and/or tree planting;
- provision of a suitable buffer either side of the watercourse that runs south to north through the site through the site;
- funding contributions towards early years, primary and secondary education and on, or off-site healthcare capacity to meet the needs created by the development; and
- measures to positively support walking, cycling and public transport use between the site, Melksham town centre and Melksham railway station and linking into existing networks.

**4.103** How the site may be developed is shown on the concept plan as shown in Figure 4.14. This illustrates one treatment of the site that considers mitigation requirements and the homes, other uses and infrastructure envisaged.

**Figure 4.14 Land North of the A3102 Concept Plan**





## Town centre

- 4.104** Melksham is defined as a Market Town in the town centre hierarchy for Wiltshire. The town centre and primary shopping area boundaries are identified on the Policies Map and in Appendix E. Policy 67 (Sequential test and retail impact assessment) and Policy 68 (Managing town centres) set out general policies to safeguard and promote the vitality and viability of the town centre including Melksham.
- 4.105** There is no need to allocate any sites for additional retail floorspace, based on shopping trends and growth in catchment spending. A focus on regeneration initiatives that would boost service, tourism, and hospitality sectors, as well as including elements of residential development should be supported. This would include the night-time economy. Future development opportunities may include the Cooper Tires site.
- 4.106** Melksham Town Council is preparing a masterplan for Melksham town centre, including considering areas for potential expansion that will inform future development opportunities. This masterplan will also inform the review of the Melksham Neighbourhood Plan currently underway.

## Neighbourhood planning

- 4.107** The first Joint Melksham Neighbourhood Plan was made in July 2021 and relates to the period to 2026. The neighbourhood area designation includes Melksham Market Town as well as the Large Village of Shaw/Whitley. The Plan is being reviewed and it provides scope within and on the edge of the Melksham urban area to allocate suitable sites, as well as at Shaw/Whitley. The housing requirement for the neighbourhood area designation in Policy 17 (Melksham Market Town) includes 200 homes at Melksham and a requirement of approximately 70 homes at Shaw/Whitley, as set out in Table 4.4 later in the Plan. A total neighbourhood area designation housing requirement is therefore set at 270 dwellings.

## Chippenham Rural Area

### Neighbourhood area designation housing requirements

- 4.108** The council supports the preparation of neighbourhood plans in the rural area. Amongst other things, they provide the opportunity for local communities to address local housing needs and provide for new homes that can best help to sustain the vitality of their village.
- 4.109** Housing proposals help to support the role rural settlements have as an important part of the settlement strategy; additional homes help to support local business, services and facilities, serving both the settlement itself, but also its sometimes extensive rural catchment. Housing development focused at Local Service Centres and Large Villages carries with it a wider strategic purpose.
- 4.110** National planning policy requires the council to provide neighbourhood plan area designations with a housing requirement. Within the overall housing requirement for the County, the Plan must set requirements which reflect the overall strategy for the pattern and scale of development. Taking forward the Plan's settlement strategy, recognising the more strategic role of Local Service Centres and Large Villages, each of these settlements is provided with a scale of housing growth for the plan period to enable local communities to take forward plans where they wish to do so. Neighbourhood plan area designation housing requirements are the scale of growth shown for what Local Service Centres and Large Villages lie within them.
- 4.111** In general conformity with the Plan, neighbourhood planning groups would be expected to look to accommodate new homes to meet housing requirements in full by identifying opportunities in their plans, where necessary, at Local Service Centres and Large Villages themselves, where new homes could meet both local needs and support the strategic role for such settlements set by the Plan.
- 4.112** At Small Villages, the settlement strategy provides sufficient flexibility for neighbourhood planning groups to meet local housing needs, by a variety of means, at a scale that preserves the character and setting of a village. Reflecting the different role played by Small Villages in the settlement strategy, with generally fewer facilities and services, they do not have a scale of housing growth set by the Plan and therefore there is no explicit requirement for parishes that only contain Small Villages. However, this does not mean there can be no additional growth in these areas. As set out in other policies in the Plan, new housing development will be limited to infill within the built-up area of Small Villages or should be geared towards meeting local affordable needs through exception sites, or up to 20 homes, or 5% of the size of the settlement (whichever is the lower). Table 4.5 sets out the Small Villages in the rural part of the Chippenham Area.
- 4.113** Scales of housing growth over the plan period are shown in Table 4.4 for each of the Local Service Centres and Large Villages in the rural part of the Chippenham Area. This is the total amount of homes that should be met by a settlement in a neighbourhood plan over the plan period from 2020 to 2038. Neighbourhood planning groups, to calculate how many new homes they will need to plan for, must deduct those homes built already and those in the pipeline with either planning permission, or estimated, to be built on sites already allocated in the development plan, which may include sites in the Wiltshire Housing Site Allocations Plan.

**Table 4.4 Distribution of housing growth for the Chippenham rural area**

	Housing growth (2020-2038)	Completions and commitments (1 April 2020 - 31 March 2022)*	Residual at 1st April 2022
<b>Local Service Centre</b>			
Market Lavington	117	62	55
<b>Large Village</b>			
Ashton Keynes	42	29	13
Atworth ■	66	0	66
Box	26	23	3
Bromham	66	5	61
Christian Malford	37	37	0
Colerne	25	3	22
Crudwell	39	28	11
Derry Hill/Studley	33	3	30
Great Somerford	88	88	0
Hullavington	76	76	0
Kington St Michael ■	38	4	34
Oaksey	29	14	15
Potterne	78	24	54
Rowde ■	67	20	47
Rudloe	255	255	0
Seend ■	27	4	23
Shaw/Whitley	73	23	50
Sherston	87	57	30
Sutton Benger	77	77	0
Urchfont	65	31	34
West Lavington/Littleton Panell	58	56	2
Worton	34	27	7
Yatton Keynell	39	37	2

\* Includes major permissions post 01 April 2022, up to 31 May 2023

■ Requirements expected to be delivered towards the end of the Local Plan period, due to identified NHS capacity constraints in the shorter term.

## Small Villages

**4.114** The roles of Small Villages are set out in Policies 1 and 2 (Settlement Strategy and Delivery Strategy). The following table sets out the Small Villages in the Chippenham Area:

**Table 4.5 Chippenham rural area Small Villages**

All Cannings	Dauntsey	Luckington
Beanacre	Easterton	Marston
Berryfield	Erlestoke	Milbourne
Biddestone	Gastard	Minety
Bishops Cannings	Great Cheverell	Neston
Bremhill	Grittleton	Nettleton
Brinkworth	Heddington	Poulshot
Broughton Gifford	Hilmarton	Seend Cleeve
Burton	Kington Langley	Stanton St Quintin
Charlton	Lacock	Upper Minety
Cherhill	Langley Burrell	Upper Seagry
Compton Bassett	Lea	Westwells
Corston	Lower Stanton St Quintin	

## Principal Employment Areas in the rural area

**4.115** The following Principal Employment Areas in the Chippenham HMA rural area will be protected for their primary function as an employment site, as identified on the Policies Map and Figure 4.6:

- Fiveways Trading Estate, Rudloe

**4.116** Proposals for development within the Principal Employment Areas will be considered against Policy 65 (Existing employment land).

# Strategy for Salisbury Housing Market Area



- 4.117** The need to conserve some of the country's most sensitive natural and built environments impedes the Salisbury Housing Market Area's (referred to as the Salisbury Area) ability to meet forecast development needs.
- 4.118** New homes have potential to add to pollution of the River Avon, in terms of affecting the volume of water in the river from water abstraction and its quality from phosphate discharge. Protected for its international nature conservation value by its designation as a Special Area of Conservation, current measures that avoid additional pollution from housing growth are unlikely to be able to support the full extent of forecast need. This will need to be remedied so that higher rates of house building are possible.
- 4.119** The landscape impacts of development on the edges of Salisbury and Amesbury, means that these are becoming increasingly difficult to mitigate without harm being caused. Adjoining areas have extensive archaeological importance also needing preservation.
- 4.120** The city of Salisbury is a Principal Settlement and a main focus for future growth. However, it is a constrained historic settlement. Significant development on the urban edge would threaten the city's setting and the settings to the Cathedral and Old Sarum Ancient Monument specifically. Areas around Salisbury are also rich in archaeological remains which have a strong likelihood to be of national importance. Opportunities to continue to expand are therefore limited. Longer term, Salisbury will not be able to accommodate the scales of growth it had in the past. As a result, the scale of growth is set lower than the previous development plan and comparable with actual rates that have been achieved. It is doubtful, however, that even this lower level can be maintained in the long-term.
- 4.121** The Market Town of Amesbury is also a constrained settlement. Outward expansion is limited by its potentially harmful impact on the Stonehenge and Avebury World Heritage Sites. Land surrounding the town is rich in archaeological remains, much of which is also thought to have the potential to be of national importance. Scales of growth proposed, both for new homes and employment land, in this Plan take account of these constraints.

- 4.122** Tidworth and Ludgershall are defined as a Market Town and functionally linked. At present, they are heavily influenced by the military presence. This provides potentially unique economic opportunities capitalising on the connection. Ludgershall is relatively unconstrained. The Plan therefore proposes a scale of growth that would increase the civilian population of the town and lead to a more diverse community, which would in turn support a wider range of local facilities and a stronger retail offer.
- 4.123** More significant growth at Ludgershall, including a modest supplement to the existing supply of land for employment, will provide a greater share of housing and employment needs within the Salisbury Area than in the past, when compared to the other settlements. This strategy is not a long term substitute to the shortfalls that will arise from constraints at both Salisbury and Amesbury.
- 4.124** In view of the severely constrained nature of the Salisbury Area, the Plan proposes, an area of search, that could potentially lead to the formation of a new community. If evidence suggests, this presents a sustainable solution, it could provide a long-term solution to meeting future housing and employment. An approximate area of search covering a large area is shown on the Key Diagram (Figure 3.1) broadly extending north from Salisbury. A new settlement could be for around 1,500 to 2,000 homes with 5ha of employment land, together with associated infrastructure. A future review of the Plan would decide whether a new community is needed and would be a feasible option and if so, determine a precise location, scale and supporting infrastructure.

## Policy 21

### Salisbury area new community

An area of search shown on the Key Diagram is proposed for a possible new community north of Salisbury, subject to the need being confirmed through a review of this Plan.

- 4.125** Outside the Main Settlements, the overall scale of housing growth is broadly equivalent to past rates of housing development. New business and employment development is also significant but generally met over a large area by small scale developments, outside the scope of the Plan. As occurs already, they are granted planning permission guided by policies of the Plan. Land and sites for development may also be allocated by neighbourhood plans or brought forward as Neighbourhood Development Orders to suit individual community needs.
- 4.126** The distribution of housing and employment provision is summarised in Tables 4.6 and 4.7:

**Table 4.6 Distribution of housing growth for the Salisbury area**

Settlement	Housing growth (2020-2038) (dwellings)	Completions and commitments (1 April 2020 - 31 March 2022)*	Residual at 1 April 2022**
Salisbury	4,500	2,964	1,530
Amesbury	530	409	120
Tidworth and Ludgershall	2,080	814	1,270
New Community (Area of Search)	(1,500 - 2,000)	0	(1,500 - 2,000)

Rural Area	2,300	938	1,360
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\*Includes major permissions post 1 April 2022, up to 31 May 2023

\*\*Residual rounded to the nearest 10 dwellings

**Table 4.7 Distribution of employment growth for the Salisbury area**

Settlement	Employment Land Supply (ha)
Salisbury	12.3
Amesbury	-
Tidworth and Ludgershall	10.7
New Community (Area of Search)	(5.0)
Rural Area	2.0

## Salisbury Principal Settlement

**4.127** Salisbury has become a constrained settlement in terms of what possibilities remain for its outward expansion. The city's setting and its heritage significance need to be protected. The Plan proposes a limited amount of further development on the city's periphery. Regeneration of the city's central area and guiding redevelopment are increasingly important as means to help meet development needs. Improving the use of current industrial sites is a part of this. An enhanced role for the Salisbury District Hospital is also an objective. Altogether change should limit additional burdens on the transport network and conserve the city's heritage assets.

### Policy 22

#### Salisbury Principal Settlement

Development at Salisbury will:

1. deliver opportunity sites, including The Maltings and the railway station, to ensure long-term city centre resilience;
2. maximise the economic potential of the city by delivering the measures set out in Salisbury Central Area Framework through funding to secure the city as a visitor destination and identify suitable locations to facilitate business growth that responds to local needs;
3. conserve the historic landscape setting of Salisbury, notably in terms of the city skyline, and views to and from Salisbury Cathedral and Old Sarum Ancient Monument;
4. maintain separation and distinctiveness between Salisbury and Wilton, and between Salisbury and adjacent settlements, notably Ford, Laverstock, Britford, Netherhampton and Quidhampton;
5. improve affordable housing provision to support needs of an ageing population, key sector personnel and those entering the market for the first time;

6. improve Churchfields Employment Area such that it integrates better within the city and presents a more attractive location to a greater diversity of businesses, particularly via measures to expand the range of employment uses and improve transport both within and around the locality;
7. facilitate the regeneration of the Salisbury District Hospital site to underpin its key role within the life sciences sector and as a university-level education and knowledge facility;
8. deliver funding contributions towards healthcare, wellbeing and the environment; and
9. deliver funding contributions towards a Salisbury Transport Strategy.

Over the plan period (2020 to 2038) approximately 4,500 homes and 12.3ha of employment land will be provided at Salisbury including:

- remaining homes and employment land on existing allocations at Fugglestone Red, UKLF, Wilton, Longhenge, Old Sarum, Netherhampton Road, Hilltop Way, North of Netherhampton Road, Land at Rowbarrow, The Yard;
- new allocation for approximately 350 dwellings on Land North East of Old Sarum, Salisbury;
- new allocation for approximately 220 dwellings on Land North of Downton Road;
- new allocation for approximately 50 dwellings on Land East of Church Road, Laverstock;
- new allocation for approximately for 265 dwellings on Land South of Harnham, Salisbury;
- new allocation for approximately 45 dwellings on Land West of Coombe Road, Salisbury;
- new allocation for approximately 100 dwellings on Land North of the Beehive Park & Ride, Old Sarum;
- new allocation for approximately 60 dwellings on Land at Netherhampton Road Garden Centre, Salisbury;
- additional dwellings forming part of the redevelopment of the Maltings and Central Car Park site; and
- 350 dwellings on small sites of less than ten dwellings.

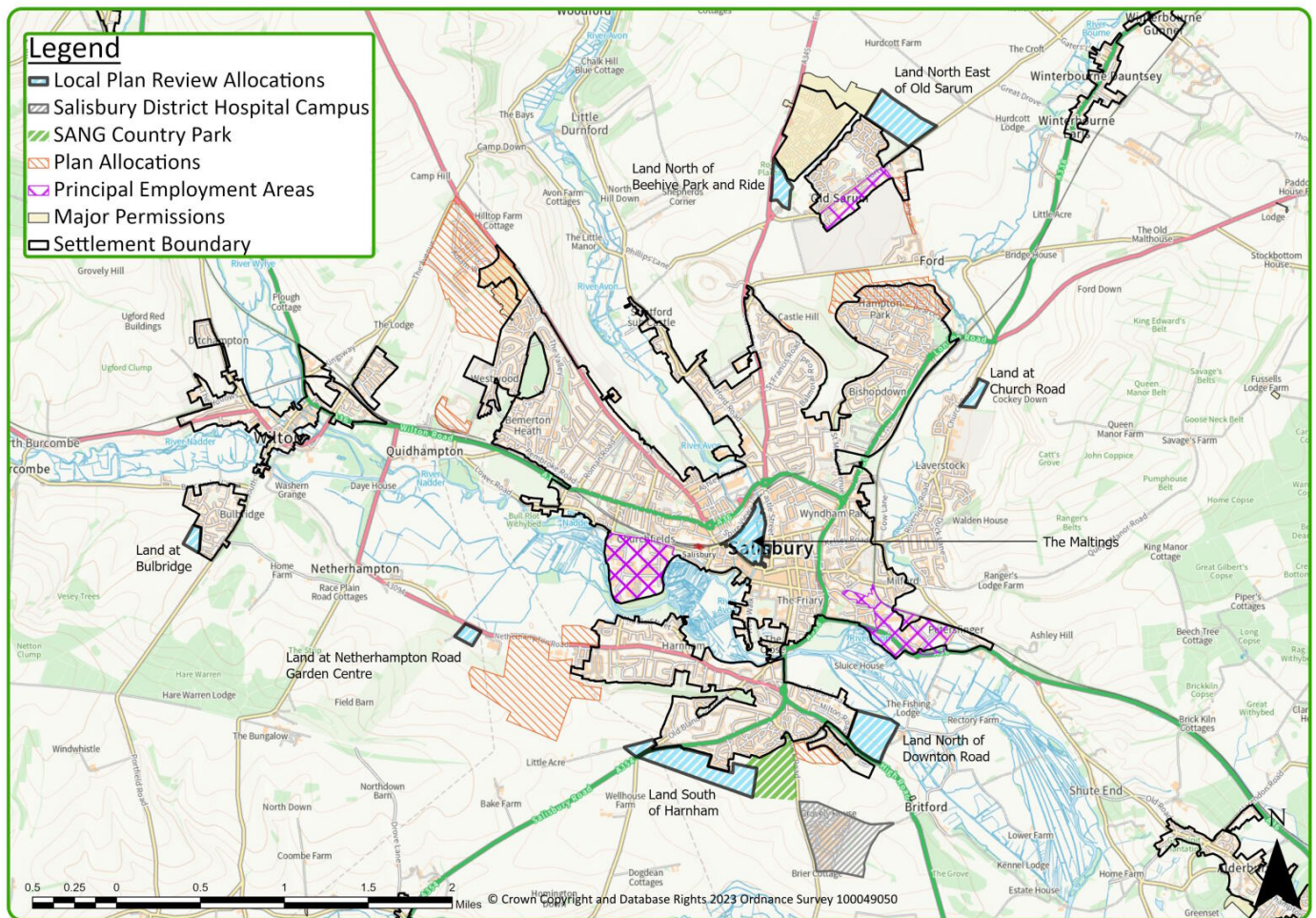
The neighbourhood area designation requirement is 60 dwellings.

The following Principal Employment Areas will be retained in accordance with Policy 65 (Existing employment land): Old Sarum, Southampton Road and Churchfields Employment Area.



4.128 The pattern of development is shown in Figure 4.15.

Figure 4.15 Salisbury Policies Map



### Land North East of Old Sarum, Salisbury

4.129 Approximately 17ha land North East of Old Sarum is allocated to provide 350 dwellings and associated infrastructure including allotments and public open space. The site is reasonably well connected to the city centre. Whilst already close to the Beehive Park and Ride, a bus service will be required that connects with the city centre as well as both The Portway and the A345, linking this development and the more recent one at Longhedge effectively into the city’s transport network. Green space will connect with other nearby green and blue infrastructure in recent housing developments.

4.130 The proposals support the city centre, regeneration and the economy since residents would be able to work in and visit the city centre using sustainable transport modes, including cycling, which would, amongst other things, help to increase footfall and boost local trade. The site is also close to local employment opportunities in Old Sarum and is relatively well located for other business locations close to the city, including the Principal Employment Areas at Porton Down and High Post.

## Policy 23

### Land North East of Old Sarum, Salisbury

Land North East of Old Sarum, as identified on the Policies Map, is allocated for the development of approximately 350 dwellings.

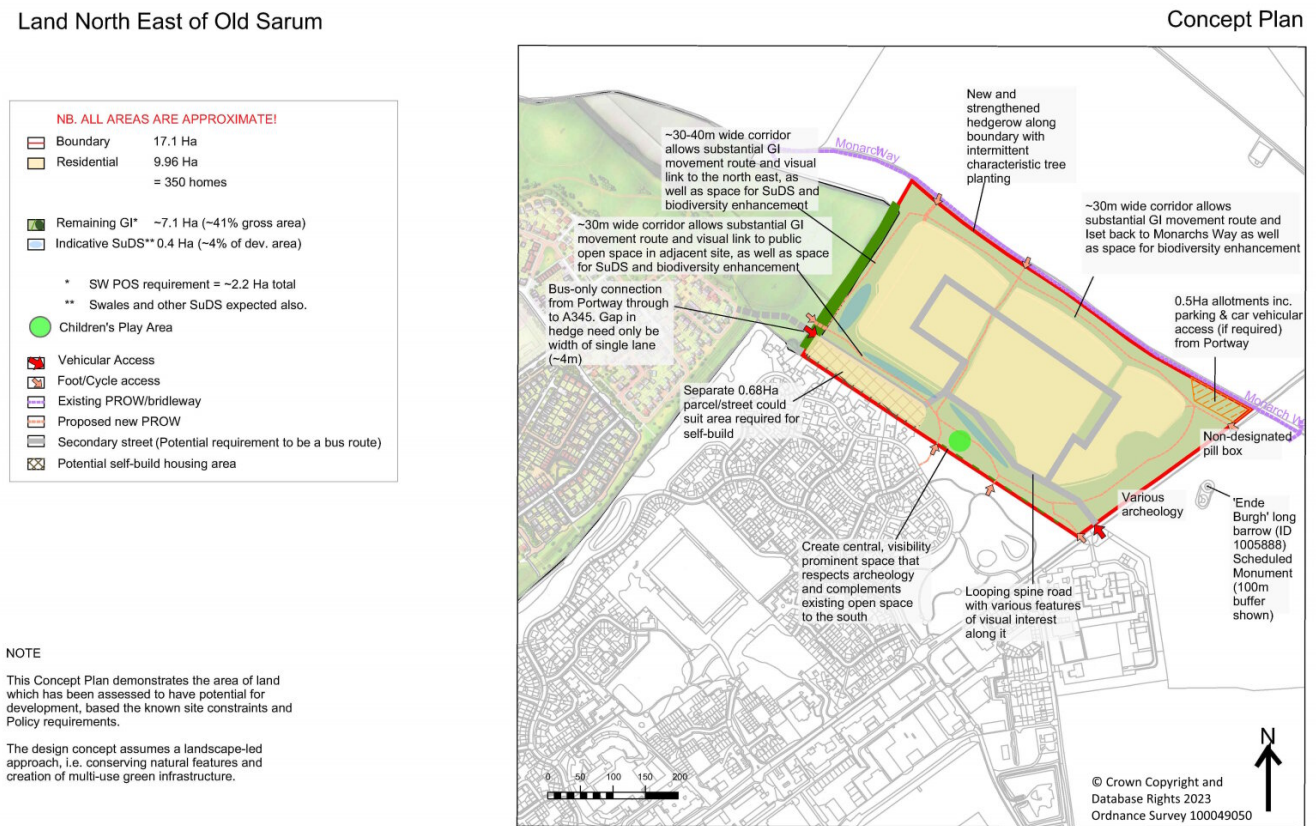
A single comprehensive masterplan, phasing and delivery strategy for the development, must be prepared and approved by the local planning authority in advance of any planning application being submitted for the whole or part of the allocated site. This must take account of the requirements of this policy and the principles shown within the concept plan and be prepared in consultation with the local community and local planning authority. Subsequent planning applications must be in accordance with the approved masterplan.

Infrastructure and mitigation requirements include:

- vehicular access from The Portway;
- improvements to cycling and walking routes through and around the site, and into the city centre;
- allotments;
- buffering and retention and enhancement of hedgerows as part of a mature landscape framework to mitigate impacts for development exposure within an open rural setting north-east of Old Sarum;
- funding contributions toward measures that improve air quality. An assessment will be needed to understand cumulative effects of development on relevant receptors in the Air Quality Management Area, and to identify appropriate mitigation measures;
- measures aimed at neutralising the levels of phosphates flowing into the River Avon Special area of Conservation (SAC) to improve water quality;
- offsite infrastructure reinforcement for water supply and foul drainage where required;
- site design, layout and landscaping need to consider the site's location close to Old Sarum Scheduled Monument and Old Sarum Airfield Conservation Area. Any cumulative impacts associated with existing and proposed development must not cause unacceptable harm to the setting of either heritage asset. Further investigation will be needed through heritage assessments at the planning application stage to assess impacts on Old Sarum Scheduled Monument and the Old Sarum Airfield Conservation Area;
- mitigation for archaeology to include avoidance of high value remains where preservation in situ is likely to be required, particularly along the south-east and south-west margins. At the planning application stage investigation will need to identify the presence and significance of any buried archaeological remains such that the need for additional mitigation can be identified;
- a noise impact assessment to address the potential for adverse effects associated with the operation of the adjacent airfield to inform an appropriate layout and necessary mitigation measures; and
- funding contributions towards early years, primary and secondary education.

**4.131** How the site may be developed is shown on the concept plan as shown in Figure 4.16. This illustrates one treatment of the site that considers mitigation requirements and the homes, other uses and infrastructure envisaged.

**Figure 4.16 Land North East of Old Sarum Concept Plan**



## Land at Netherhampton Road Garden Centre, Salisbury

**4.132** Approximately 3ha of and at Netherhampton Road Garden Centre is allocated to provide 60 dwellings and other infrastructure including allotments and greenspace. The new housing creates an extension to Salisbury west of Harnham and close to a large, emerging development of 600-plus homes and local centre immediately to the east. The site is rather more isolated from the existing urban envelope than other sites at Salisbury and development is proposed to be of a low scale and focused on existing developed land to reflect this.

**4.133** The proposals support the city centre, regeneration and the economy since residents would be able to work in and visit the city centre by cycling or by using nearby sustainable transport modes, which would help to increase footfall and boost local trade.

**4.134** An improved urban edge can be provided on this approach into Salisbury from the west, whilst maintaining separation and distinctiveness between the city and Netherhampton.

### Policy 24

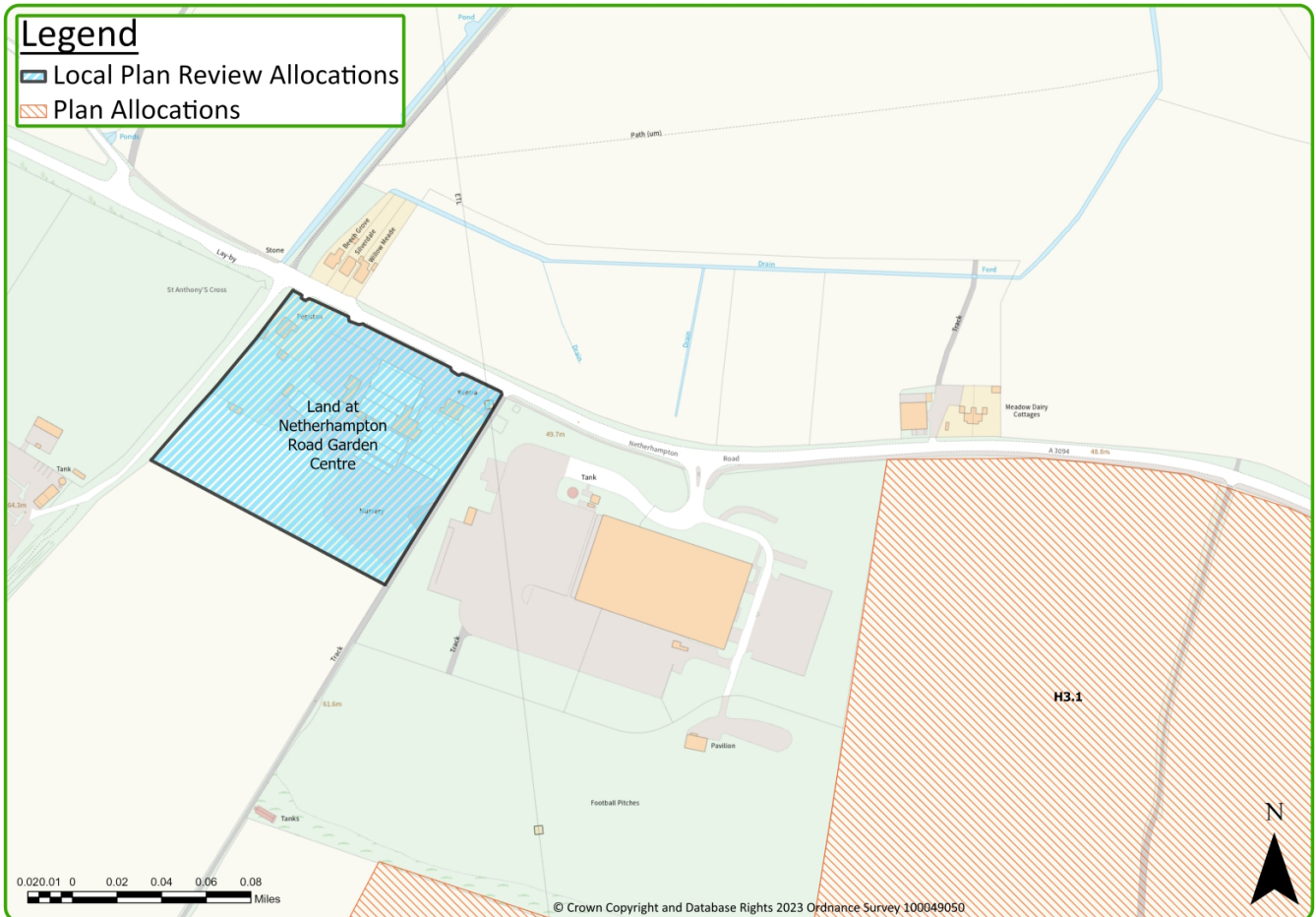
### Land at Netherhampton Road Garden Centre, Salisbury

Land at Netherhampton Road Garden Centre, as identified on the Policies Map, is allocated for approximately 60 dwellings.

Infrastructure and mitigation requirements include:

- vehicular access from A3094 Netherhampton Road;
- improvements to cycling and walking routes through, around the site and into the city centre, linking into existing networks;
- provision of off-site Suitable Alternative Natural Greenspace in accordance with Policy 29 Suitable Alternative Natural Greenspace, South Salisbury;
- allotments;
- funding contributions toward measures that improve air quality. An assessment will be needed to understand cumulative effects of development on relevant receptors in the Air Quality Management Area, and to identify appropriate mitigation measures;
- measures aimed at neutralising the levels of phosphates flowing into the River Avon Special area of Conservation (SAC) to improve water quality;
- offsite infrastructure reinforcement for water supply and foul drainage where required;
- assessment of noise and odour impacts from the road and adjacent business operations, to determine an appropriate layout and any mitigation required; and
- funding contributions towards early years, primary and secondary education.

**Figure 4.17 Land at Netherhampton Road Garden Centre**



## Land North of the Beehive Park and Ride, Old Sarum

- 4.135** Approximately 5ha of land North of the Beehive Park and Ride is allocated to provide 100 dwellings and other infrastructure including allotments and greenspace.
- 4.136** The housing creates an extension to the Old Sarum area of Salisbury and the site is well connected to local facilities and the city centre by the adjacent Beehive Park and Ride. An area of woodland in the north will be retained onsite.
- 4.137** The proposal supports the city centre, regeneration and the economy since residents would be able to work in and visit the city centre using sustainable transport modes, including cycling, which would, amongst other things, help to increase footfall and boost local trade. The site is close to local employment opportunities in Old Sarum and is relatively well located for other business locations, including the Principal Employment Areas at Porton Down and High Post.

### Policy 25

#### Land North of the Beehive Park & Ride, Old Sarum

Land North of the Beehive Park & Ride, Old Sarum, as identified on the Policies Map, is allocated for the development of approximately 100 dwellings. Development should come forward in accordance with the principles in the concept plan.

Infrastructure and mitigation requirements include:

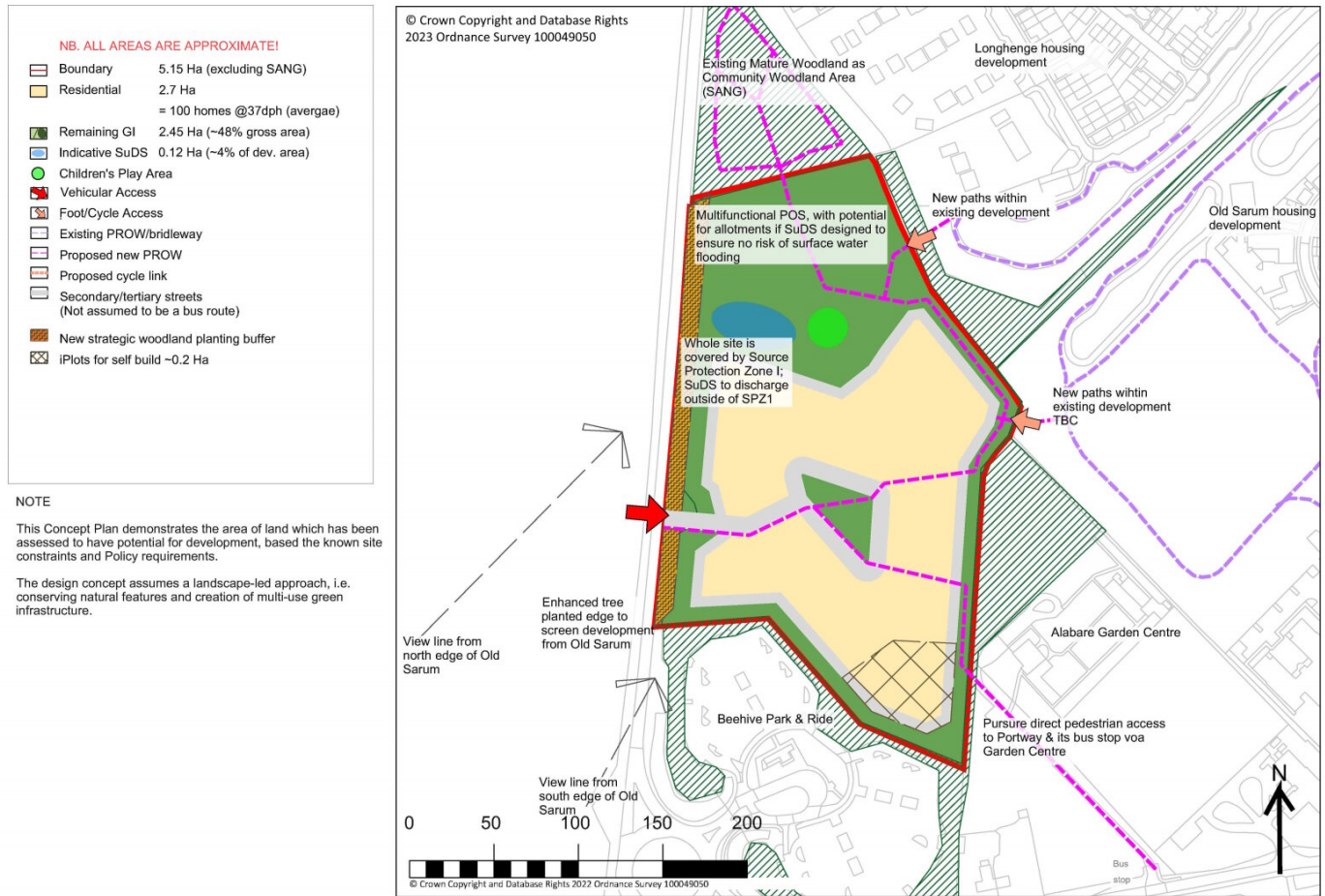
- vehicular access from the A345;
- improvements to cycling and walking routes through, around the site and into the city centre;
- allotments;
- an appropriate strategy of mitigation to reflect the site's position within a Source Protection Zone 1 and Drinking Water Safeguard Zone. Regard must be had to the Environment Agency's 'Approach to Groundwater Protection';
- a layout which improves the urban edge and ensures separation and distinctiveness between Salisbury and the Old Sarum and Longhedge developments;
- A site design, layout and landscaping scheme that responds to the site's location close to Old Sarum Scheduled Monument. Any cumulative impact of development must not cause unacceptable harm to the setting of the Old Sarum Scheduled Monument. Further investigation is needed through appropriate heritage assessments at the planning application stage to assess impacts on the Old Sarum Scheduled Monument;
- Site design, layout and landscaping should ensure Old Sarum Conservation Area, located to the south of the site and the Stratford Sub Castle Conservation Area to the southwest of the site, are conserved and where appropriate enhanced;
- funding contributions toward measures that improve air quality. An assessment will be needed to understand cumulative effects of development on relevant receptors in the Air Quality Management Area, and to identify appropriate mitigation measures;
- measures aimed at neutralising the levels of phosphates flowing into the River Avon Special Area of Conservation (SAC) to improve water quality;
- offsite infrastructure reinforcement for water supply and foul drainage, where required;
- further investigation to identify the presence and significance of any unknown archaeological remains, the site includes various archaeological features of high value. Mitigation could include avoidance of high value remains or preservation by record, as appropriate;
- assessment of noise and odour impacts from the A345 and adjacent business operations, to determine an appropriate layout and any mitigation required; and
- funding contributions towards early years, primary and secondary education.

**4.138** How the site may be developed is shown on the concept plan as shown in Figure 4.18. This illustrates one treatment of the sites that meets mitigation requirements and the homes, other uses and infrastructure envisaged.

**Figure 4.18 Land North of Beehive Park and Ride Concept Plan**

Land North of Beehive Park & Ride

Concept Plan



## Land North of Downton Road, Salisbury

**4.139** Approximately 14ha of land North of Downton Road is allocated to provide 220 dwellings and supporting infrastructure including greenspace. Such a scale of new housing creates an extension in the south-east of Salisbury. The site is reasonably well connected to the city centre. It is on a bus route and opposite Britford Park and Ride.

**4.140** The proposals support the city centre, regeneration and the economy since residents would be able to work in and visit the city centre using sustainable transport modes, including cycling, which would help to increase footfall and boost local trade. The site is close to local employment opportunities at Salisbury District Hospital.

**4.141** An improved urban edge and countryside transition will be provided on this approach into the city from the south-east. A landscape buffer will wrap around development to the north and east to protect both the ecology of the River Avon and heritage assets at Bridge Farm, as well as ensuring separation and distinctiveness between Salisbury and Britford. The setting of and views to Salisbury Cathedral will be preserved by the design of a visual corridor vista through the development.

**4.142** A circular walk of 2.3-2.5km to mitigate New Forest sites will be provided to the east of the South of Harnham allocation as additional suitable alternative natural greenspace. This provision can be accessed to the south-west, through the existing rights-of-way network.

## Policy 26

### Land North of Downton Road, Salisbury

Land North of Downton Road, as identified on the Policies Map, is allocated for the development of approximately 220 dwellings.

A single comprehensive masterplan, phasing and delivery strategy for the development, must be prepared and approved by the local planning authority in advance of any planning application being submitted for the whole or part of the allocated site. This must take account of the requirements of this Policy and the principles shown within the concept plan and be prepared in consultation with the local community and local planning authority. Subsequent planning applications must be in accordance with the approved masterplan.

Infrastructure and mitigation requirements include:

- vehicular access from A388 Downton Road;
- improvements to cycling and walking routes through, around the site and into the city centre, linking into existing networks;
- provision of off-site Suitable Alternative Greenspace in accordance with Policy 29 Suitable Alternative Natural Greenspace, South Salisbury;
- allotments;
- children's play areas;
- a layout of development which will be contained and separated from Britford - buffering and retention and enhancement of hedgerows as part of a mature landscape framework will assist in mitigating such impacts;
- a visual corridor to incorporate the setting and views to Salisbury Cathedral;
- funding contributions toward measures that improve air quality. An assessment will be needed to understand cumulative effects of development on relevant receptors in the Air Quality Management Area, and to identify appropriate mitigation measures;
- measures aimed at neutralising the levels of phosphates flowing into the River Avon Special area of Conservation (SAC) to improve water quality;
- offsite infrastructure reinforcement for water supply where required; and
- funding contributions towards early years, primary and secondary education.

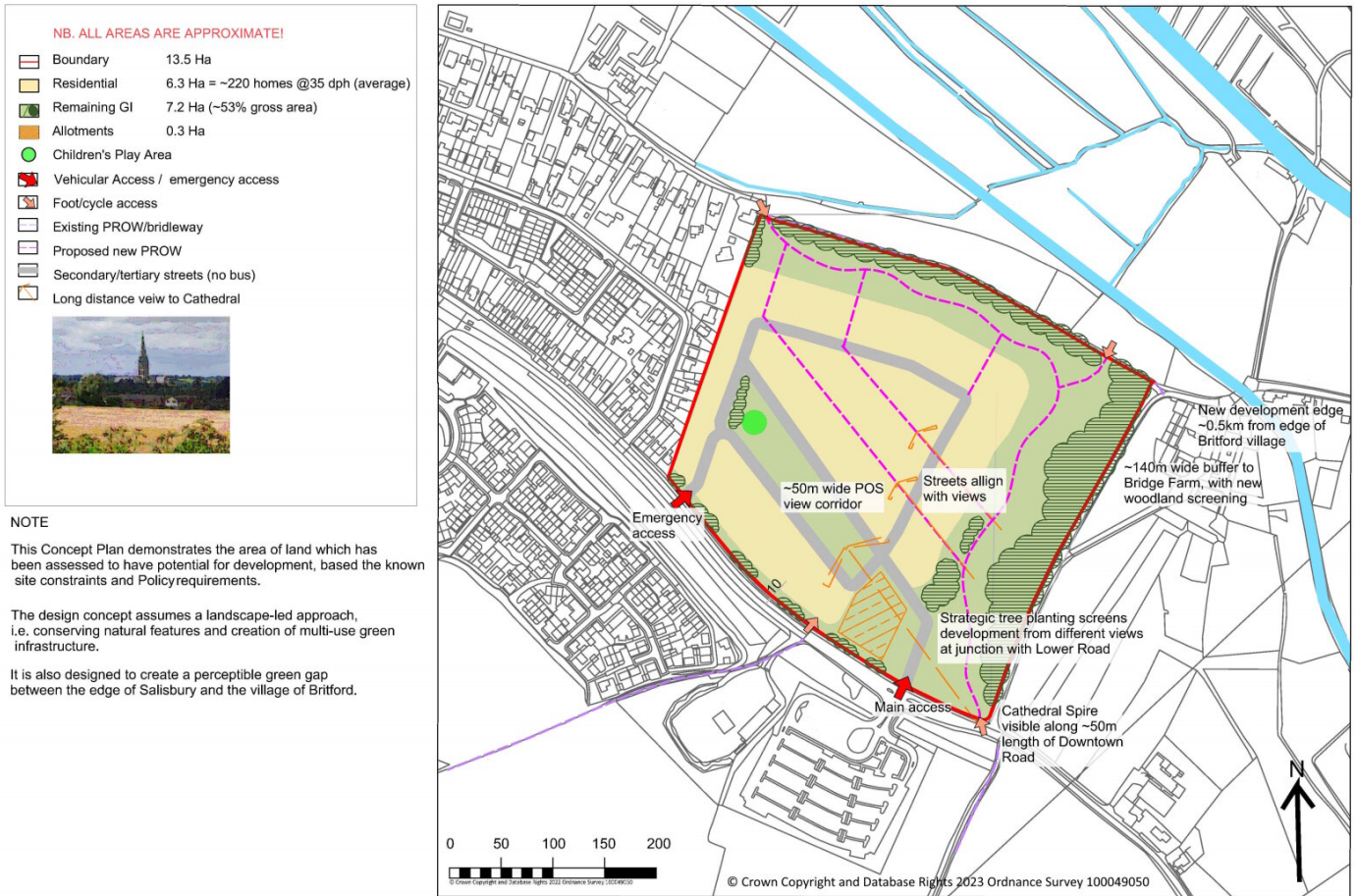
**4.143** How the site may be developed is shown on the concept plan as shown in Figure 4.19. This illustrates one treatment of the sites that meets mitigation and the homes, other uses and infrastructure envisaged.



**Figure 4.19 Land North of Downton Road, Salisbury Concept Plan**

Land North of Downton Road, Salisbury

Concept Plan



**NOTE**  
 This Concept Plan demonstrates the area of land which has been assessed to have potential for development, based on the known site constraints and Policy requirements.  
 The design concept assumes a landscape-led approach, i.e. conserving natural features and creation of multi-use green infrastructure.  
 It is also designed to create a perceptible green gap between the edge of Salisbury and the village of Britford.

## Land South of Harnham, Salisbury

- 4.144** Approximately 22ha of land South of Harnham is allocated to provide approximately 265 dwellings and supporting infrastructure including allotments, play areas and a new early years nursery. The new housing creates an extension to the Harnham area of Salisbury, on the city's south-western approaches. The site is reasonably well connected to the city centre and on a bus route. Additional public transport connectivity can be achieved through ensuring a pedestrian link through to Andrews Way, to the north.
- 4.145** An eastern section of the site will remain undeveloped to conserve and enhance the heritage setting of the Woodbury Ancient Villages complex and to provide environmental and recreation benefits.
- 4.146** A key element to development will be the creation of a suitable junction on the A354 that enables access for this and the adjoining allocation on Land West of Coombe Road.
- 4.147** The proposals support the city centre, regeneration and the economy since residents would be able to work in and visit the city centre using sustainable transport modes, including cycling, which would help to increase footfall and boost local trade. The site is also close to local employment opportunities at Salisbury District Hospital.
- 4.148** An improved urban edge and countryside transition can be provided on this approach into Salisbury from the south-west, whilst the setting and interpretation of Woodbury Ancient Villages scheduled monument can be enhanced.

## Policy 27

### Land South of Harnham, Salisbury

Land South of Harnham, as identified on the Policies Map, is allocated for the development of approximately 265 dwellings and 0.3ha of land for the provision of an early years nursery.

A single comprehensive masterplan, phasing and delivery strategy for the development, must be prepared and approved by the local planning authority in advance of any planning application being submitted for the whole or part of the allocated site. This must take account of the requirements of this Policy and the principles shown within the concept plan and be prepared in consultation with the local community and local planning authority. Subsequent planning applications must be in accordance with the approved masterplan.

Infrastructure and mitigation requirements include:

- vehicular access from A354 Coombe Road;
- improvements to cycling and walking routes through and around the site, including to Salisbury District Hospital and into the city centre;
- an eastern section of the site to remain undeveloped to conserve and where possible enhance the heritage setting of the Woodbury Ancient Villages complex;
- an improved urban edge and countryside transition on the approach into Salisbury from the south-west, conserving and enhancing the setting and interpretation of Woodbury Ancient Villages scheduled monument;
- children's play areas;
- allotments;
- provision of Suitable Alternative Natural Greenspace on adjacent land to the east in accordance with Policy 29 (Suitable alternative natural greenspace, South Salisbury), connected with walking routes through the site;
- Funding contributions toward measures that improve air quality. An assessment will be needed to understand cumulative effects of development on relevant receptors in the Air Quality Management Area, and to identify appropriate mitigation measures;
- measures aimed at neutralising the levels of phosphates flowing into the River Avon Special area of Conservation (SAC) to improve water quality;
- offsite infrastructure reinforcement for water supply and foul drainage where required;
- assessment of potential noise impacts from the A345, to inform an appropriate layout and necessary mitigation measures; and
- funding contributions towards early years, primary and secondary education.

### Land West of Coombe Road, Salisbury

**4.149** Approximately 3ha of land West of Coombe Road will be allocated to provide 45 dwellings and supporting infrastructure. The new housing creates an extension to the Harnham area of Salisbury, on the city's south-western approaches. The site is reasonably well connected to

the city centre and is on a bus route. Additional public transport connectivity can be achieved through ensuring a pedestrian link with Andrews Way, to the north-east. A key element to development will be the creation of a suitable junction on the A354 that enables access for this and the adjoining allocation Land South of Harnham.

- 4.150** The proposals support the city centre, regeneration and the economy since residents would be able to work in and visit the city centre using sustainable transport modes, including cycling, which would help to increase footfall and boost local trade. The site is also close to local employment opportunities at Salisbury District Hospital.
- 4.151** An improved urban edge and countryside transition can be provided on this approach into Salisbury from the south-west.

## **Policy 28**

### **Land West of Coombe Road, Salisbury**

Land West of Coombe Road, Salisbury, as identified on the Policies Map, is allocated for the development of approximately 45 dwellings. Development should come forward in accordance with the principles in the concept plan.

Infrastructure and mitigation requirements include:

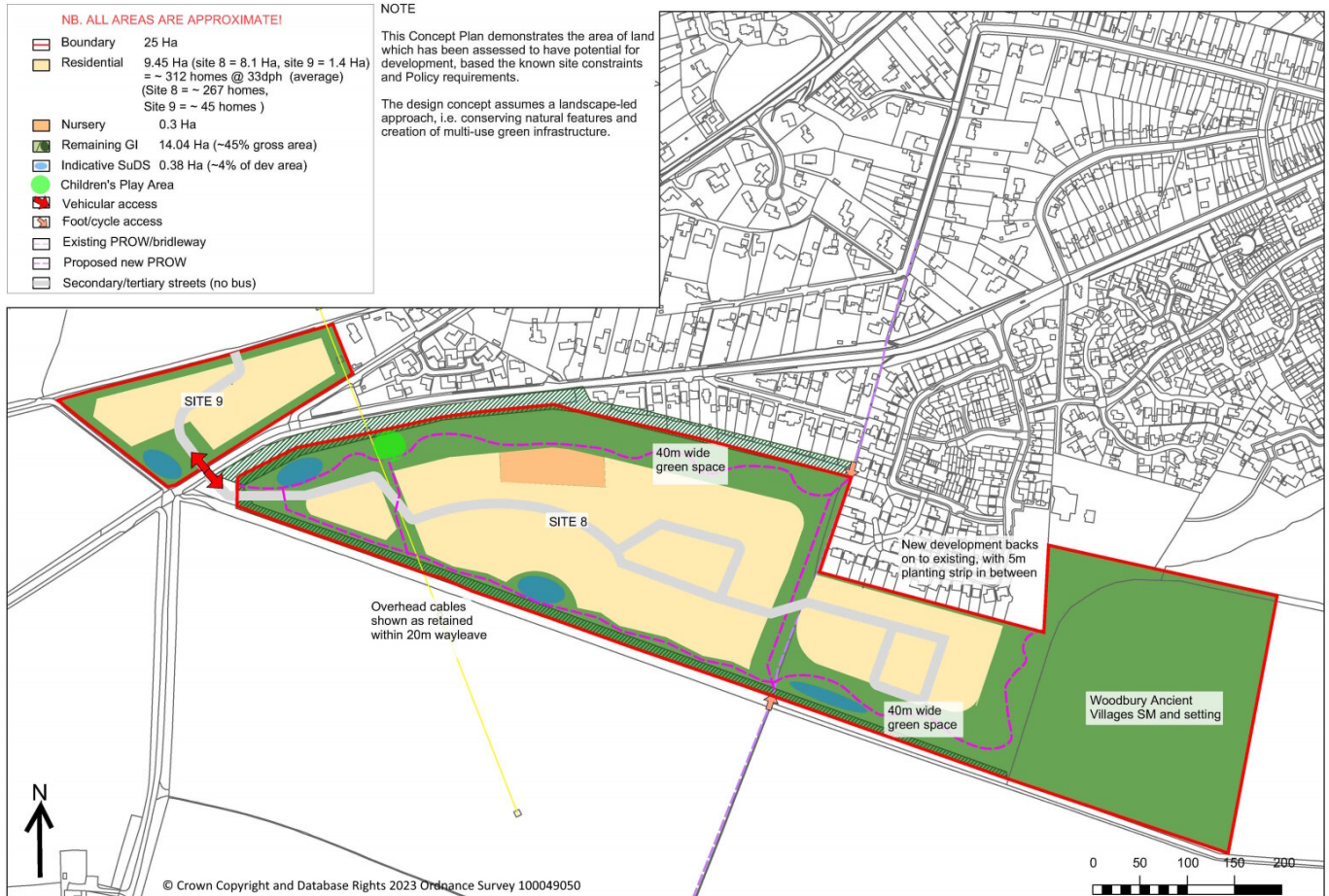
- vehicular access from A354 Coombe Road;
- improvements to cycling and walking routes through and around the site, including to Salisbury District Hospital and into the city centre, and to connect with the nearby Suitable Alternative Natural Greenspace allocation;
- children's play areas;
- provision of Suitable Alternative Greenspace on nearby land to the east of the site in accordance with Policy 29 Suitable Alternative Natural Greenspace, South Salisbury, connected with walking routes through the site;
- allotments;
- a mature landscape framework to include retention and enhancement of hedgerows, to mitigate against impacts for development, to be exposed within an open rural setting south-west of Salisbury and ensure that habitat creation provides connectivity to adjacent or nearby habitat areas;
- funding contributions toward measures that improve air quality. An assessment will be needed to understand cumulative effects of development on relevant receptors in the Air Quality Management Area, and to identify appropriate mitigation measures;
- a noise impact assessment to address the potential impacts associated with the A345;
- measures aimed at neutralising the levels of phosphates flowing into the River Avon Special area of Conservation (SAC) to improve water quality;
- offsite infrastructure reinforcement for water supply and foul drainage where required; and
- funding contributions towards early years, primary and secondary education.

**4.152** How allocations at South of Harnham and West of Coombe Road may be developed are shown on the concept plan as shown in Figure 4.20. This illustrates one treatment of the sites that considers mitigation requirements and the homes, other uses and infrastructure envisaged.

**Figure 4.20 Land South of Harnham and Land West of Coombe Road, Harnham Concept Plan**

Land South of Harnham and Land West of Coombe Road, Harnham

Concept Plan



## Additional Suitable Area of Natural Greenspace, South Salisbury

**4.153** Approximately 18.5ha of suitable alternative natural greenspace (SANG) is identified to reduce the potential for visitor and recreational pressure and associated adverse effects on the New Forest Special Protection Area (SPA), Special Area of Conservation (SAC) and Ramsar site (hereafter referred to as the 'New Forest designated sites') that could arise from planned growth. The New Forest designated sites are protected by means of the Conservation of Habitats and Species Regulations 2017 (the Habitats Regulations) and Ramsar sites are wetlands of international importance designated under the Ramsar Convention. This is in addition to the specific SANG and measures identified as part of other site allocations.

**4.154** The council, as decision maker, is the competent authority under the Habitats Regulations and is advised by Natural England. The planning authority must ascertain that allocations for residential development will not have an adverse effect on the integrity of the New Forest designated sites, alone or in combination with other plans or projects, either directly or indirectly, before adopting a local plan.

**4.155** The Plan is subject to a Habitats Regulations Assessment (HRA) which sets out possible measures that need to be provided to enable development to be delivered. The council has also produced a Recreation Mitigation Strategy for the New Forest Internationally Protected Sites

which should be read in conjunction with this policy<sup>14</sup>. The role of the additional green space is to provide an alternative destination, with the objective of diverting visitors and recreational pressure away from the New Forest designated sites. Consideration should be given to bringing forward the additional SANG allocation in advance of the occupation of any dwellings on affected residential developments.

- 4.156** The additional SANG will provide a choice of attractive walks of varying lengths for local residents that are suitable for all year-round use, including a circular route of at least 2.5km in length which cannot be satisfactorily devised within the South of Harnham residential allocation<sup>15</sup>. These paths should blend into the landscape and not detract from the natural feel of the site. Suitable furniture should be provided to allow for enjoyment of different areas. Free on-site car parking will be provided. Access on foot to the Country Park from the adjacent proposed development site will be provided, along with linkages to green and blue infrastructure and existing public rights of way (PRoW) within the area.
- 4.157** A further objective of the allocation will be to manage pressure on Lime Kiln Chalk Country Wildlife Site (CWS), which is part of the proposed allocation. The CWS, which is owned and managed by Wiltshire Council, will be sensitively managed with the aim of ensuring that the residential allocation will not result in additional detrimental effects upon the habitats and species present and to deliver overall ecological enhancement.

## Policy 29

### Suitable Alternative Natural Greenspace, South Salisbury

Development on land allocated by Policies 24, 26, 27 and 28 (Land at Netherhampton Road Garden Centre, Land North of Downton Road, Land South of Harnham, and Land West of Coombe Road, Harnham) will provide for additional Suitable Alternative Natural Greenspace (SANG) to mitigate the adverse effects of recreation on New Forest designated sites where provision on sites will be insufficient to avoid adverse effects.

The additional SANG will be available in perpetuity for the public to access for informal recreation prior to the occupation of the first dwelling for which the policy is triggered.

Provision should be made for accessing the SANG by public transport as well as safe routes from and to the city centre.

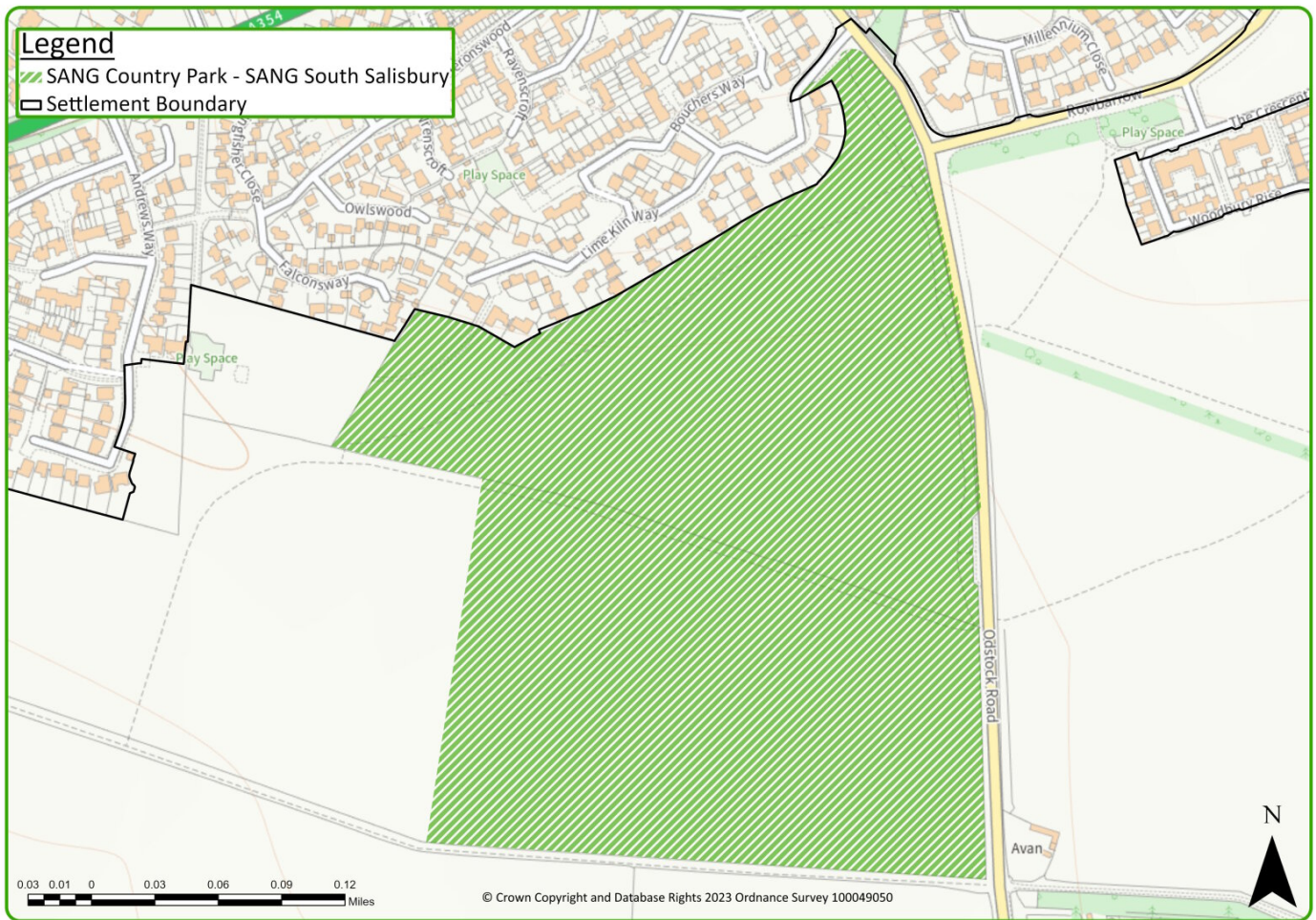
The location of a car park must take account of the setting of the Woodbury Ancient Villages Scheduled Monument.

- 4.158** The Salisbury Suitable Alternative Natural Greenspace is shown in Figure 4.21.

<sup>14</sup> See policy 88 (Biodiversity and Geodiversity)

<sup>15</sup> *Guidelines for the Creation of Suitable Alternative Natural Greenspace*, Natural England (August, 2021)

**Figure 4.21 South Salisbury SANG**



### Land East of Church Road, Laverstock

- 4.159** Approximately 3ha of land East of Church Road, Laverstock is allocated to provide approximately 50 dwellings. New housing creates a modest extension to the village of Laverstock, which although identified as a Small Village is situated adjacent to one of Salisbury's secondary schools and is reasonably well connected to the city centre via a bus route.
- 4.160** Development will create an improved urban edge and countryside transition in the approach into Laverstock from the north. Limiting the scale of development here will moreover ensure continued separation and distinctiveness between the villages of Laverstock and Ford.

## Policy 30

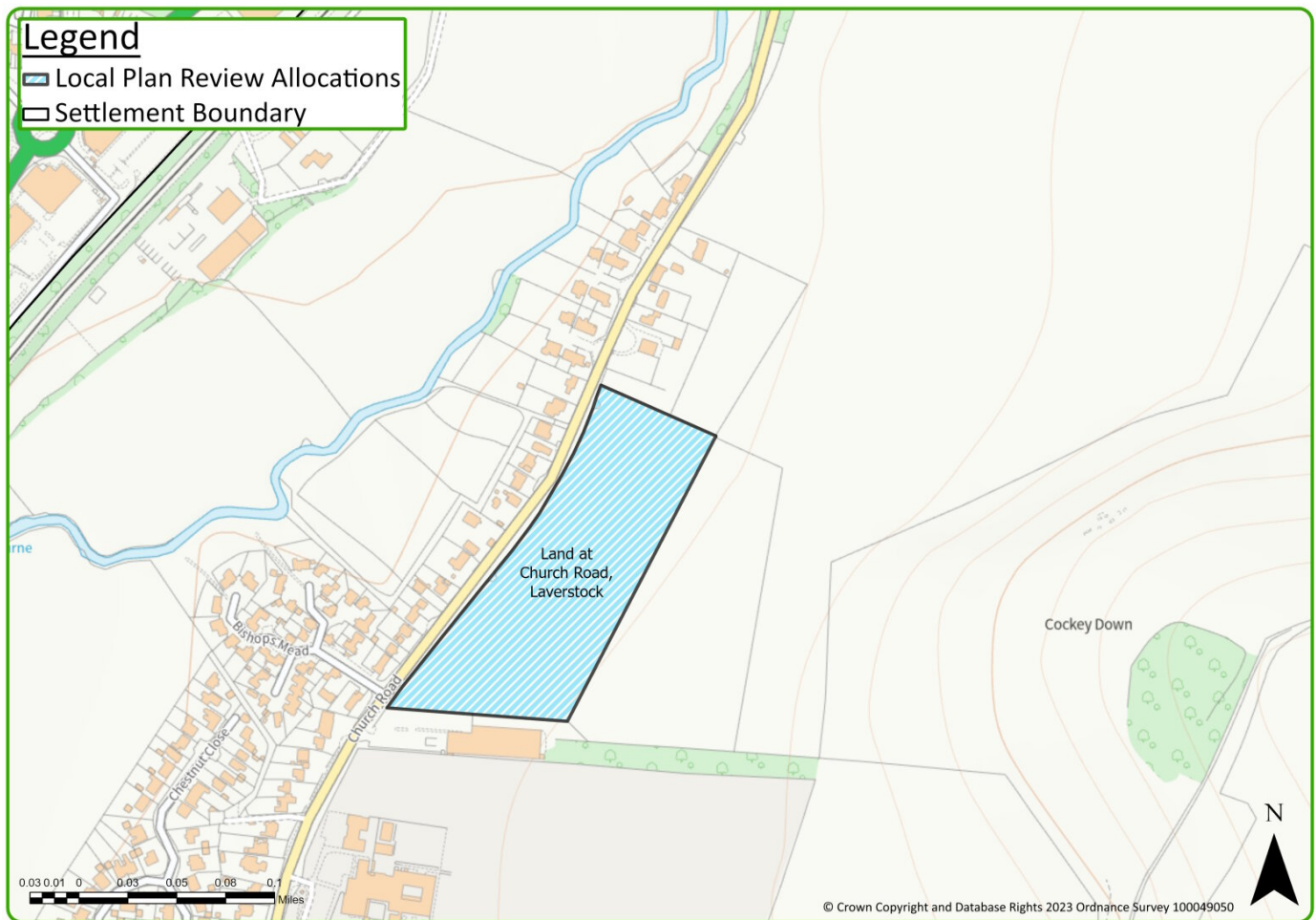
### Land East of Church Road, Laverstock

Land East of Church Road, Laverstock, as identified on the Policies Map, is allocated for the low-density development of approximately 50 dwellings, between existing linear development to the north and employment uses and Laverstock schools to the south.

Infrastructure and mitigation requirements include:

- vehicular access via Church Road;
- improvements to cycling and walking routes through, around the site and into the centre of Salisbury, linking into existing networks. The layout of the development shall be sensitively planned to ameliorate landscape impacts;
- funding contributions toward measures that improve air quality. An assessment will be needed to understand cumulative effects of development on relevant receptors in the Air Quality Management Area, and to identify appropriate mitigation measures;
- measures aimed at neutralising the levels of phosphates flowing into the River Avon Special Area of Conservation (SAC) to improve water quality;
- off-site infrastructure reinforcement to improve foul water network capacity where required;
- a noise assessment to assess the potential impacts of the nearby electronics manufacturing plant and detail any mitigation measures resulting from this assessment;
- provision of Suitable Alternative Natural Greenspace; and
- funding contributions towards early years, primary and secondary education.

**Figure 4.22 Land at Church Road, Laverstock**



## Salisbury Central Area

**4.161** The central area of Salisbury is strategically important, being the primary focus for retail and leisure activity that serves a broad hinterland. The historic landscape setting of rivers and water meadows further adds to its appeal and character. With its Cathedral, and proximity to the internationally renowned Stonehenge, the city is a popular visitor destination. The central area boasts high-quality cultural and leisure facilities. The city will be strengthened generally, but specifically as a centre of heritage, culture and tourism; to ensure that it remains relevant, is resilient to competition, and acts as an important driver of prosperity for the wider economy. The Salisbury Central Area Framework (CAF) identifies a series of character areas. Within three of these there are significant regeneration opportunities, as follows:

- The Maltings and Central Car Park - is situated in the western area of the established city centre area. A contemporary, high-density, urban living-led scheme blended with cultural and evening economy uses remains an important outcome. Public open space runs along the parcel's eastern boundary and, through the early 2020s this area known as the Salisbury River Park Scheme, will be transformed as a recreational and amenity area for people, creating a high quality natural environment for biodiversity and reducing flood risk in the city.
- Churchfields - is one of the city's main employment areas and enhancing access arrangements to encourage more active forms of travel between the site and surrounding areas, including the town centre and rail station, and improving environmental quality will be



important to the success of this site as a transformed area for employment use. Churchfields' location close to the train station, with services to London, the south coast and the West of England, makes it attractive to business and enterprise. An important place-making intervention will be to find a solution to the commercial heavy goods vehicle movements, which have an environmental impact on the wider Central Area. The Future High Street Funds scheme is scheduled to provide investment, by improving connectivity between this area, eastwards along Fisherton Street, to the city centre.

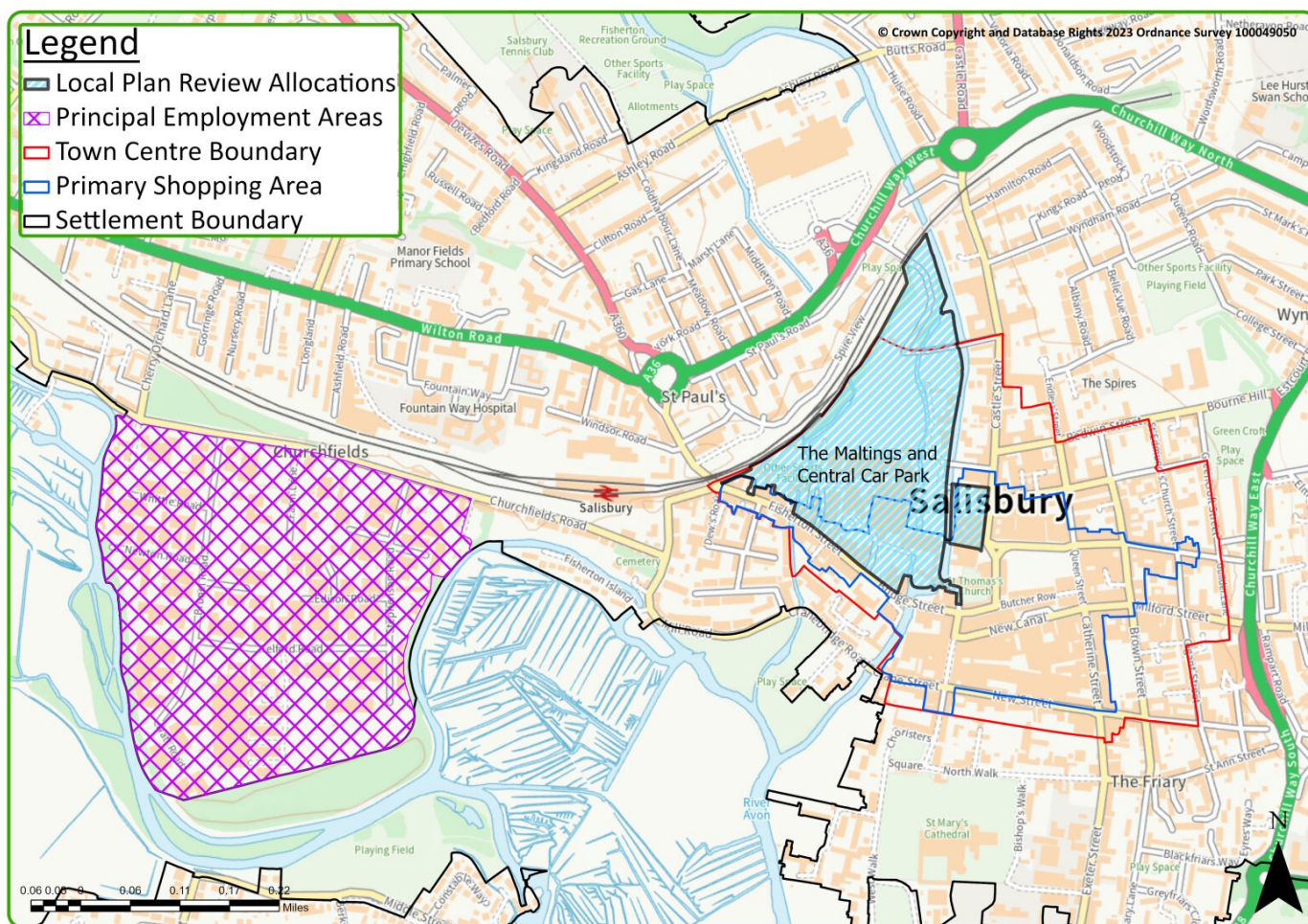
- Station Area - Salisbury train station is a major entry point into the city, located on the edge of the central area. Improvements to the public realm around the station are being implemented through the Future High Street Fund. The role of the maintenance depot is under review and may alter, including an option to incorporate land at the Engine Shed, in proximity to the Station Area along Churchfields Road. Alternatively, potential exists to transform the area north of the station if the current use is no longer required for operational use and land at the Engine Shed provides the opportunity to consider a wider mixed use development.

**4.162** Salisbury is defined as a Principal Settlement in the town centre hierarchy for Wiltshire. Its town centre boundary and primary shopping area boundary are identified on the Policies Map, in Appendix E and in Figure 4.23. Policy 67 (Sequential test and retail impact assessment) and Policy 68 (Managing town centres) alongside the specific policies below set out general policies to safeguard and promote the vitality and viability of town centres.

**4.163** Salisbury town centre boasts a good range and choice of comparison outlets, the Retail and Town Centres Study indicates some capacity to improve this type of retail. New comparison floorspace should in the first instance support and enhance availability in the city centre and, thereafter, improve existing out-of-centre provision. The principal aim for comparison retail in the city is to maintain a sizeable offer of floorspace, which caters for the shopping needs of the local area and wider catchment and provides a positive experience as an alternative to both online shopping and competition from the larger-scale offer in Southampton.

**4.164** There is strong potential to expand the food and beverage market over the Plan period. Salisbury is also a particular focus for the visitor economy and there are aspirations to improve hotel accommodation. Investment in the Central Area is to be encouraged where sites allow this to happen, for instance in connection with the Salisbury City Hall, which requires improvement. The Central Area Framework (CAF) also proposes measures for the city centre that will diversify uses and ensure better occupation of vacant space.

**Figure 4.23 Salisbury Town Centre**



## Policy 31

### Salisbury Central Area

The Plan aims to reposition Salisbury as a place that has a focus on heritage, culture and tourism, whilst continuing to encourage general economic investment. The success of the central area as a visitor destination and residential hub will be underpinned by fulfilling the place-shaping priorities connected with it, including:

1. delivering mixed use opportunity sites, including for housing to ensure long-term resilience;
2. delivering the recommendations in the Salisbury Central Area Framework (CAF) to secure the city as a visitor destination; and
3. development in the central area should conserve and where possible enhance heritage assets with heritage playing a key role in the regeneration of sites.

The CAF advocates maximising the central area's qualities and vibrancy, which contains distinct functional areas, whereby uses associated with the city's unique culture and heritage will be maintained and enhanced. Significant change is proposed in the following areas:

- The Maltings and Central Car Park, as set out in Policy 33;

- Churchfields Principal Employment Area, as set out in Policy 34; and
- Station Area and Engine Shed: Regeneration of this area will be supported through the development and implementation of a masterplan prepared by the council in partnership with landowners.

Amongst other measures, fulfilment of the central area's potential will be achieved by:

- accommodating a flexible approach to alternative uses, including residential and commercial, in vacant premises and listed buildings, notably on upper floors and underutilised space; and
- improving the vitality and viability of the evening economy.

The Salisbury River Park Scheme will facilitate leisure and recreation uses in the central area and connect it with the city's wider green and blue infrastructure network.

## Salisbury skyline

**4.165** The medieval planned city of Salisbury is dominated by its Cathedral, which has the tallest spire in the UK. The city is set in the valleys of five rivers, with water-meadows to the south and is surrounded by low hills. There are some outstanding views to the Cathedral both along the valleys and from the hills, and the spire is a landmark presence within the built-up area. The views therefore help define what is special about Salisbury. The variety of directions from which the Cathedral can be viewed poses a challenge to locating new development unobtrusively. This has informed the relatively low-scale pattern of development in the city.

**4.166** The Plan therefore primarily protects the historic and traditional roofscape of Salisbury and the cathedral setting by limiting the height of new buildings. It has played a major part in preserving the city's unique character by serving to emphasise the great height of the cathedral spire and protecting its immediate setting and reinforcing Salisbury's irregular 13th century grid layout.

## Policy 32

### Salisbury skyline

In the city's central area, as identified on the Policies Map:

- New development will be restricted to a height that does not exceed 12.2 metres (40 feet) above ground level.
- Decorative architectural features that positively contribute to the variety, form and character of the area's roofscape, skyline and silhouette may be allowed to exceed 12.2 metres in height where appropriate, provided that they do not result in any increase in usable floorspace.
- In exceptional circumstances, development in excess of 12.2 metres in height will be supported, where it can be demonstrated to the satisfaction of the local planning authority that the development would have no demonstrable harm on the roofscape of the city and / or views of the cathedral.

## The Maltings and Central Car Park

- 4.167** The area is located within the western part of Salisbury's established city centre. The southern part of the site predominantly comprises The Maltings Shopping Centre; and the northern part, includes the central surface-level car park. Maltings-Central Car Park is a key regeneration and economic priority for the council. A masterplan has been endorsed that supports mixed-use redevelopment of this site, including housing, services and facilities. Development should be underpinned by local design guides and in a manner that complements existing leisure and commercial provision.
- 4.168** The development will include pedestrianised streets and public spaces, with connections to City Hall, The Playhouse and Fisherton Street. The allied Salisbury River Park Scheme provides essential infrastructure, flood risk alleviation and environmental improvements directly related to the Maltings and Central Car Park site, which will serve to support regeneration of the site and enable higher value development.

### Policy 33

#### The Maltings and Central Car Park

The area comprising The Maltings and Central Car Park will provide a mixed use redevelopment to revitalise and render more attractive use of the western part of the city centre. Development of the area should include the following uses:

- residential
- small scale retail
- services and leisure
- library

Masterplan-led design will enhance city living and the evening economy, by a scale and form of development that conserves and enhances:

- the appearance of the Salisbury's skyline;
- the significance of heritage assets including their setting; and
- the attractiveness of riverside open space and aligns with the Salisbury River Park Scheme.

## Churchfields Employment Area

- 4.169** Churchfields Industrial Estate is recognised in the Central Area Framework as a main employment area in Salisbury. Nonetheless, the employment area is active and accommodates approximately 200 businesses of varying types and size on 33ha of land. Land uses include the council's depot, warehouses, open storage land, and a mix of showrooms and workshops, factories and manufacturing units, along with vehicle repair workshops, trade counter units and some offices.
- 4.170** Previous aspirations to regenerate the site as a new neighbourhood for Salisbury have not been realised. Land contamination excludes wholesale redevelopment to residential uses as a viable future path. Due to a complex number of land interests, shared between freehold and commercial leases, change will take the form of incremental adaptation over the plan period.

- 4.171** This Plan therefore recognises the importance of the site as an employment area and seeks to support its evolution and diversification, which in turn will help regenerate the site and secure improvements. New employment developments will therefore be supported where they improve the attractiveness of the area, help reduce the level of HGV traffic accessing the site and improve the sites connectivity with the surrounding area through improved walking and cycling infrastructure to encourage greater access by these modes of travel.
- 4.172** An Estate Regeneration Plan and Accessibility Study, will support opportunities to reduce harmful environmental impacts, including those on neighbouring areas, including HGV traffic, on-street parking, as well as enhance the attractiveness of the area to new investment. This will provide for improvements to access, the public realm, pedestrian and cycling facilities, traffic calming and the provision for parking. Incrementally, improving the attractiveness of the area will encourage a greater preponderance of office and professional sector uses capitalising on the area's good location in relation to the central area and railway station.
- 4.173** Redevelopment and changes of use within planning controls will also address environmental impacts, but also help to implement a gradual change in the character and role of the area, in accordance with the following policy:

## **Policy 34**

### **Churchfields Employment Area**

Proposals for the development of employment uses are supported subject to:

- no increase in HGV traffic to and from the site;
- measures to minimise on-street parking;
- improvements to the public realm (such as tree planting, the visual appearance of boundaries and incidental open space); and
- improvements to connectivity by active modes of travel.

The nature and scope for improvements will be set out in detail by an Estate Regeneration Plan and Accessibility Study.

## **Salisbury District Hospital**

- 4.174** Salisbury District Hospital plays a vital local and regional role. In addition to providing general hospital services, it also offers specialist services across the region and southern England. The ability of the hospital to operate efficiently and meet demand is constrained by the current estate and many of its buildings need to be replaced. Plans add new education, training and research capacity, alongside improved hospital facilities. By bringing education, training and technology together with health, it will have wider economic and community benefits. Augmenting the role of the hospital in this way may, however, require some expansion into the surrounding area.
- 4.175** Redevelopment of the site is being underpinned by the preparation of a masterplan, led by the Salisbury NHS Foundation Trust, known as the Salisbury Health, Education and Technology (HEAT) Project. The HEAT Project takes a landscape led approach to design. One aim is to minimise the extent to which the built area of the hospital needs to be extended.

- 4.176** Important buildings are to be retained and others redeveloped allowing the layout of the existing site to be improved significantly over time. New buildings will be designed to integrate with existing buildings on the site in terms of their height and massing so as to avoid increases in visibility or prominence. It will also improve how land already developed can be used more efficiently and so reduce the need to expand and build on undeveloped land.
- 4.177** From the surrounding area new views of the hospital complex need to be avoided. Development should generally stay within the existing overall footprint of the hospital. With some expansion there is inevitably scope for potential effects and these must be minimised. Additional prominence should be very limited and it is anticipated that, in time, structural planting would mature and further reduce such effects. A central task of the masterplan is therefore to minimise encroachment into the countryside but where it is necessary to select the least sensitive extent and minimise its visual impacts.
- 4.178** To avoid impacts on the local and strategic highway network, the NHS Trust intends that development will not increase traffic movements or car parking provision above current levels, by implementing a comprehensive car parking policy and travel plan. Alternative and sustainable mobility opportunities will be promoted, agreed, and provided to ensure that the parking strategy and net traffic targets are achieved.
- 4.179** The role of the Plan is to cement the principles being worked upon by the HEAT project masterplan, now and in future, by applying the following policy:

## **Policy 35**

### **Salisbury District Hospital campus**

Within the campus area identified on the Policies Map, inclusive of a maximum 7ha eastward extension onto undeveloped land, development - along with the redevelopment of buildings on the existing built footprint - will be supported for:

- healthcare facilities;
- uses that have a complementary relationship with healthcare, including education uses, and life science related research and development;
- public open space and landscaping.

Development will not have an unacceptable visual impact upon the character and appearance of the surrounding area and will be in accordance with an approved masterplan, which will:

- deliver the most efficient reuse and remodelling of the existing developed area;
- minimise the encroachment of development into the most suitable landscaped adjoining areas;
- minimise the need for additional parking by, amongst other means, improving the accessibility of the hospital to non-car modes.

## Neighbourhood planning

- 4.180** A Salisbury Neighbourhood Development Plan for the parish area of Salisbury is being prepared by Salisbury City Council. Amongst other aspects, the emerging neighbourhood plan proposes a modest amount of new homes. Since opportunities for further outward expansion are becoming increasingly difficult, the emphasis is on brownfield sites, although, by their nature these tend to come forward as windfall sites and so not easily identifiable. The scope to positively identify such opportunities to add to the proposals in this Plan is therefore limited and as such a neighbourhood area designation requirement is set at 60 dwellings.
- 4.181** The first Laverstock and Ford Communities Neighbourhood Plan was made in October 2022. While the designated area relates to the outer edges of the Principal Settlement of Salisbury, the neighbourhood plan focuses on the separate identities of Laverstock and Ford, which are Small Villages, and does not contain allocations for housing. With the focus on the Small Villages in the designated plan area, a review of the neighbourhood plan is expected to focus on meeting any identified local needs there rather than at the Principal Settlement of Salisbury.

## Amesbury Market Town

- 4.182** Opportunities for expansion of the Market Town of Amesbury are limited by the need to preserve the setting of the Stonehenge World Heritage Site and the archaeological importance of much of the town's surrounding area. This has impacted on the ability to expand the successful Solstice Park Principal Employment Area, which is well located on the A303 through an allocation in the Plan. However, there is potential within the Plan period for further inward investment at Boscombe Down Airfield for defence and aerospace business to complement the Ministry of Defence activities on site.
- 4.183** Amesbury is a significantly constrained settlement, and scales of growth through the Plan are therefore reduced from previous rates. Beyond existing provision for new homes, and the existing stock of employment land, additional allocations are very difficult to identify. It is likely that strategic future housing and employment will need to rely on the possibility of a new community to help meet needs in the longer term.
- 4.184** The Plan supports further employment growth at Porton Down, located in the rural area to the south east of Amesbury as well as Boscombe Down, as strategically important specialist employment hubs. It also recognises the role of the existing Principal Employment Area at High Post to the south of the town.

### Policy 36

#### Amesbury Market Town

Development at Amesbury will:

1. promote Amesbury as a more self-sufficient town, with the housing, infrastructure and employment opportunities available to encourage a diverse range of residents to live, work and enjoy leisure time in the town;
2. improve recreational facilities and sports pitches in Amesbury;
3. be supported by the implementation of a town centre strategy that improves the quality of the public realm and encourages the development of tourism and tourist accommodation to capitalise on the town's proximity to Stonehenge;
4. reduce congestion on the A345 and A303, with a view to improving the attractiveness of Amesbury town centre;
5. improve opportunities for active travel (walking and cycling) and public transport options in and around Amesbury, including improved connections between Amesbury and surrounding areas of Durrington, Bulford, Larkhill, Stonehenge, Boscombe Down and Porton Down; and
6. support further development of specialist high quality employment at Boscombe Down and Porton Down.

Over the plan period (2020 to 2038) approximately 530 homes will be provided at Amesbury including:

- remaining housing on the existing allocation at Kings Gate; and
- 75 dwellings on small sites of less than ten dwellings.



The neighbourhood area designation requirement is 50 dwellings.

The following Principal Employment Areas will be retained in accordance with Policy 65 (Existing employment land): Solstice Park, London Road, Porton Down and High Post.

**4.185** The pattern of development is shown in Figures 4.24, 4.25 and 4.26.

**Figure 4.24 Amesbury Policies Map**

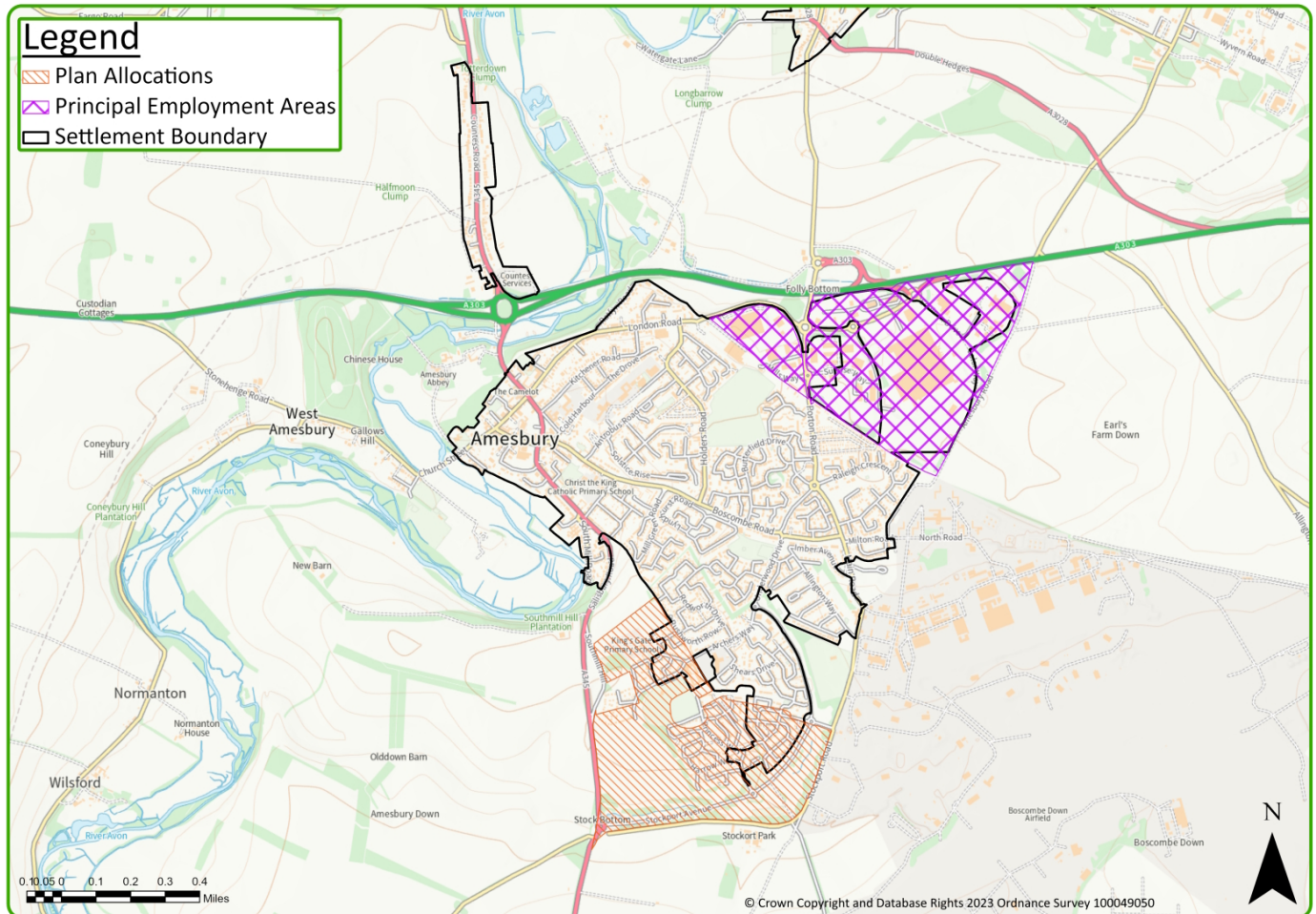


Figure 4.25 Porton Down Principal Employment Area

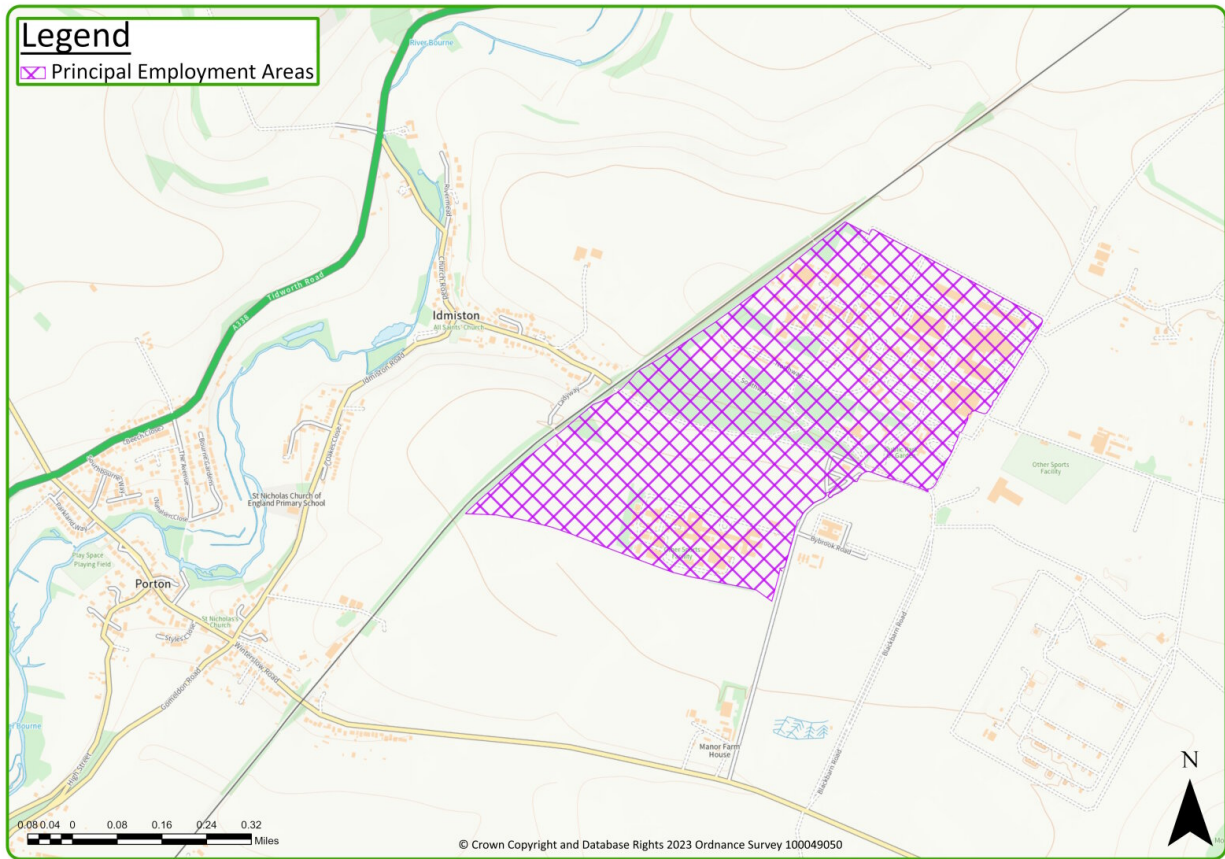
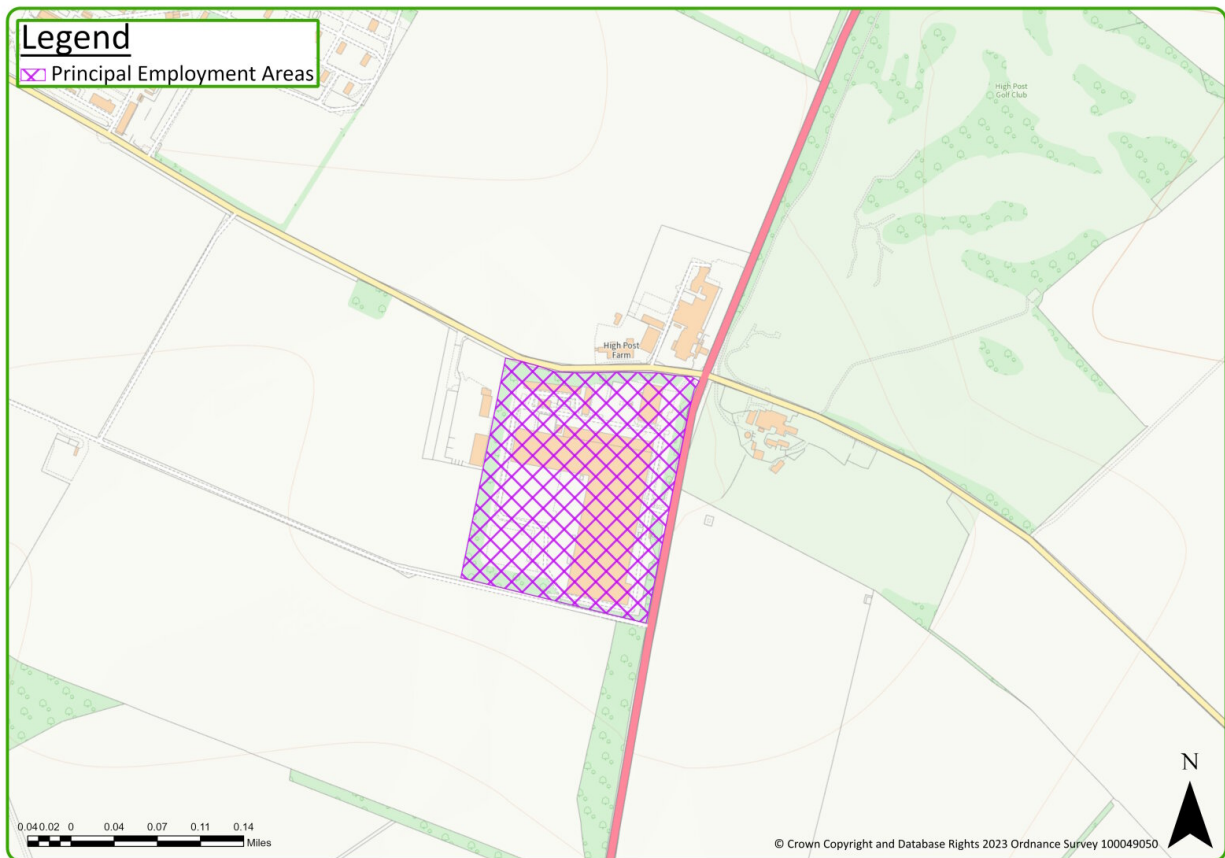


Figure 4.26 High Post Principal Employment Area



## Town centre

- 4.186** Amesbury is defined as a Market Town in the town centre hierarchy for Wiltshire. The town centre boundary and primary shopping area boundary for Amesbury are identified on the Policies Map. Policy 67 (Sequential test and retail impact assessment, and Policy 68 (Managing town centres) set out general policies to safeguard and promote the vitality and viability of town centres including Amesbury.
- 4.187** Amesbury has a relatively small town centre which is made up predominantly of smaller retail, commercial and hospitality units, mainly falling within Amesbury's historic core and conservation area. Larger units, including a supermarket, are located in the southern part of the town centre, outside of the conservation area. Many of the town's larger commercial units are located at Solstice Park, to the east of Amesbury. The town centre faces a degree of competition from the larger city centre of Salisbury, located some 8 miles south. The result of this is that Amesbury has a strong service led role in serving a local community.
- 4.188** There is some capacity for new convenience retail and limited capacity for additional comparison goods retail floor space and scope to grow the food and beverage market. Re-use and redevelopment will be the main means for the town centre to evolve, respecting the area's historic character. Through careful planning, the quality of the public realm may be enhanced to improve legibility and to support and encourage tourism development to capitalise on the town's proximity to Stonehenge.

## Boscombe Down

- 4.189** Boscombe Down is a strategically important employment site for south Wiltshire and has the potential for further inward investment and regeneration to expand its role. This means realising opportunities for reciprocal business relationships with defence uses while preserving the military operational uses at the area's core. Land within the site has been previously identified for development and this remains a possibility. It is particularly important however that any development on this site or elsewhere at Amesbury does not undermine the operation of the airfield and this will be a key consideration in appraising any development proposals. The site is expansive and in an exposed position, any employment development that does not re-use existing buildings should be located in the north of the site close to Amesbury.

### Policy 37

#### Boscombe Down

Boscombe Down Airfield has the potential for inward investment to expand its role as an employment area that will involve redevelopment, re-use of buildings, and land in the north of the airfield close to Amesbury.

Development within and around the airfield should:

- preserve the use of Boscombe Airfield and its runways for operational military uses;
- support a complementary range of defence and aerospace related business.

## Porton Down

- 4.190** Porton Down is an internationally important centre for scientific research and development. It is strategically important for a growing scientific research capacity in the UK and is located close to Salisbury and Amesbury. The Porton Science Campus includes DSTL, UKHSA and the Porton Science Park (operated by Wiltshire Council).
- 4.191** Porton Down is situated close to an internationally designated Special Protection Area (SPA) and as a Special Area of Conservation (SAC). The continued protection of these areas and their positive management are a prerequisite for further development.

### Policy 38

#### Porton Down

The council will continue to strongly support and promote the principle of the continued development of the Porton Science Park for research and development purposes, to be delivered in accordance with the Porton Down Masterplan, or a subsequent iteration of the masterplan. The council will continue to work with the principal site stakeholders to enable the continued evolution of the site to secure the long-term future of Porton Down as an internationally important site for Health and Life Sciences, and Defence and Security Technologies.

## Neighbourhood Planning

- 4.192** There is currently no neighbourhood plan for Amesbury, although an area designation has been made and early work by Amesbury Town Council has commenced. The lack of opportunities to provide new homes and land for employment on the edge of the town invokes a need for a greater emphasis upon re-use of land within the existing urban area. While there is no additional strategic housing and employment allocations identified, there are likely to be opportunities for the neighbourhood planning process to identify small to medium scale sites to deliver a modest level of growth over the plan period. A neighbourhood area designation housing requirement is therefore set at 50 dwellings.

## Tidworth and Ludgershall Market Town

- 4.193** The Plan proposes growth at Tidworth and Ludgershall that will help to broaden the economic base and role of the settlements, which together are heavily influenced by the military presence. Broadening their role hinges over the longer term on delivery of a wider range of local services and facilities as the community grows and diversifies. The main area for development will be expansion to the south east of Ludgershall which will include some additional facilities and improvements to local retailing and services. It will also facilitate a new road access to the town from the east, which is being co-ordinated with neighbouring local authorities.
- 4.194** Castledown Business Park provides a key role by providing land for new business that will support Ludgershall's transition to a more balanced community of locally provided jobs and homes.

### Policy 39

#### Tidworth and Ludgershall Market Town

Development at Tidworth and Ludgershall will:

1. support additional housing needs arising from those leaving military accommodation and moving into civilian housing; and
2. support diversification of the employment offer in the area, including facilitating the delivery of Castledown Principal Employment Area and provision for small and medium business enterprises.

#### *Tidworth*

3. promote and encourage regeneration of Tidworth town centre (Station Road);

#### *Ludgershall*

4. support local road improvements to ensure any growth is suitably integrated into the local transport network. This includes the continuation of Empress Way to the south-east of the town in taking traffic pressure off of Andover Road;
5. encourage the balancing of commercial leisure uses and community facilities to support housing delivery at Ludgershall. This includes supporting the work between Ludgershall Town Council and the MOD to provide land and sporting facilities for the whole of the community; and
6. explore potential future opportunities to utilise the railway line as a sustainable travel route.

Over the plan period (2020 to 2038) approximately 2,080 homes and 10.7ha of employment land will be provided at Tidworth and Ludgershall including:

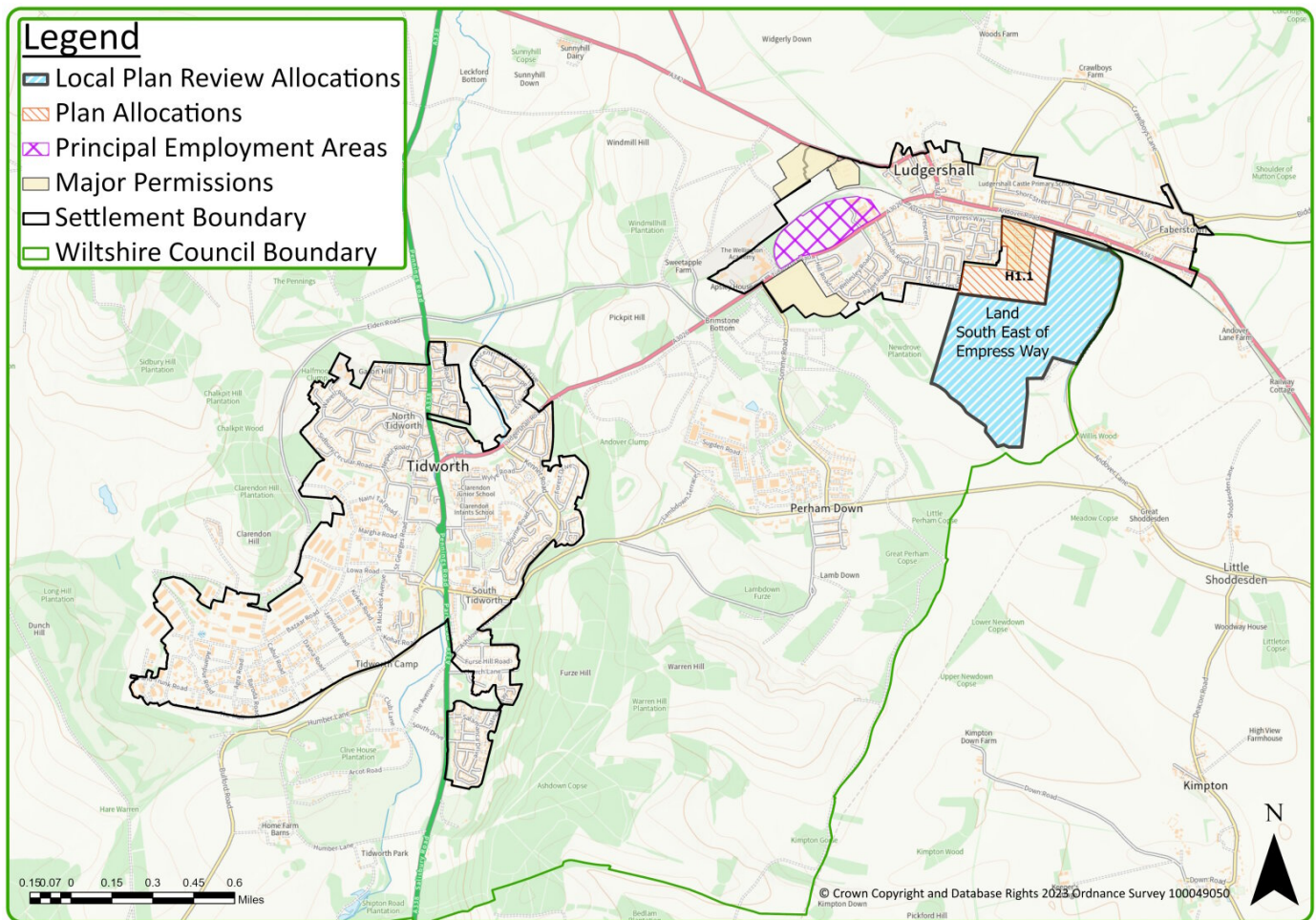
- remaining homes and employment land on existing allocations at Ludgershall: Drummond Park, Castledown Business Park, Empress Way; and
- new allocation for approximately 1,220 dwellings and 0.7ha employment land on Land South East of Empress Way, Ludgershall.

The neighbourhood area designation requirement is 200 dwellings.

The Castledown Business Park Principal Employment Area will be retained in accordance with Policy 65 (Existing employment land).

4.195 The pattern of development is shown in Figure 4.27.

**Figure 4.27 Tidworth and Ludgershall Policies Map**



### Land South East of Empress Way, Ludgershall

- 4.196 Approximately 66ha of land South East of Empress Way, as identified on the Policies Map, is allocated for a residential led development. The allocation site adjoins land already allocated for development of 270 homes south of Empress Way which includes the provision of a local centre and 2 form entry (FE) primary school.
- 4.197 The site is open in nature and there are limited existing natural boundaries, meaning that significant landscape screening will be required, for the development to assimilate into its wider countryside.
- 4.198 Immediate vehicular access to the site will be required from Empress Way and Moyne Drive but development will facilitate a southern link road, connecting with Andover Road to the east. This will be coordinated with the neighbouring highway authority. The timing of the delivery of the Andover Road connection will be determined by an agreed trigger point to be established through a transport assessment, in collaboration between the developer and the two relevant highway authorities. Any future need to further expand the town into Test Valley will be the subject of review in future development plans.
- 4.199 The development will also deliver a new local centre, to enable residents access to include a suitable retail outlet within an accessible location, particularly for parts of the site that are further from the town centre.

## Policy 40

### Land South East of Empress Way, Ludgershall

Land South East of Empress Way, Ludgershall, as identified on the Policies Map is allocated for approximately 1,220 dwellings, 0.7ha of employment land, two 0.3ha sites for two 80 place early years nurseries, and a local centre.

A single comprehensive masterplan, phasing and delivery strategy for the development, must be prepared and approved by the local planning authority in advance of any planning application being submitted for the whole or part of the allocated site. This must take account of the requirements of this policy and the principles shown within the concept plan, and be prepared in consultation with the local community and local planning authority. Subsequent planning applications must be in accordance with the approved masterplan.

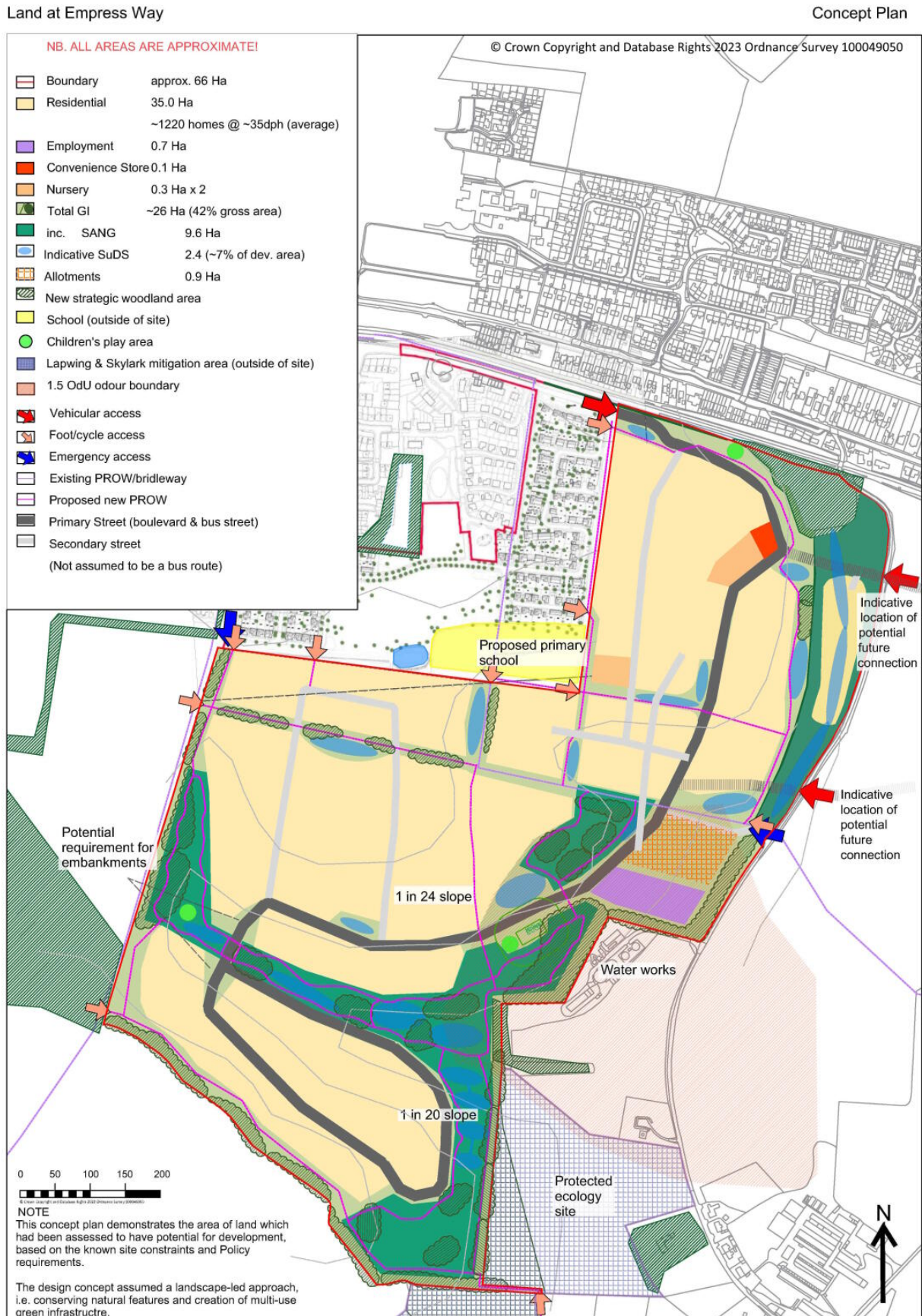
Infrastructure and mitigation requirements include:

- vehicular access from Empress Way, Moyne Drive and Andover Road – the latter of which falls within Hampshire and will be determined by the adjoining planning authority;
- new and improved high-quality cycling and walking routes through the site linking into existing networks to encourage residents to adopt modes of active travel to reach facilities and services in Ludgershall;
- a transport assessment that will determine the trigger point for the delivery of the access via Andover Road within Hampshire;
- areas of open space/green and blue infrastructure to include a substantial tree planting belt on the southern part of the site;
- financial contributions towards early years, primary and secondary education school places and healthcare provision;
- ecological surveys to inform safeguarding lapwing and skylark populations and habitat;
- a scheme to ensure the development delivers nitrogen neutrality measures;
- significant off-site infrastructure reinforcement and improvements for both the water supply network and foul water drainage network;
- appropriate mitigation of potential odour impacts from the Water Recycling Centre, such as a suitable buffer informed by an odour assessment;
- a land contamination assessment and remediation if necessary; and
- site design to avoid any unacceptable noise impacts on residents' amenity resulting from the site's proximity to MOD uses.



**4.200** How the site may be developed is shown on the concept plan as shown in Figure 4.28. This illustrates one treatment of the site that considers mitigation requirements and the homes, other uses and infrastructure envisaged.

**Figure 4.28 Land at Empress Way Concept Plan**



## Town centre

- 4.201** In the retail hierarchy for Wiltshire, Tidworth is defined as a Market Town and Ludgershall as a Local Service Centre. However, the settlements are grouped as the centres are functionally linked. The town centre boundaries and the primary shopping area boundaries are identified on the Policies Map and in Appendix E. Policy 67 (Sequential test and retail impact assessment) and Policy 68 (Managing town centres) set out general policies to safeguard and promote the vitality and viability of town centres including at Tidworth and Ludgershall.
- 4.202** Tidworth town centre holds an important retail and service role for the local area, providing the main shopping and service focus for both towns, and has a functional relationship in also serving the Ludgershall community. The two supermarkets within the centre play a key role, while Station Road is a key link between them. The central area of Tidworth is small and has a recognisable role in serving the needs of the community, including its significant military demographic. Ludgershall has its own defined role and function that is subsidiary.
- 4.203** Whilst the retail needs of the two settlements are currently satisfactory, there is opportunity for Ludgershall's reliance on Tidworth's retail offering to be rebalanced through the delivery of main shopping facilities at Ludgershall. An appropriate solution would need to be found where the provision of additional food floorspace does not harm either of the existing centres. With this in mind, and recognising that there may be future opportunities to improve self-sufficiency of Ludgershall in its own right, potential options for the delivery of a main shopping use at Ludgershall would be supported.
- 4.204** Opportunities to revitalise individual units and encourage independent retailers are likely to be apparent over the plan period. Enhancements to the public realm, including opportunities to improve walking and cycling links, will be a key aspect of improving the attractiveness of the town centres.

## Neighbourhood planning

- 4.205** There is currently no neighbourhood plan area designation relating to the towns. However, over the lifetime of the Plan this may change. As well as addressing other community needs, a neighbourhood plan offers the opportunity to widen the choice of homes available and to respond to local housing needs, which could focus on smaller sites. A total designation for both settlements together is set at 200 dwellings. This could be divided if a Town Council decided to prepare its own separate plan.

# Salisbury Rural Area

## Wilton

**4.206** Land is allocated for residential development on land to the south-west of Bulbridge Estate, Wilton. This site adjoins the built edge of the settlement and is close to the Cranborne Chase and West Wiltshire Downs Area of Outstanding Natural Beauty. In view of landscape sensitivities, significant landscape mitigation will be required on the south and west boundaries of the site. Financial contributions will be sought in respect of the provision of facilities and on and off-site infrastructure necessitated by the development.

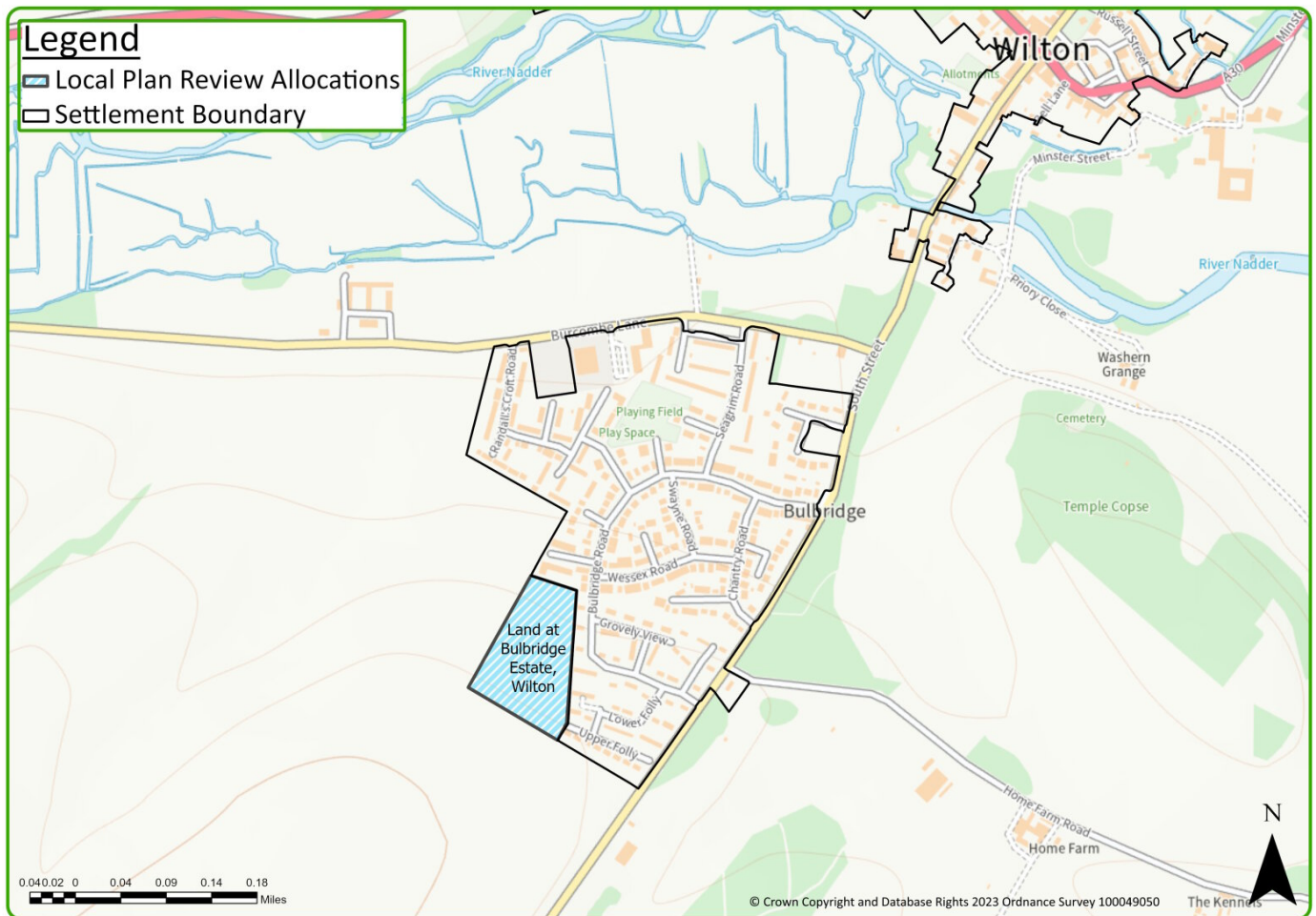
**Policy 41**

**Land at Bulbridge Estate, Wilton**

Land is allocated for the development of 45 dwellings on land to the south west of Bulbridge Estate, Wilton. The site will be delivered in a manner which is sensitive to its location close to the Cranborne Chase and West Wiltshire Downs Area of Outstanding Natural Beauty.

A developer contribution will be required to fund early years and secondary education places.

**Figure 4.29 Land at Bulbridge Estate, Wilton**



## Mere

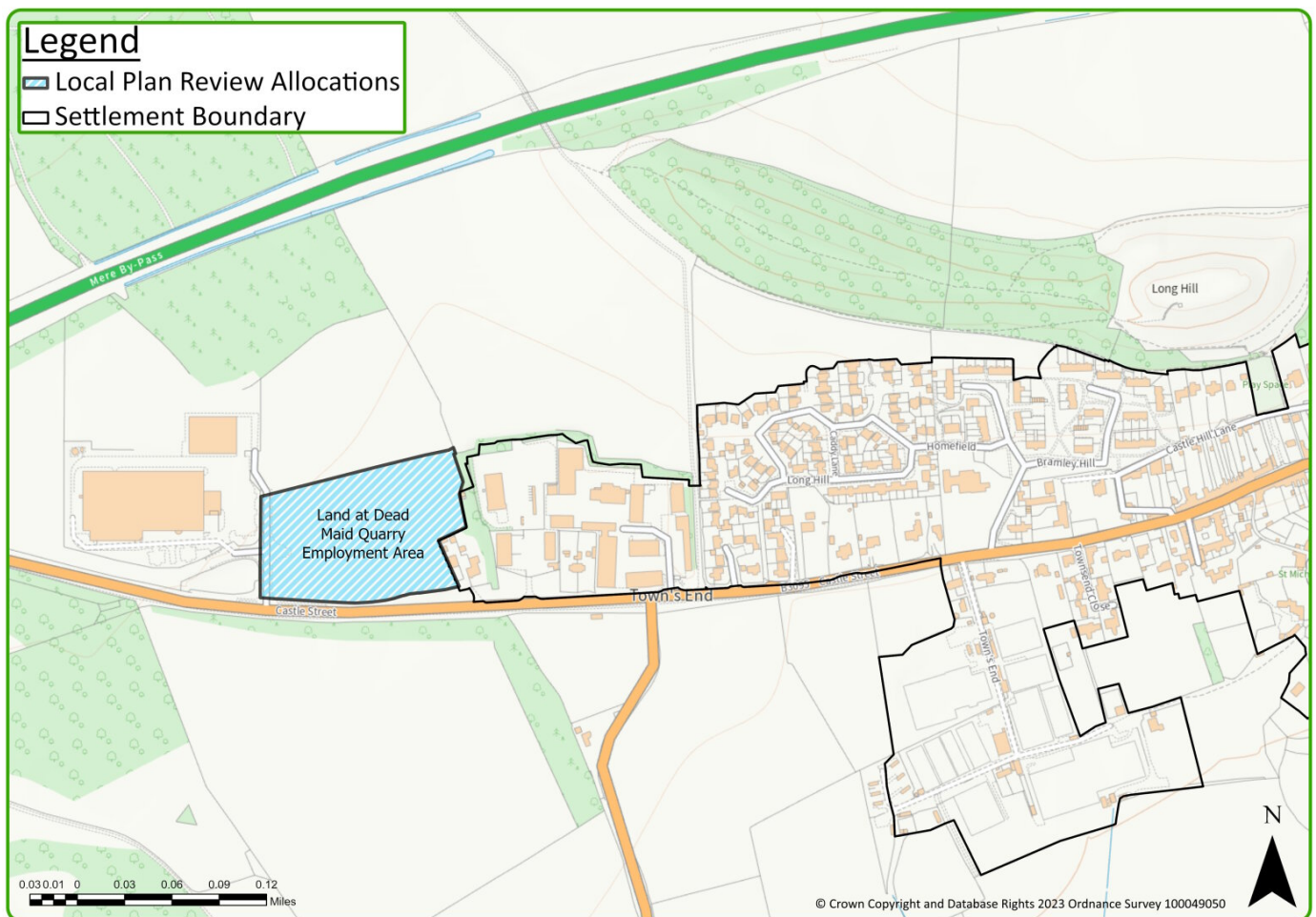
**4.207** Approximately 1.5ha of land at Dead Maid Quarry, Mere, remain to be developed for employment use on an allocated site and can provide for a mix of office and warehouse uses. Industrial uses will be supported where it can be demonstrated that there would be no adverse impact on neighbouring properties. Significant landscape planting to provide visual softening of the site along its boundaries will be required.

### Policy 42

#### Land at Dead Maid Quarry Employment Area, Mere

Land is allocated for 1.5ha of employment use (B2, B8 and E(g) (i-iii) classes), at Dead Maid Quarry, Mere. Development shall conserve and where possible enhance the value of on-site habitat associated with Norwood.

**Figure 4.30 Land at Dead Maid Quarry Employment Area, Mere**



## Shrewton

**4.208** Shrewton CE Primary School and Shrewton Pre-school currently operate from a shared site. Additional growth at Shrewton will require the expansion of the primary school, which is not possible on the currently constrained site. It is therefore necessary to safeguard land for the potential relocation of Shrewton Pre-school to facilitate expansion of Shrewton CE Primary School, should the need arise. An area of approximately 0.1 of ha land is required

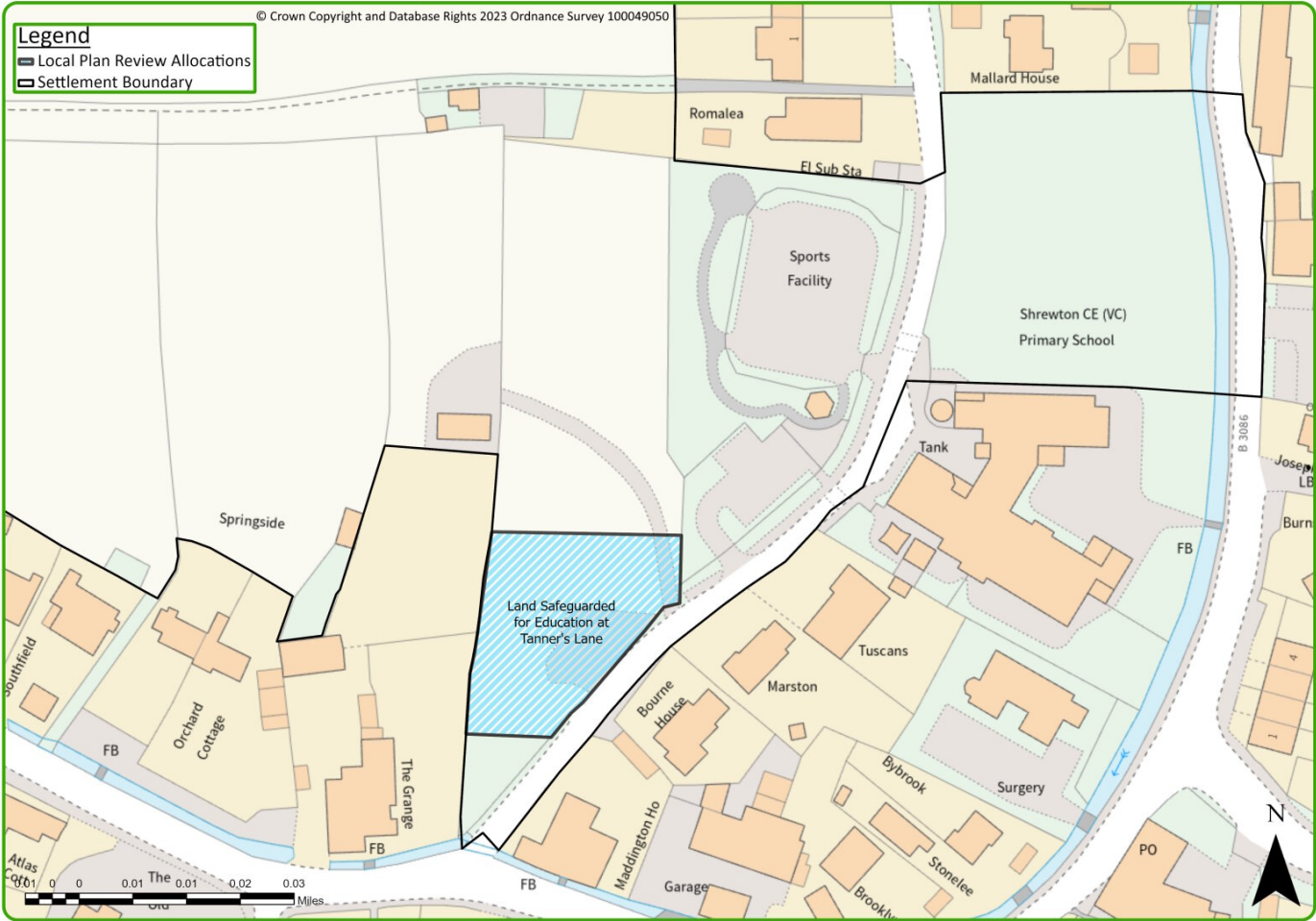
to be safeguarded to enable the potential relocation of the pre-school. If it is concluded that safeguarded land is no longer required for education purposes, the council will consider alternative uses for the land.

**Policy 43**

**Land safeguarded for education at Tanner's Lane, Shrewton**

Land at Tanner's Lane, Shrewton is safeguarded for the provision of expanded education (pre-school) provision at the village.

**Figure 4.31 Land safeguarded for education at Tanner's Lane**



**Neighbourhood area designation housing requirements**

- 4.209** The council supports the preparation of neighbourhood plans in the rural area. The plans provide the opportunity for local communities to address local housing needs and provide for new homes that can best help to sustain the vitality of their village, amongst other things.
- 4.210** Housing proposals help to support the role rural settlements and are an important part of the settlement strategy; additional homes help to support local business, services and facilities, serving both the settlement itself, but also its sometimes extensive rural catchment. Housing development focused at Local Service Centres and Large Villages carries with it a wider strategic purpose.

- 4.211** National planning policy requires the council to provide neighbourhood plan area designations with a housing requirement. Within the overall housing requirement for the County, the Plan must set requirements which reflect the overall strategy for the pattern and scale of development. Taking forward the Plan's settlement strategy, recognising the more strategic role of Local Service Centres and Large Villages, each of these settlements is provided with a scale of housing growth for the plan period to enable local communities to take forward plans where they wish to do so. Neighbourhood plan area designation housing requirements are the scale of growth shown for what Local Service Centres and Large Villages lie within them.
- 4.212** In general conformity with the Plan, neighbourhood planning groups would be expected to look to accommodate new homes to meet housing requirements in full by identifying opportunities in their plans, where necessary, at Local Service Centres and Large Villages themselves, where new homes could meet both local needs and support the strategic role for such settlements set by the Plan.
- 4.213** At Small Villages, the settlement strategy provides sufficient flexibility for neighbourhood planning groups to meet local housing needs, by a variety of means, at a scale that preserves the character and setting of a village. Reflecting the different role played by Small Villages in the settlement strategy, with generally fewer facilities and services, they do not have a scale of housing growth set by the Plan and therefore there is no explicit requirement for parishes that only contain Small Villages. However, this does not mean there can be no additional growth in these areas. As set out in other policies in the Plan, new housing development will be limited to infill within the built-up area of Small Villages or should be geared towards meeting local affordable needs through exception sites, or up to 20 homes, or 5% of the size of the settlement (whichever is the lower). Table 4.8 sets out the Small Villages in the rural part of the Salisbury Area.
- 4.214** Scales of housing growth over the plan period are shown in Table 4.8 for each of the Local Service Centres and Large Villages in the rural part of the Salisbury Area. This is the total amount of homes that should be met by a settlement within a neighbourhood plan over the plan period. Neighbourhood planning groups, to calculate how many new homes they will need to plan for, must deduct those homes built already and those in the pipeline with either planning permission or estimated to be built on sites already allocated in the development plan, which may include sites in the Wiltshire Housing Site Allocations Plan.

**Table 4.8 Distribution of housing growth for the Salisbury rural area**

	Housing growth (2020-2038)	Completions and commitments (1 April 2020 - 31 March 2022)*	Residual at 1 April 2022
<b>Local Service Centre</b>			
Downton	116	16	100
Mere ■	145	9	136
Tisbury ■	116	64	52
Wilton ■	174	144	30
<b>Large Village</b>			
Alderbury ■	97	70	27
Broad Chalke	23	11	12
Bulford	63	2	61
Collingbourne Ducis ■ □	39	9	30
Coombe Bissett ■	18	2	16
Dinton	25	7	18
Durrington	141	86	55
Fovant	32	6	26
Great Wishford	14	0	14
Hindon	31	31	0
Ludwell	21	4	17
Morgan's Vale/ Woodfalls	49	14	35
Netheravon	45	8	37
Pitton	18	2	16
Porton	38	38	0
Shrewton □	82	10	72
The Winterbournes	42	24	18
Tilshead	4	4	0
Whiteparish	46	4	42
Winterslows/Middle Winterslow	64	14	50

\*Includes major permissions post 1 April 2022, up to 31 May 2023

■ Requirements expected to be delivered towards the end of the Local Plan period, due to identified NHS capacity constraints in the shorter term.

□ Requirements expected to be delivered towards the end of the Local Plan period, due to identified nutrient management constraints in the shorter term (unless acceptable bespoke mitigation strategy can be demonstrated).

## Small Villages

**4.215** The roles of Small Villages are set out in Policies 1 and 2. The following table sets out the Small Villages in the Salisbury Area:

**Table 4.9 Salisbury rural area Small Villages**

Allington	Ebbesbourne Wake	Odstock
Ansty	Enford	Orcheston
Barford St Martin	Everleigh	Quidhampton
Berwick St James	Farley	Semley/Semley Station
Berwick St John	Figheldean/Ablington	South Newton
Bishopstone	Firsdow	Stapleford
Bodenham	Fonthill Bishop	Steeple Langford
Bowerchalke	Fonthill Gifford	Stoford
Britford	Ford	Stourton
Charlton	Great Durnford	Sutton Mandeville
Charlton All Saints	Hanging Langford	Swallowcliffe
Chilmark	Kilmington	Teffont Magna and Teffont Evias
Cholderton	Laverstock	The Chutes
Collingbourne Kingston	Lopcombe Corner	Tollard Royal
Compton Chamberlayne	Lower Woodford	West Dean
Donhead St Andrew	Middle Woodford	West Grimstead
Donhead St Mary	Milston / Brigmerston	Winterbourne Stoke
East Gomeldon/West Gomeldon/ Gomeldon	Newton Tony	Wyllye
East Grimstead	Nunton	Zeals
East Knoyle		

## Principal Employment Areas in the rural area

**4.216** The following Principal Employment Areas in the Salisbury HMA rural area will be protected for their primary function as an employment site, as identified on the Policies Map:

- Porton Down (Figure 4.25)
- Downton Business Centre
- High Post (Figure 4.26)

**4.217** Proposals for development within the Principal Employment Areas will be considered against Policy 65 (Existing employment land)





# Strategy for the Swindon Housing Market Area



**4.218** Royal Wootton Bassett is one of two Market Towns in the Wiltshire part of the Swindon Housing Market Area (HMA), referred to as the Swindon Area. It is much less constrained than Marlborough, which is located within the North Wessex Downs Area of Outstanding Natural Beauty. Royal Wootton Bassett will therefore continue to be a focus for growth, including employment development. The Plan envisages the town having a stronger role, diminishing its strong reliance toward Swindon by greater provision for local jobs and additional services and facilities. These will help promote greater self-containment. Higher rates of housing growth are proposed than the previous plan but, at a rate not substantially higher than actual levels delivered.

**4.219** Marlborough is a constrained settlement and its outward expansion is limited by the need to conserve and enhance the special character of the Area of Outstanding Natural Beauty. Development opportunities have been considered in part by work on a neighbourhood plan for the town, which identifies land for 65 homes over the period to 2036. A scale of growth for the town is set, as well as the need to provide additional homes to support affordable housing delivery and employment land over the Plan period to supplement this. The overall scale of growth is slightly lower than the previous plan.

**4.220** Outside the Market Towns, the overall scale of housing growth is broadly equivalent to past rates of housing development. A substantial part of business and employment development will continue outside the two Market Towns, but will generally be met over a large area, by

small scale developments outside the scope of the Plan. As occurs already, they are granted planning permission guided by policies of the Plan. Land and sites for development may also be allocated by neighbourhood plans or brought forward as Neighbourhood Development Orders to suit individual community needs.

**4.221** The Spatial Strategy does not plan for further housing and employment development that extends the urban area of Swindon, west of the town or south-west around Junction 16 of the M4 Motorway close to the town, as Swindon Borough Council is planning to meet their needs within their area.

**4.222** The distribution of housing and employment provision for the Wiltshire part of the Swindon HMA is summarised in Tables 4.10 and 4.11:

**Table 4.10 Distribution of housing growth for the Swindon area**

Settlement	Housing Growth (2020-2038) (dwellings)	Completions and commitments (1 April 2020 - 31 March 2022)*	Residual at 1st April 2022**
Marlborough	600	368	230
Royal Wootton Bassett	1,340	113	1,230
Rural Area	1,510	805	710

\*Includes major permissions post 1 April 2022, up to 31 May 2023

\*\*Residual rounded to the nearest 10 dwellings

**Table 4.11 Distribution of employment growth for the Swindon area**

Settlement	Employment Land Supply (ha)
Marlborough	1.8
Royal Wootton Bassett	6.9
Rural Area	-

## Marlborough Market Town

**4.223** Marlborough is a constrained settlement in terms of its ability to accommodate growth due to its location within an Area of Outstanding Natural Beauty. Historic rates of housing development are set to be reduced over the Plan period. Evidence<sup>16</sup> shows a need for additional employment land, which is to be delivered as part of mixed use development. Around 60% of the homes necessary to meet the scale of housing growth required at Marlborough have been built or identified already including through the Marlborough Area Neighbourhood Plan. An additional 110 homes are anticipated to come forward through small sites of less than 10 dwellings. The Plan supplements this supply with additional allocations so scales of need, particularly those for affordable homes and employment, can be achieved over the plan period.

**4.224** Due to water supply capacity constraints in the area, developers should undertake necessary engagement with Thames Water to ensure development does not outpace delivery of essential network upgrades needed to accommodate future development in the catchment. In terms of foul network capacity, the scale of growth is likely to require upgrades of the network and early engagement with Thames Water will be required to agree a housing phasing plan to determine what phasing may be required to ensure development does not outpace delivery of essential network upgrades.

### Policy 44

#### Marlborough Market Town

Development at Marlborough will:

1. prioritise local needs for affordable homes. This will require enough new housing whilst respecting the objectives of Area of Outstanding Natural Beauty designation alongside conserving and enhancing the ecologically valuable features in and around the town;
2. support additional opportunities for job growth and business investment ensuring the town centre remains a vibrant hub for the community and as a visitor destination. This should facilitate self-containment and maximise the tourism opportunity Marlborough and its surroundings offer, while conserving and enhancing the special historic character of the town;
3. be supported through the implementation of a Town Centre Strategy to improve accessibility, traffic management and parking;
4. improve the provision of infrastructure to meet the town's needs, in particular additional health service and educational facilities; and
5. deliver funding contribution towards a Marlborough Transport Strategy.

Over the plan period (2020 to 2038) approximately 600 homes and 1.8ha of employment land will be provided at Marlborough including:

- remaining dwellings on the existing allocation on Land to the West of Salisbury Road;
- new allocation for approximately 50 dwellings at Chopping Knife Lane;

<sup>16</sup> *Wiltshire Employment Land Review Update*, Hardisty Jones Associates (September, 2023)

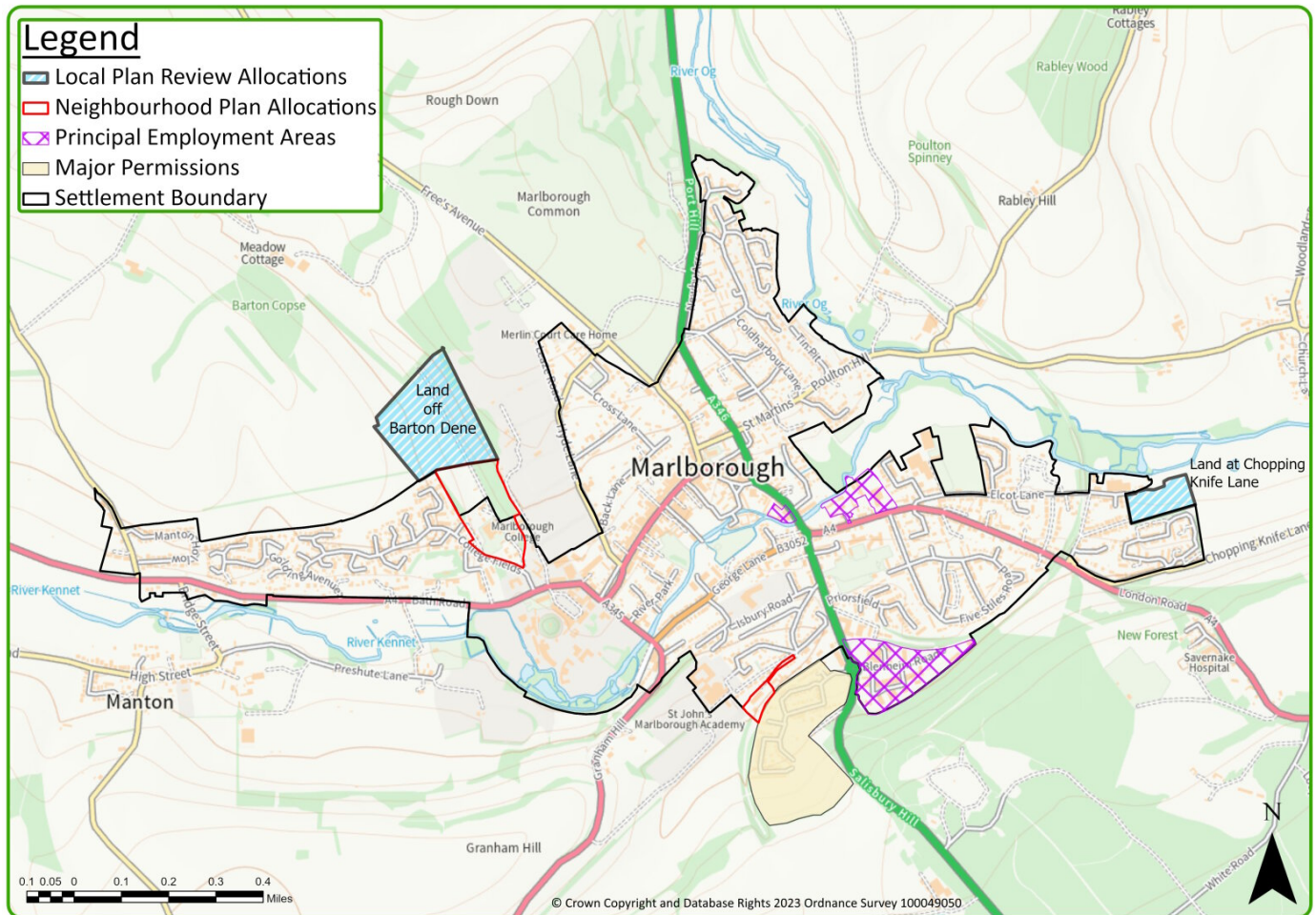
- new allocation for approximately 30 dwellings and 1.8 ha of employment land; and
- 110 dwellings on small sites of less than ten dwellings.

The neighbourhood area designation requirement is 65 dwellings.

The following Principal Employment Areas will be retained in accordance with Policy 65 (Existing employment land): Marlborough Business Park, Pelham Court Site and Wagon Yard.

**4.225** The pattern of development is shown in Figure 4.32.

**Figure 4.32 Marlborough Policies Map**



### Land at Chopping Knife Lane, Marlborough

**4.226** Land at Chopping Knife Lane is allocated to provide approximately 50 dwellings and supporting infrastructure, including measures to support early years and secondary school places and walking, cycling and public transport. Land to the north of the site will deliver habitat restoration and enhancement to strengthen the River Avon corridor and mitigate against impacts upon the heritage assets of Elcot Mill and Stable Block.

**4.227** The site is reasonably well connected to the town centre; approximately 1 mile for walking and cycling, likely utilising Elcot Lane as a pedestrian corridor. Residents should be able to readily visit the town centre through sustainable transport modes, which would help to increase footfall and boost local trade.

- 4.228** The site is also near a range of employment opportunities, for instance those located at Elcot Lane, Pelhams Court and Marlborough Business Park. Employment opportunities would also be available to the west of Marlborough and in the town centre.
- 4.229** As with much of the land surrounding Marlborough, the site is sensitive in landscape terms and development proposals will need to factor in extensive landscaping measures and sensitive design to avoid unacceptable impacts upon the surrounding landscape.

## **Policy 45**

### **Land at Chopping Knife Lane, Marlborough**

Land at Chopping Knife Lane, as identified on the Policies Map, is allocated for residential development comprising approximately 50 dwellings.

Infrastructure and mitigation requirements include:

- vehicular access from White Horse Road;
- measures to positively support walking, cycling and public transport use between the site and Marlborough town centre;
- land north of the site will comprise habitat restoration and enhancement in order to buffer, protect, widen and strengthen the River Kennet corridor and to mitigate impacts upon adjacent heritage assets at Elcot Mill and Stable Block;
- a site design, layout and landscaping which takes account of the setting of Grade 2 listed Elcott Mill and Stable Block, the scheduled iron hillfort and roman settlement and the post medieval water meadows to the north;
- funding contributions toward measures that improve air quality. An assessment will be needed to understand cumulative effects of development on relevant receptors in the Air Quality Management Area, and to identify appropriate mitigation measures;
- an assessment of the impacts of noise, light, dust and odour from the adjacent factory and any mitigation required as a result;
- funding contributions towards additional early years and secondary school education places;
- ensuring the development avoids breaking the wooded skyline and limits development to the east of the site, utilising this land to provide a strong strategic landscape buffer to the surrounding countryside to help integrate development. Integrated green and blue infrastructure throughout development should conserve and where possible, enhance the river corridor alongside retaining and enhancing hedgerows and trees as part of a mature landscape framework; and
- habitat restoration and enhancement in the north of the site to buffer, protect, widen and strengthen the River Kennet SSSI corridor, which comprises an important wildlife corridor.

## Land off Barton Dene, Marlborough

- 4.230** Land at Barton Dene is allocated to provide approximately 30 dwellings and 1.8 ha for employment uses.
- 4.231** The site's main role is to provide additional employment land over the Plan period to meet the town's needs, complementing the adjacent housing allocation within the Marlborough Area Neighbourhood Plan, whilst also accommodating modest residential development. There will be a variety of dwelling types, including a proportion of affordable homes with an anticipated employment delivery of 1.1ha of office and 0.7ha of industrial use of a design suitable for the landscape context.
- 4.232** The site is reasonably well connected to the town centre; within an approximate distance of 1.2km on foot. There would be the opportunity to improve the pedestrian and cycleways between the town centre and the site to enable sustainable travel choices. The site would also be in close proximity to bus services to the town centre.
- 4.233** An aim of the Plan is to provide opportunities for business investment alongside meeting housing need to provide employment opportunities locally and improve self-containment of the town. The environment created by the development offers the opportunity of an attractive location for employment uses capable of easy access from nearby residents. However, employment development will need to be developed in a manner that respects the designated landscape sensitivities.

### Policy 46

#### Land off Barton Dene, Marlborough

Land off Barton Dene, as identified on the Policies Map is allocated for mixed use development comprising approximately 30 dwellings and 1.8ha for employment uses.

Infrastructure and mitigation requirements include:

- vehicular access via Barton Dene (off College Fields), with a second access via College Fields, adjacent to Marlborough Leisure Centre, if required to ensure safe pedestrian, cycle and emergency access;
- measures to positively support walking, cycling and public transport use between the site and Marlborough town centre;
- western and eastern site areas to remain undeveloped with landscaping provided to mitigate landscape impacts;
- funding contributions toward measures that improve air quality. An assessment will be needed to understand cumulative effects of development on relevant receptors in the Air Quality Management Area, and to identify appropriate mitigation measures;
- development to be sensitive to the setting of heritage assets, such as the scheduled monument Castle Mound and the Grade II Listed Barton Farm and stables, including the impacts of any additional transport movements;

- development to be a low gross density to conserve the sites steep slopes that form a narrow dry valley extending into the surrounding designated landscape. Detrimental effects will need to be mitigated by an appropriate design and layout, including avoiding development on the landform to the east of the track dissecting the site, and to the north/west above circa 155m AOD contour, as informed by an Landscape and Visual Impact Assessment;
- landscaping and open space throughout the development to integrate development into the valley landscape, alongside retaining and enhancing hedgerows and trees, and to establish new areas of substantial planting, where suitable as part of a mature landscape framework; and
- funding contributions towards additional early years and secondary school education places.

## Town centre

- 4.234** Marlborough is defined as a Market Town in the town centre hierarchy for Wiltshire. The town centre boundaries and primary shopping area boundaries are identified on the Policies Map and in Appendix E. Policy 67 (Sequential test and retail impact assessment) and Policy 68 (Managing town centres) set out general policies to safeguard and promote the vitality and viability of town centres including Marlborough.
- 4.235** The market town of Marlborough has a rich built environment with an attractive and thriving retail centre with a good number of independent retailers. With a historic core, designated landscape and nearby world heritage site, the town and surrounding area have considerable tourism potential which has yet to be fully harnessed. The town centre could face challenges from retail provision on the outskirts of the town, the significant economic draw of Swindon alongside being constrained by poor air quality. However, the Wiltshire Town Centre and Retail Study 2020 does not forecast a need to allocate any sites for additional retail floorspace, based on shopping trends and growth in catchment spending, to facilitate this. It outlines how Marlborough is a very healthy town centre, with a low (and falling) vacancy rate reflective of the popularity of the town as a retail and service destination, and as a location where commercial businesses feel confident to trade.
- 4.236** Opportunities to safeguard the niche Marlborough town centre, holding many independent retailers within a historic and characterful centre, should be encouraged over the Plan period. To facilitate this, as proposals for retail provision outside of Marlborough may have an adverse impact upon the town centre, any additional comparison retailing should be located within Marlborough's town centre.
- 4.237** The Marlborough Area Neighbourhood Plan aims to maintain and enhance Marlborough town centre as a successful service centre.

## Neighbourhood planning

- 4.238** The Marlborough Area Neighbourhood Plan was made in 2023. It sets out the vision, objectives and policies for Marlborough and the parishes of Mildenhall and Savernake to guide development for the period up to 2036. It seeks to conserve and where possible enhance the surrounding landscape and natural environment, support the delivery of housing with a focus on encouraging affordable housing delivery through site allocations, maintain and enhance the town centre, secure the future of community/sports facilities and, protect open spaces whilst enhancing their connectivity. The neighbourhood plan contributes towards meeting the housing need for the town and has allocated three sites to provide approximately 65 dwellings, albeit it



does acknowledge a first review will take place once this Local Plan has been adopted. This is considered appropriate for the town and therefore a neighbourhood area designation housing requirement for 65 dwellings has been met.

- 4.239** The Preshute Neighbourhood Plan, made in 2023, sets out the vision, objectives and policies for the parish of Preshute that adjoins the Marlborough parish boundary and part of the urban edge of the town in the north west of Marlborough. The Preshute Neighbourhood Plan will help to shape proposals falling within the Preshute Neighbourhood Area.

## Royal Wootton Bassett Market Town

**4.240** The Market Town of Royal Wootton Bassett, as the largest settlement in the area with reasonable employment opportunities and service and facilities, is a focus for growth over the Plan period. The Plan provides a framework that ensures pressures from development are managed and new development is supported by infrastructure, together with additional jobs and services to provide opportunities to live, work and access facilities locally; recognising the proximity of Swindon.

**4.241** Water supply capacity in the area is constrained and the potential for further abstraction licence reductions in the next 10 years would require investment in a major infrastructure development project to support significant new development at the town, which would take time to develop and deliver (3-5 years from commencement). Water Resource Management Plans will address this, together with water efficiency measures proposed through Policy 96 (Water resources).

### Policy 47

#### Royal Wootton Bassett Market Town

Development at Royal Wootton Bassett will:

1. promote infrastructure improvements in tandem with residential development to secure increased education, healthcare, and cemetery capacity;
2. provide additional employment opportunities to enable people to live and work locally;
3. deliver infrastructure improvements to promote and encourage non-car travel and maximise the use and availability of sustainable modes of transport to improve connectivity with the town centre and strengthen sustainable transport links with Swindon and other surrounding towns and villages;
4. maintain the safety and function of Junction 16 of the M4 and surrounding strategic road network throughout the Plan period, and investigate opportunities to better manage and mitigate levels of congestion on the local road network and town centre;
5. deliver development that protects the distinct character and identity of the town and recognises, and is sensitive to, its proximity to Swindon;
6. respect the setting of the historic town and central conservation area;
7. conserve and where possible enhance environmental assets around Royal Wootton Bassett and green and blue infrastructure within and adjoining the town;
8. safeguard the historic alignment of the Wiltshire and Berkshire Canal and where possible support its restoration;
9. not prejudice the future delivery of a rail station;
10. deliver significant investment in foul water capacity in the area; and
11. deliver funding contributions towards a Royal Wootton Bassett Transport Strategy.

Over the plan period (2020 to 2038) approximately 1,230 homes and 6.9ha of employment land will be provided at Royal Wootton Bassett including:

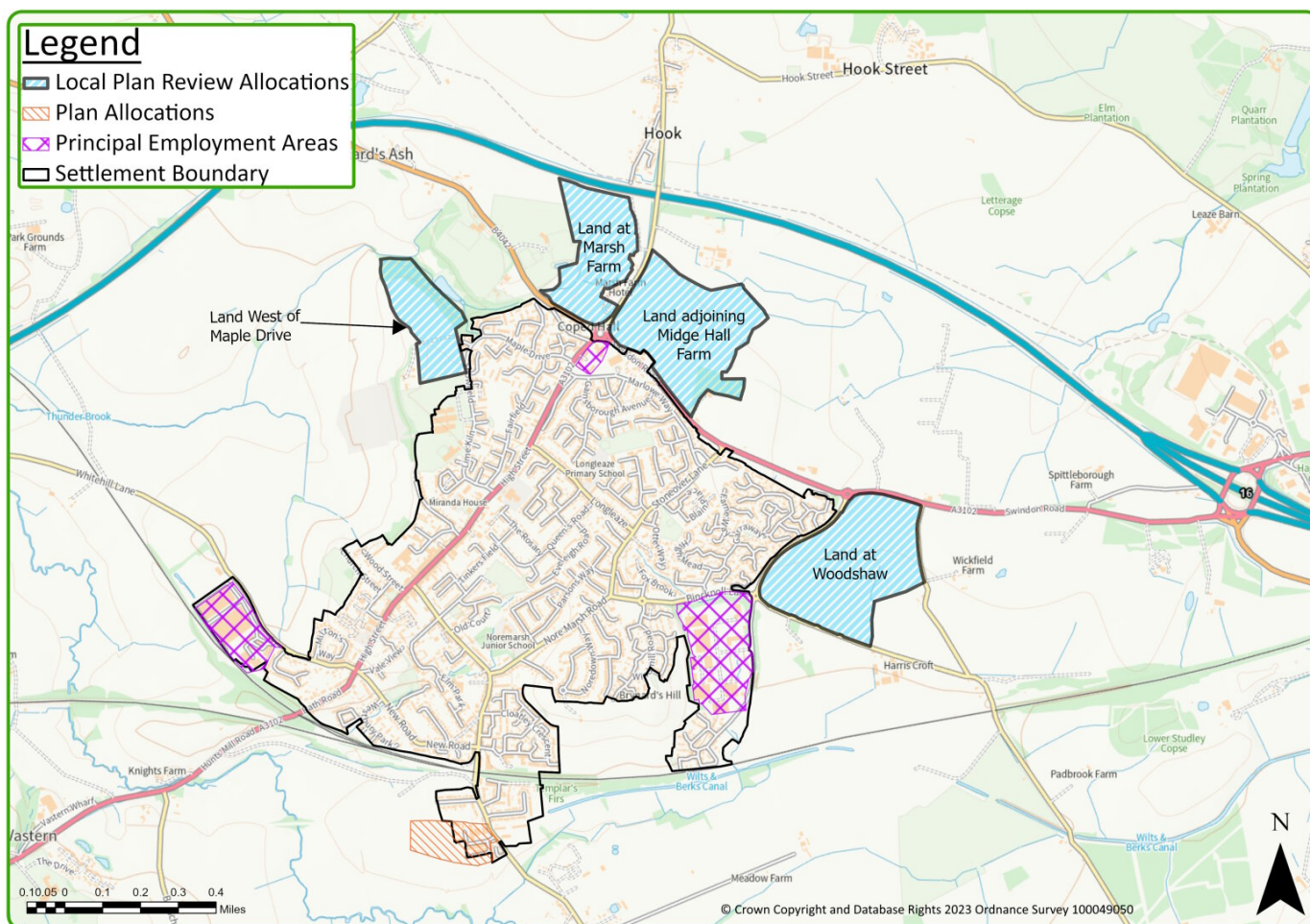
- remaining employment land at existing employment allocation at Templars Way;
- new allocation for approximately 150 dwellings on Land at Marsh Farm;
- new allocation for approximately 415 dwellings and 1.8 ha of employment land on Land at Midge Hall Farm;
- new allocation of approximately 70 dwellings on Land West of Maple Drive; and
- new allocation of approximately 445 dwellings on Land at Woodshaw.

The neighbourhood area designation requirement is 150 dwellings.

The following Principal Employment Areas will be retained in accordance with Policy 65 (Existing employment land): Whitehill Industrial Estate, Interface Industrial Estate and Coped Hall Business Park.

4.242 The pattern of development is shown in Figure 4.33.

**Figure 4.33 Royal Wootton Bassett Policies Map**



## Land at Marsh Farm, Royal Wootton Bassett

**4.243** Land at Marsh Farm, Royal Wootton Bassett is allocated for the development of approximately 150 dwellings.

**4.244** Together with land allocated at Midge Hall Farm, this area forms an extension to the town that establishes a permanent northern boundary including substantial amounts of green space and planting (Figure 4.34 shows concept plans for both sites). The site benefits from being reasonably well connected to the town centre on foot or cycle, and there are regular bus services on Malmesbury Road. The site is also close to retail, employment opportunities and sports facilities.

### Policy 48

#### Land at Marsh Farm, Royal Wootton Bassett

Land at Marsh Farm, as identified on the Policies Map is allocated for residential development of approximately 150 dwellings.

A single comprehensive masterplan, phasing and delivery strategy for the development, must be prepared and approved by the local planning authority in advance of any planning application being submitted for the whole or part of the allocated site. This must take account of the requirements of this policy and the principles shown within the concept plan and be prepared in consultation with the local community and local planning authority. Subsequent planning applications must be in accordance with the approved masterplan.

Infrastructure and mitigation requirements include:

- vehicular access from B4042 Malmesbury Road with a secondary access point from the C414 road to be investigated at planning application stage;
- improvements to cycling and walking routes within the site, and linking up with the existing network;
- improvement or replacement of existing controlled pedestrian crossing and improved cycle access to Old Malmesbury Road;
- enhancement of, and connectivity improvements to bus stops on Malmesbury Road and Marlowe Way;
- appropriate site design and layout to mitigate the noise impacts from the M4 motorway and the B3102;
- the setting of the Grade II listed Marsh Farm Hotel to be reflected and respected in the site layout and design;
- further investigation into the survival and extent of ridge and furrow earthworks in the eastern site area. Mitigation could involve avoiding ridge and furrow earthworks in site layout;
- separation from the M4 to the north and Midge Hall to mitigate impacts, such as coalescence with Hook and to ensure a strong boundary to the town by landscaping to include substantial tree planting;
- green spaces are required on the southern part of the site to take pressure off the County Wildlife Site and Local Nature Reserve at Jubilee Lake;

- works to the B4043 to provide wildlife tunnels between on-site green spaces and the County Wildlife Site; and
- funding contributions for additional early years, primary and secondary education places and healthcare provision.

## Land at Midge Hall Farm, Royal Wootton Bassett

- 4.245** Land at Midge Hall Farm, Royal Wootton Bassett is allocated for the development of approximately 415 dwellings, 1.8 ha of employment land, a local centre, and 2 ha of land for a two form entry (FE) primary school that includes space for a nursery.
- 4.246** Together with land allocated at Marsh Farm, this area forms an extension to the town that establishes a permanent northern boundary, including substantial amounts of green space and planting. The site benefits from being reasonably well connected to the town centre on foot or cycle, and there are regular bus services on Malmesbury Road. The site is also close to retail and employment opportunities.
- 4.247** The development is of a scale to provide a good mix of housing types, including a proportion of affordable homes. The development includes land for business, a local centre and a two form entry (FE) primary school. In addition, developer contributions will be necessary to help expand local nursery and healthcare.

### Policy 49

#### Land at Midge Hall Farm, Royal Wootton Bassett

Land at Midge Hall Farm, as identified on the Policies Map, is allocated for mixed use development of approximately 415 dwellings, 1.8ha of office development, a local centre, and 2ha of land for a 2 form entry primary school that includes space for a nursery.

A single comprehensive masterplan, phasing and delivery strategy for the development, must be prepared and approved by the local planning authority in advance of any planning application being submitted for the whole or part of the allocated site. This must take account of the requirements of this policy and the principles shown within the concept plan, and be prepared in consultation with the local community and local planning authority. Subsequent planning applications must be in accordance with the approved masterplan.

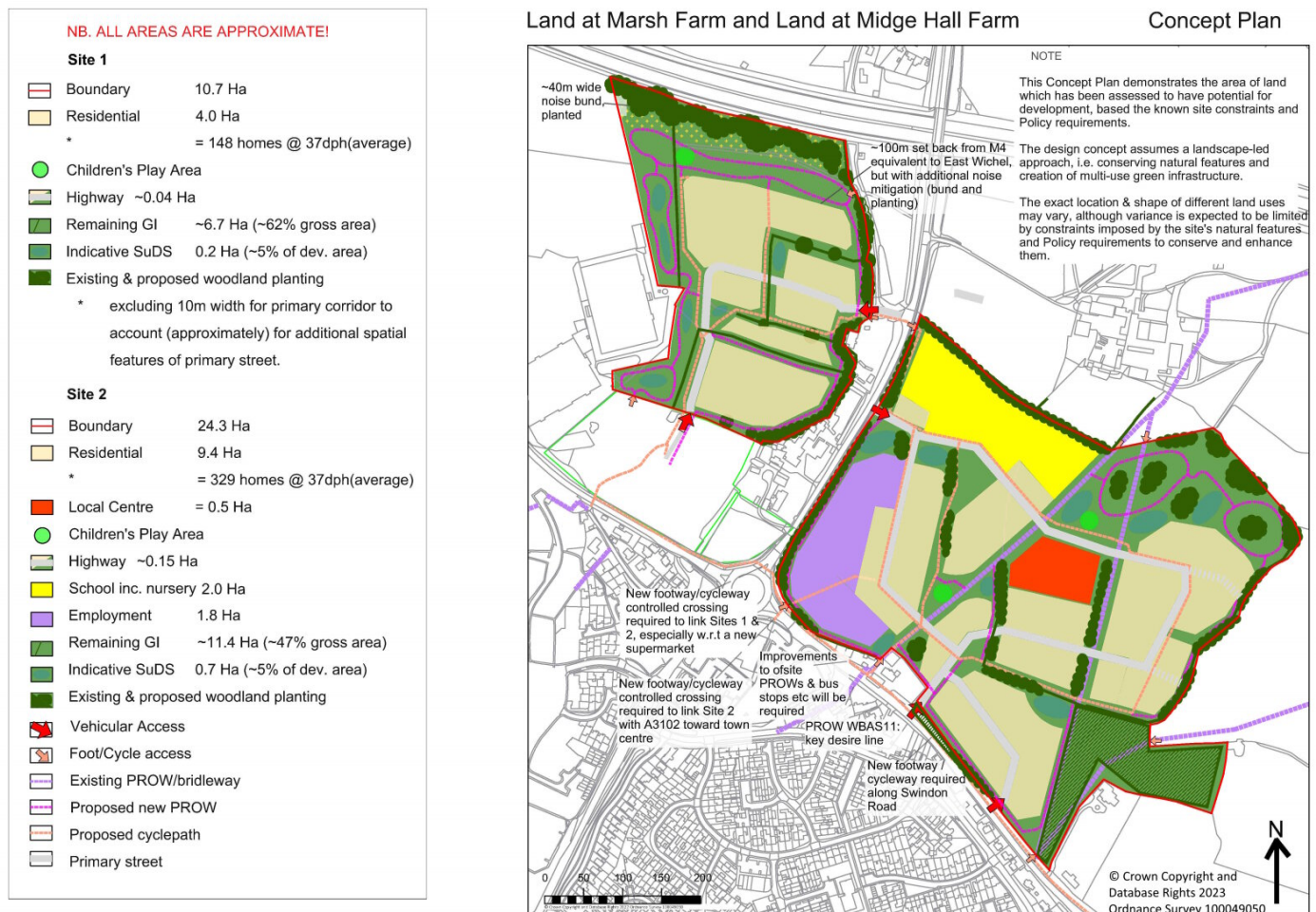
Infrastructure and mitigation requirements include:

- vehicular access to be provided from A3102 Swindon Road and the C414 Road;
- enhancements and extensions to existing public transport services, pedestrian and cycling infrastructure, to include a new controlled pedestrian crossing and improved cycle access to the A3102 leading to the High Street;
- widening of the footway on the northern side of Swindon Road to meet LTN 1/20 standards;
- enhancement of and improvements to connectivity to Marlowe Way bus stops;
- bus stop provision to be made within the site to accommodate a re-routed extension of the 55 Service be delivered;

- appropriate site design and layout to mitigate noise impacts due to the site being close to the M4 motorway and the B3102;
- separation from the M4 to the north and Midge Hall to mitigate impacts, such as coalescence with Hook and effects on the setting of the Grade II listed building, and to ensure a strong boundary to the town by landscaping to include substantial tree planting;
- further investigation into the survival and extent of water meadows within the site. Mitigation could involve avoiding water meadows in site layout and incorporating historic landscape elements such as field patterns, hedgerows and mature trees; and
- funding contributions for additional early years, primary and secondary education places and healthcare provision.

**4.248** How the sites may be developed is shown on the concept plan as shown in Figure 4.34. This illustrates one treatment of the sites that considers mitigation requirements and the homes, other uses and infrastructure envisaged.

**Figure 4.34 Land at Marsh Farm and Midge Hall Farm Concept Plan**



## Land at Maple Drive, Royal Wootton Bassett

- 4.249** Land at Maple Drive, Royal Wootton Bassett is allocated for the development of approximately 70 dwellings.
- 4.250** The site has a close relationship with Jubilee Lake Local Nature Reserve and Jubilee Lake Fields County Wildlife Site. A proposed development layout will secure the woodland setting to Jubilee Lake and provide additional green space that reduces pressure on the designated areas. New buildings will be restricted to the southern part of the site in a layout that does not compromise the on-site habitat and biodiversity.
- 4.251** The site is reasonably well connected to the town centre, albeit improvements will be needed to secure sustainable transport options to reach employment sites, and other services and facilities at the town.

### Policy 50

#### Land West of Maple Drive, Royal Wootton Bassett

Land West of Maple Drive, as identified on the Policies Map, is allocated for residential development of approximately 70 dwellings. Development should come forward in accordance with the principles in the concept plan.

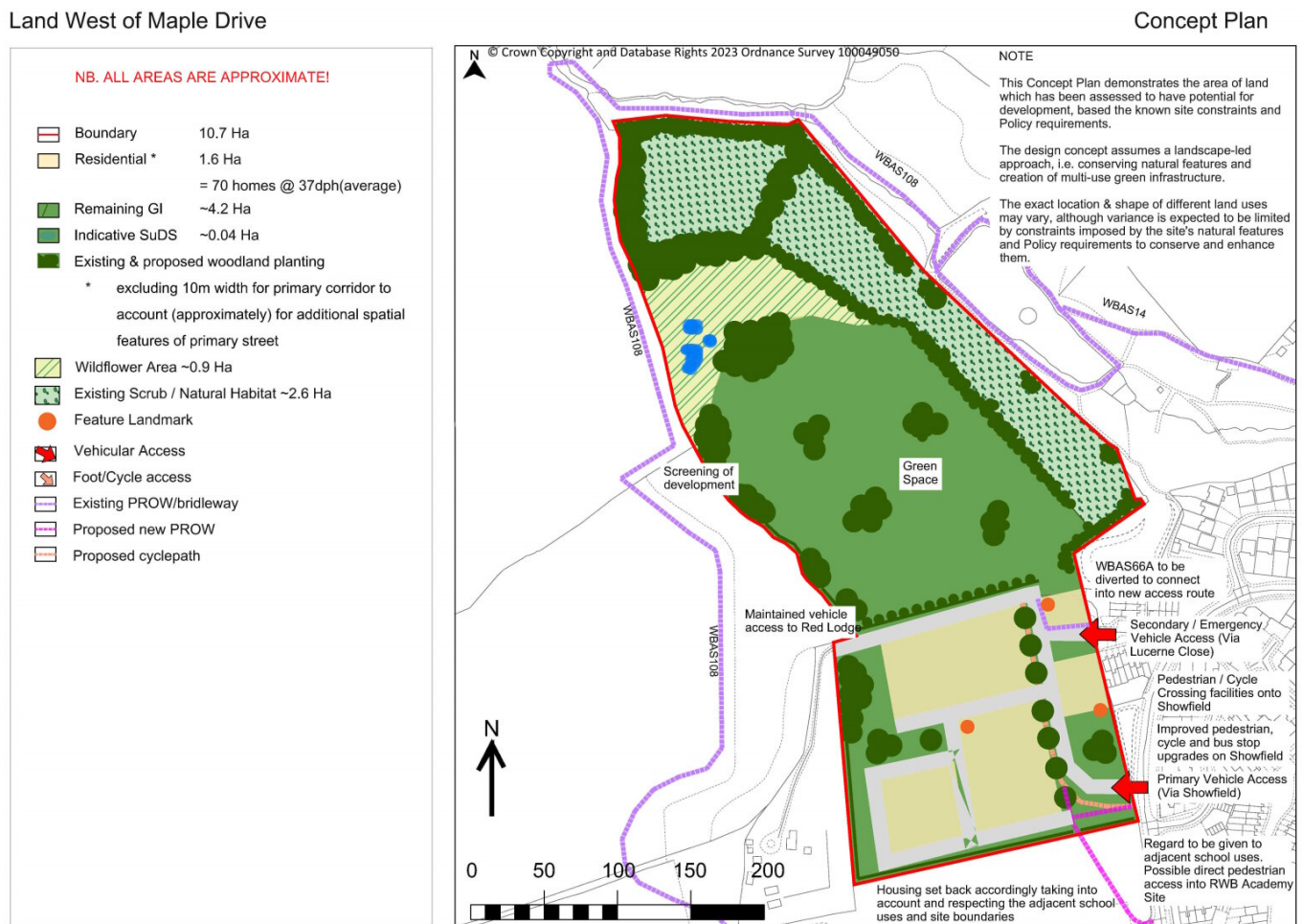
Infrastructure and mitigation requirements include:

- primary vehicular access to be provided from Maple Drive. Secondary access via unclassified Lucerne Close;
- enhancements and extensions to existing public transport services, pedestrian and cycling infrastructure;
- provision of a crossing facility to access pedestrian cyclist infrastructure on the eastern side of Maple Drive;
- improvement of bus stop provision on Maple Drive and extension of bus service to provide a minimum hourly service between the site and Swindon;
- design and layout of the residential development in the south of the site must consider the need to expand the secondary school on the adjoining land to enable both land uses to be compatible;
- avoid development heights that would break the treed skyline;
- restricting development to land which does not comprise habitat mosaic, namely arable/improved grassland. On site green space to alleviate pressure on Jubilee Lake County Wildlife Site/Local Nature Reserve;
- avoiding development in the north of the site to conserve woodland and landscape setting of Jubilee Lake green space;
- further investigation into the survival and extent of the medieval deer park. The site layout plan and mitigation strategy could involve avoiding the medieval deer park and incorporating historic landscape elements, such as field patterns, hedgerows and mature trees or elements of the medieval deer park such as park pale or earthworks, in site layout;

- a noise impact assessment to inform design and layout to ensure no unacceptable effects from adjacent business uses; and
- funding contributions for additional early years, primary and secondary education places and healthcare provision.

**4.252** How the site may be developed is shown on the concept plan as shown in Figure 4.35. This illustrates one treatment of the site that considers mitigation requirements and the homes, other uses and infrastructure envisaged.

**Figure 4.35 Land West of Maple Drive Concept Plan**



## Land at Woodshaw, Royal Wootton Bassett

**4.253** Land at Woodshaw, Royal Wootton Bassett, is allocated for the development of approximately 445 dwellings.

**4.254** Royal Wootton Bassett town centre is situated within an accessible distance from the site, although the site is large and enhancements to facilitate sustainable transport options across the site will need to be delivered.

**4.255** The allocation site represents an extension to the east of the town. As with extension of the urban area northwards, substantial areas of green space and planting will be required as part of a comprehensive landscape strategy to assimilate the development into the wider landscape and to provide a permanent clear boundary to the urban area.



## Policy 51

### Land at Woodshaw, Royal Wootton Bassett

Land at Woodshaw, as identified on the Policies Map, is allocated for approximately 445 dwellings, a local centre, convenience store, and 0.4ha of land for nursery provision. There is potential scope to provide a park and ride facility should this be required following a detailed need assessment.

A single comprehensive masterplan, phasing and delivery strategy for the development, must be prepared and approved by the local planning authority in advance of any planning application being submitted for the whole or part of the allocated site. This must take account of the requirements of this policy and the principles shown within the concept plan and be prepared in consultation with the local community and local planning authority. Subsequent planning applications must be in accordance with the approved masterplan.

Infrastructure and mitigation requirements include:

- vehicular access will be from Swindon Road, Bincknoll Lane and the un-named lane leading to Strawberry Cottage;
- capacity enhancement of the A3102 roundabout to the north of the site, subject to achievability and feasibility;
- enhance the 99 bus service to increase capacity of bus transit in the area with additional bus stops to ensure residents have access to a bus stop within 400m;
- enhancements and extensions to existing public transport services, pedestrian and cycling infrastructure, to include direct connection to the Royal Wootton Bassett to Swindon cycle route;
- delivery of footway/cycleway provision along the site frontage, connecting into Garraways and Swallows Mead via a controlled pedestrian/cyclist crossings and enhancements to routes to the town centre to accommodate cyclists;
- careful location of development and landscaping to mitigate the impacts on Lower Woodshaw Farmhouse and landscape effects overall, by limiting development in the south and east of the site and provision of landscape buffers to ensure a strong boundary to the town by landscaping and substantial tree planting;
- a noise assessment to inform development proposals;
- a newt mitigation plan. Overall layout and design should ensure that habitat creation provides connectivity to adjacent or nearby habitat areas;
- provision of green spaces to reduce density of visitors at Morningside Farm County Wildlife Site. Existing priority habitat will not be suitable for green space;
- an assessment of the setting of the Schedule Monument situated in the western side of the site should be taken into account in site design; and
- funding contributions for additional early years, primary and secondary education places and healthcare provision.

**4.256** How the site may be developed is shown on the concept plan as shown in Figure 4.36. This illustrates one treatment of the site that considers landscape mitigation requirements and the homes, other uses and infrastructure envisaged.

**Figure 4.36 Land at Woodshaw Concept Plan**

Land at Woodshaw

Concept Plan



## Town centre

**4.257** Royal Wootton Bassett is defined as a Market Town in the town centre hierarchy for Wiltshire. The town centre boundary and primary shopping area boundary for Royal Wootton Bassett are identified on the Policies Map and in Appendix E. Policy 67 (Sequential test and retail impact assessment) and Policy 68 (Managing town centres) set out general policies to safeguard and promote the vitality and viability of town centres including Royal Wootton Bassett.

**4.258** The town centre area is entirely covered by a Conservation Area, extending along High Street from Lime Kiln Road and Whitehill Lane. The High Street is a wide and attractive street, lined by two and three storey properties, many of which are pre-war and listed. One of the most iconic buildings is the Town Hall Museum, which is in the southern part of High Street in the central part of the highway.

**4.259** Overall, Royal Wootton Bassett is a reasonably healthy town centre, with vacancies falling and the trend in the proportion of different types of retail and service uses following the national average. Shopping patterns associated with the town will be influenced by Swindon and to a lesser degree Chippenham.

**4.260** With the introduction of a new out of centre food store, there is no forecast quantitative capacity for additional floorspace. The introduction of the store has made an improvement in qualitative terms but there is a continued leakage of trips to nearby Swindon. This would suggest, potential for additional provision although care needs to be taken to ensure that the health of the town centre is protected. In relation to comparison goods provision, the ability of Royal Wootton Bassett to make improvements is constrained by the influence of Swindon and Chippenham, and as such there is limited opportunity for additional floorspace.

## Neighbourhood planning

**4.261** The Royal Wootton Bassett Community Neighbourhood Plan (2017-26) was made in 2018. The Plan supports infill development and additional employment and mixed use development but does not allocate housing. The Plan further supports new or improved community facilities and the town centre.

**4.262** The neighbourhood plan is being reviewed and there is an appetite to allocate sites. The neighbourhood area designation relates to the parish of Royal Wootton Bassett, and with the exception of the north of the town which is within Lydiard Tregoze Parish includes the environs to the town. The neighbourhood area designation provides scope within, and on the edge of the urban area to allocate suitable sites and 150 dwellings is considered appropriate for the town.

## Swindon Rural Area

### Neighbourhood area designation housing requirements

- 4.263** The council supports the preparation of neighbourhood plans in the rural area. Amongst other things, they provide the opportunity for local communities to address local housing needs and provide for new homes that can best help to sustain the vitality of their village.
- 4.264** Housing proposals help to support the role rural settlements have as an important part of the Settlement Strategy; additional homes help to support local business, services and facilities, serving both the settlement itself, but also its sometimes extensive rural catchment. Housing development focused at Local Service Centres and Large Villages carries with it a wider strategic purpose.
- 4.265** National planning policy requires the council to provide neighbourhood plan area designations with a housing requirement. Within the overall housing requirement for the County, the Plan must set requirements which reflect the overall strategy for the pattern and scale of development. Taking forward the Plan's settlement strategy, recognising the more strategic role of Local Service Centres and Large Villages, each of these settlements is provided with a scale of housing growth for the Plan period to enable local communities to take forward plans where they wish to do so. Neighbourhood plan area designation housing requirements are the scale of growth shown for what Local Service Centres and Large Villages lie within them.
- 4.266** In general conformity with the Plan, neighbourhood planning groups would be expected to look to accommodate new homes to meet housing requirements in full by identifying opportunities in their plans, where necessary, at Local Service Centres and Large Villages themselves, where new homes could meet both local needs and support the strategic role for such settlements set by the Plan.
- 4.267** At Small Villages, the settlement strategy provides sufficient flexibility for neighbourhood planning groups to meet local housing needs, by a variety of means, at a scale that preserves the character and setting of a village. Reflecting the different role played by Small Villages in the settlement strategy, with generally fewer facilities and services, they do not have a scale of housing growth set by the Plan and therefore there is no explicit requirement for parishes that only contain Small Villages. However, this does not mean there can be no additional growth in these areas. As set out in other policies in the Plan new housing development will be limited to infill within the built-up area of Small Villages or should be geared towards meeting local affordable needs through exception sites, or up to 20 homes, or 5% of the size of the settlement (whichever is the lower). Table 4.13 sets out the Small Villages in the rural part of the Swindon Area.
- 4.268** Scales of housing growth over the plan period are shown in Table 4.12 for each of the Local Service Centres and Large Villages in the rural part of the Swindon Area. This is the total amount of homes that should be met by settlements within a neighbourhood plan over the plan period from 2020 to 2038. Neighbourhood planning groups, to calculate how many new homes they will need to plan for, must deduct those homes built already and those in the pipeline, with either planning permission or estimated to be built on sites already allocated in the development plan.

**Table 4.12 Distribution of housing growth for the Swindon rural area**

	Housing growth (2020-2038)	Completions and commitments (1 April 2020 - 31 March 2022)*	Residual at 1 April 2022
<b>Local Service Centre</b>			
Cricklade ■	144	92	52
Pewsey ■ □	137	82	55
<b>Large Village</b>			
Aldbourne	42	35	7
Baydon	1	6	0
Broad Hinton	0	1	0
Burbage □	38	34	4
Great Bedwyn	26	10	16
Lyneham	320	320	0
Purton ■	146	146	0
Ramsbury	37	2	35
Shalbourne	0	1	0
Upavon	50	50	0

\*Includes major permissions post 1 April 2022, up to 31 May 2023

- Requirements expected to be delivered towards the end of the Local Plan period, due to identified NHS capacity constraints in the shorter term.
- Requirements expected to be delivered towards the end of the Local Plan period, due to identified nutrient management constraints in the shorter term (unless acceptable bespoke mitigation strategy can be demonstrated).

## Small Villages

**4.269** The roles of Small Villages are set out in Policy 1 (Settlement Strategy) and Policy 2 (Delivery Strategy). The following table sets out the Small Villages in the Swindon Area:

**Table 4.13 Swindon rural area Small Villages**

Alton Priors/Alton Barnes	Froxfield	Milton Lilbourne
Avebury/ Trusloe	Fyfield	Oare
Axford	Ham	Ogbourne St George
Beckhampton	Hilcott	Purton Stoke
Bradenstoke	Hook	Rushall
Broad Town	Latton	Stanton St Bernard
Charlton St Peter	Little Bedwyn	West Overton
Chilton Foliat	Lockeridge	Wilcot
Chirton	Lydiard Millicent	Winterbourne Bassett
East Grafton	Manningford Bruce	Winterbourne Monkton
East Kennett	Manton	Woodborough
Easton Royal	Marden	Wootton Rivers

## Principal Employment Areas in the rural area

**4.270** The following Principal Employment Areas in the Swindon HMA rural area will be protected for their primary function as an employment site, as identified on the Policies Map:

- Marlborough Road, Pewsey
- Broomcroft Road, Pewsey
- Salisbury Road Business Park, Pewsey
- Manor Farm, Manningford Bruce
- Hirata site, Burbage

**4.271** Proposals for development within the Principal Employment Areas will be considered against Policy 65 (Existing employment land).

## Strategy for the Trowbridge Housing Market Area



- 4.272** Trowbridge is a Principal Settlement and primary focus for future growth in the Trowbridge Housing Market Area (referred to as the Trowbridge Area). Evidence<sup>17</sup> however supports a reduced emphasis than in previous Plans, in part reflecting lower need and environmental factors. There are relatively large areas of land already available for both employment and housing development, which have been slow to come forward and will continue to meet needs over the Plan period. Evidence<sup>18</sup> supports maintaining a good spread of opportunities for employment development along the A350 corridor; supporting investment by a good choice of sites.
- 4.273** Bradford on Avon, is one of three Market Towns in the Trowbridge Area. It is a constrained settlement, with its outward expansion severely limited by green belt designation. Development in recent years has largely used up opportunities, with growth exceeding rates in the previous Plan. As such, growth is anticipated to be much lower during the Plan period and will be met by existing commitments and homes provided on small sites of less than ten dwellings.
- 4.274** Warminster, similar to Trowbridge has relatively large areas of land available for employment and housing. An urban extension to the west of Warminster now largely directs the scale of housing and employment growth in the town. There is no strong justification for a more

<sup>17</sup> *Wiltshire Local Plan Review: Revising the Spatial Strategy*, Wiltshire Council (September, 2023)

<sup>18</sup> *Wiltshire Employment Land Review Update*, Hardisty Jones Associates (September, 2023)

significant increase to the town's growth judged by evidence<sup>19</sup> of housing and employment needs. Additional land may be needed to provide a wider choice but such development would be modest and could be delivered by a review of the town's neighbourhood plan.

- 4.275** Westbury has seen higher than expected rates of housebuilding in preceding years compared to the planned level of growth. This has combined with slower than expected economic development and this Plan proposes a period of steadier housing growth, with rates lower than those achieved in recent years.
- 4.276** Outside the Main Settlements, the overall scale of housing growth is broadly equivalent to past rates of housing development. New business and employment development is also significant but generally met over a large area by small scale developments outside the scope of the Plan. As occurs already, they are granted planning permission guided by policies of the Plan. Land and sites for development may also be allocated by neighbourhood plans or brought forward as Neighbourhood Development Orders to suit individual community needs.
- 4.277** The distribution of housing and employment provision is summarised in Tables 4.14 and 4.15:

**Table 4.14 Distribution of housing growth for the Trowbridge area**

Settlement	Housing growth (2020-2038) (dwellings)	Completions and commitments (1 April 2020 - 31 March 2022)*	Residual at 1 April 2022**
Trowbridge	4,420	3,581	840
Bradford on Avon	140	59	80
Warminster	1,780	1,738	40
Westbury	1,400	833	570
Rural Area	910	532	380

\*Includes major permissions post 1 April 2022, up to 31 May 2023

\*\*Residual rounded to the nearest 10 dwellings

**Table 4.15 Distribution of employment growth for the Trowbridge area**

Settlements	Employment Land Supply (ha)
Trowbridge	27.4
Bradford-on-Avon	-
Warminster	5.6
Westbury	16.7
Rural	-

<sup>19</sup> Wiltshire Local Plan Review: Revising the Spatial Strategy, Wiltshire Council (September, 2023)



## Trowbridge Principal Settlement

- 4.278** Trowbridge is the County Town of Wiltshire and maintains an important strategic role, as an employment, administration and service centre for the west Wiltshire area, and has good transport links including rail to many nearby settlements, including Bath and Bristol. The town is constrained by environmental factors, it is adjacent to the green belt to the west, with colonies of bats to the east and south relating to the Bath and Bradford on Avon Bats Special Area of Conservation (SAC). However, with sensitive development growth can be accommodated and bat species protected. The River Biss flows through the town and includes floodplain areas, providing an important corridor which should be enhanced through green and blue infrastructure linkages. The Kennet and Avon Canal, to the north of the town, connects with Bradford-on-Avon and Melksham. Trowbridge has a strong industrial heritage and two conservation areas which contribute towards its character and appearance. The A350 is a main traffic artery through Wiltshire and defines the eastern and south-eastern edge of Trowbridge, improvements are proposed as part of the Ashton Park urban expansion to the south east of the town.
- 4.279** There have been large areas of housing development completed in recent years, which has taken place alongside delivery of the St Stephen's Place leisure/food/retail quarter, and the Novuna Vehicle Solutions new headquarters and several factory expansions/investments at the town. However, Trowbridge has not grown as anticipated for both housing and employment, and there remains significant allocations that will continue to help meet housing needs over this Plan period. These will be supplemented by a new allocation at north Trowbridge and delivery of homes through regeneration sites in the town centre. While the level of development at the town will be lower than previous planned rates it nonetheless will be consistent with its role and help support the vitality of the town centre. Regeneration of the town centre remains a priority and development should be focused on supporting existing businesses and also diversifying under-used and vacant space, not least as the proportion of vacant units in the centre has remained well above the national average over the past several years.
- 4.280** As set out in Policy 3 (Reserve housing sites and broad locations for growth), the Plan identifies Trowbridge as a settlement where the pattern for the longer-term future of the town should be identified towards the end of the Plan period, this is referred to as a broad location for growth and reflected in the following policy also.

### Policy 52

#### Trowbridge Principal Settlement

Development at Trowbridge will:

1. deliver an appropriate mix, tenure and type of housing to meet local needs;
2. improve the resilience of the town centre by;
  - protecting, improving and extending the local green and blue infrastructure network, particularly related to informal recreation activities and also along the River Biss, further enhancing it as a key feature of the town that connects and draws residents towards the town centre;

- regenerating and repurposing the town centre / Trowbridge central area as a resilient service area that supports the development of the whole town and wider area, through the delivery of the Trowbridge Masterplan and neighbourhood plans. These plans will be outcome focused and help deliver a holistic strategy for the town centre that encourages spending, improves accessibility, better manages traffic and parking, accommodates some residential development through brownfield sites and the conversion of existing stock and safeguards heritage; and
  - focusing leisure and retail developments in the central area in order to safeguard the integrity of the town centre as a destination of choice.
3. deliver job growth and encourage business investment at the town to support greater levels of self-containment, thereby helping reduce the need to travel away from the town;
  4. a more agile range of transport modes that serve the town as a whole to reduce reliance on the private car and, levels of traffic congestion in the town through improved walking, cycling and bus routes and connectivity to the railway station;
  5. respect the integrity of the Bath and Bradford on Avon Bats Special Area of Conservation (SAC) by protecting and enhancing important bat habitats around the town, as set out in the Trowbridge Bat Mitigation Strategy and any associated strategies;
  6. balance the need to accommodate additional growth at the town with the need to respect, as far as is reasonably practicable, the individual identities of the villages of Hilperton, North Bradley, Southwick and West Ashton within the landscape setting of Trowbridge and their relationship to the town;
  7. protect, improve and extend the local green and blue infrastructure network along the River Biss and Kennet and Avon Canal; and
  8. deliver funding contributions towards a Trowbridge Transport Strategy.

Over the plan period (2020 to 2038) approximately 4,420 homes and 27.4 ha of employment land will be provided at Trowbridge including:

- homes and employment land on existing allocations: Ashton Park, West Ashton Road, Elm Grove, Land off White Horse Business Park, Elizabeth Way, Church Lane, Upper Studley and Southwick Court;
- new allocation for approximately 600 dwellings on Land North-East of Hilperton, Trowbridge; and
- new allocation for 175 dwellings on Innox Mills as part of mixed use development.

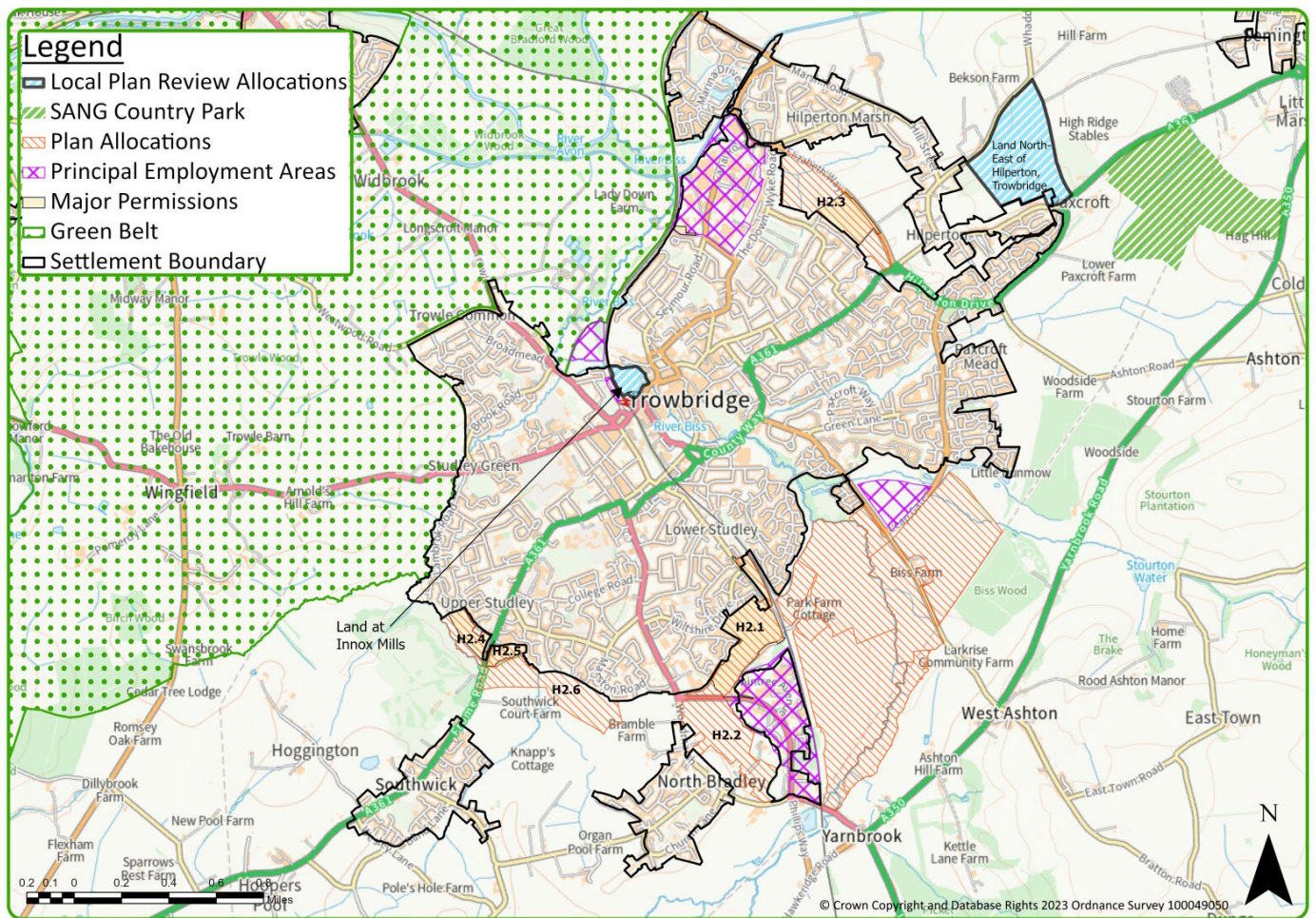
The neighbourhood area designation requirement is 300 dwellings.

The following Principal Employment Areas will be retained in accordance with Policy 65 (Existing employment land): Canal Road Industrial Estate, White Horse Business Park, West Ashton Road, Bryer Ash Business Park and Bradford Road.

Longer term, a broad location for growth will be considered for further housing, employment development and co-ordinated delivery of infrastructure.

4.281 The pattern of development is shown in Figure 4.37

Figure 4.37 Trowbridge Policies Map



### Land North-East of Hilperton, Trowbridge

4.282 The allocation provides a new location for growth at the town, which is linked to the need to deliver alternative recreation space at the town to protect the bat population to the east of the town.

4.283 The allocation's main function is to provide additional homes over the Plan period. There will be a variety of dwelling types, including affordable housing with landscaping to blend with the existing dwellings and green spaces. Such a number of homes creates a new neighbourhood of the town that should have a local centre to include services and facilities to serve it. A small retail element could provide a convenience store alongside nursery and primary provision. Allotments and high quality public realm scape would also help provide a vibrant hub for the community. It would provide walking and cycling connectivity to the surrounding parts of the town, the canal to the north and the newly established Country Park, as required by Policy 54 (North Trowbridge County Park).

## Policy 53

### Land North-East of Hilperton, Trowbridge

Land adjoining Whaddon Lane, as identified on the Policies Map, is allocated for the development of approximately 600 dwellings, 2ha of land for a 2 form entry primary school, convenience store and 0.3ha of land for an 80 place early years provision.

A single comprehensive masterplan, phasing and delivery strategy for the development, must be prepared and approved by the local planning authority in advance of any planning application being submitted for the whole or part of the allocated site. This must take account of the requirements of this policy and the principles shown within the concept plan and be prepared in consultation with the local community and local planning authority. Subsequent planning applications must be in accordance with the approved masterplan.

Infrastructure and mitigation requirements include:

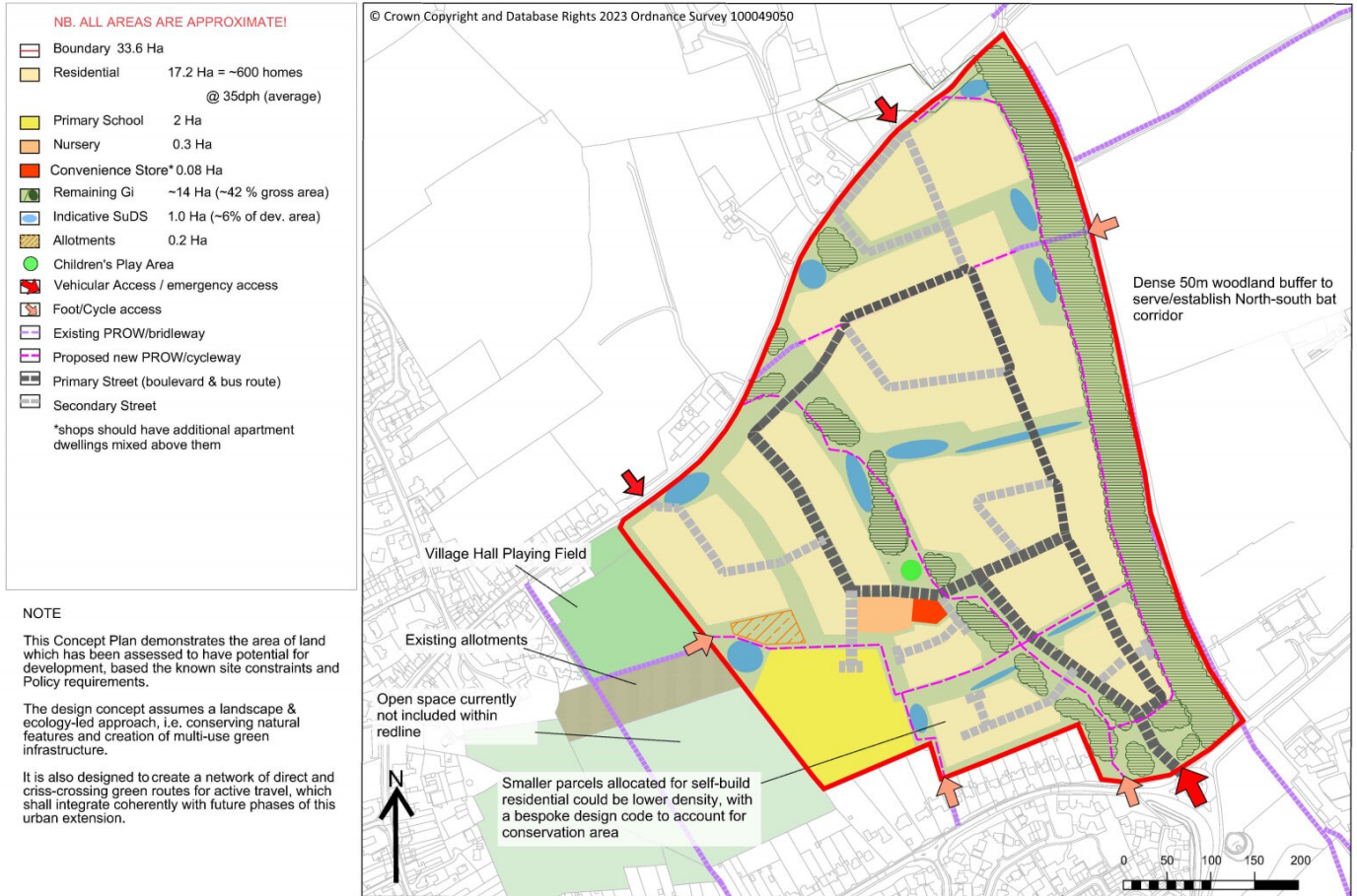
- a new roundabout for vehicular access from the A361;
- land for community orchards and allotments;
- improvements to cycling and walking routes though the site to link to the existing network;
- provision of Suitable Alternative Natural Greenspace secured in accordance with Policy 54 (North Trowbridge Country Park);
- core bat habitat to be protected and enhanced. Design and layout, including a dark corridor on the eastern boundary of the site, will be informed by appropriate surveys, impact assessments and the Trowbridge Bat Mitigation Strategy (TBMS);
- appropriate mitigation to protect bats, including funding contributions towards management, monitoring and any-off site measures as necessary, as informed by the TBMS;
- sensitive design and layout to ensure the significance of heritage assets and their settings, including the Hilperton Conservation Area and it's setting, are not subject to unacceptable harm. This shall be informed by appropriate heritage and archaeological assessments;
- development sensitively addresses the urban edge of the town;
- layout and design to be informed by noise, dust and odour and pest impact assessments arising from nearby working farm and sewage treatment works;
- significant offsite infrastructure reinforcement for water supply and foul drainage will be likely to be required; and
- funding contributions towards healthcare and early years, primary and secondary education places.

**4.284** How the site may be developed is shown on the concept plan as shown in Figure 4.38. This illustrates one treatment of the site that considers mitigation requirements and the homes, other uses and infrastructure envisaged.

**Figure 4.38 Land North-East of Hilperion, Trowbridge Concept Plan**

Land North-East of Hilperion, Trowbridge

Concept Plan



## North Trowbridge Country Park

**4.285** The purpose of this policy is to set out the approach to mitigate potential likely significant effects arising from development in the north of Trowbridge. The Country Park will ensure that the planned growth within the plan period will seek to avoid harm to the Bechstein's bat maternity colonies in Green Lane and Biss Woods to the south-east of the town, which are functionally linked to the Bath and Bradford-on-Avon Bats SAC, that is protected by the EC Habitats Directive, specific provisions of which are applied in the UK by the Conservation of Habitats and Species Regulations 2017 (the Habitats Regulations).

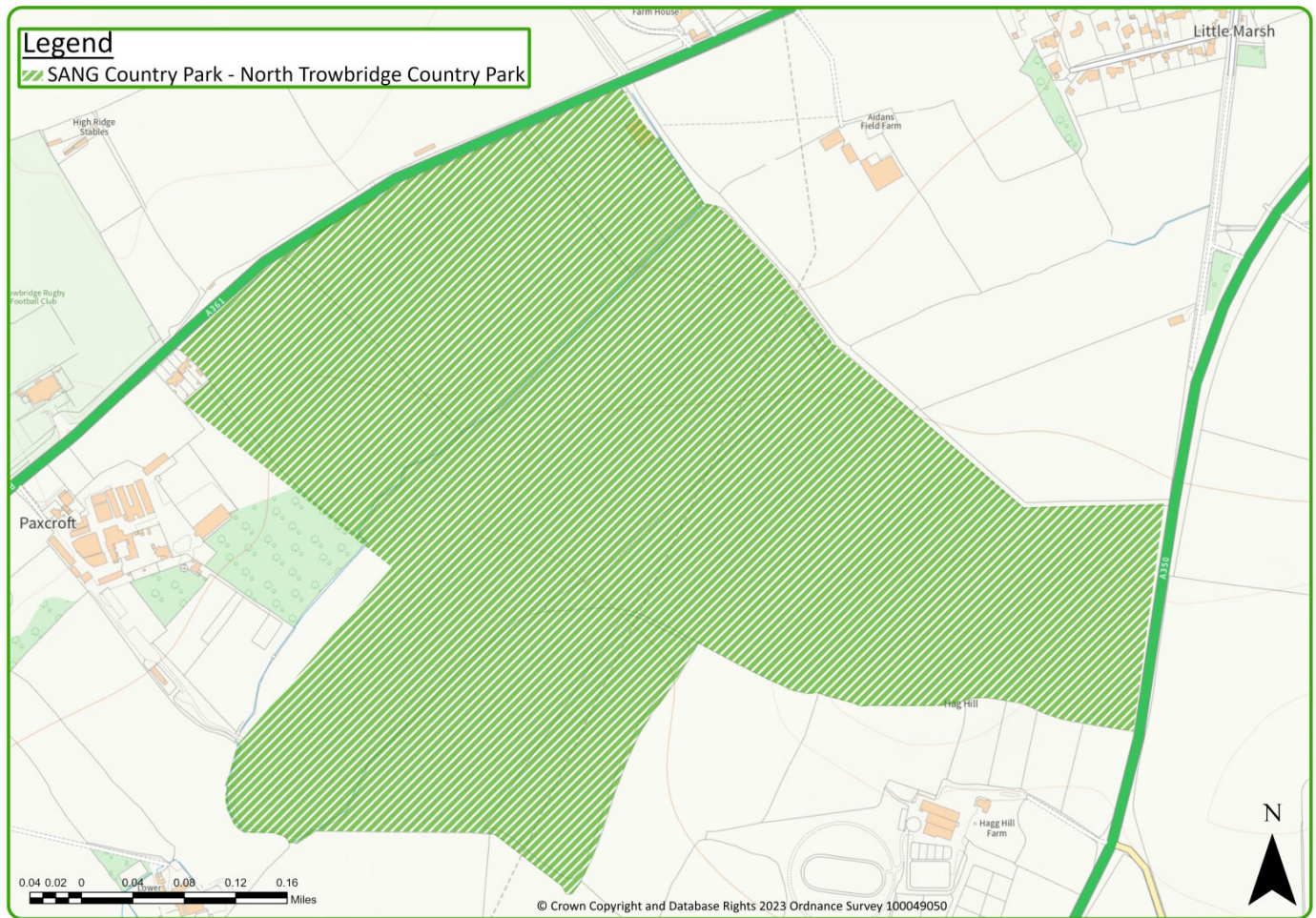
### Policy 54

#### North Trowbridge Country Park

Major development in the north of Trowbridge should make provision for a Country Park, approximately 65 ha in size, functioning as Suitable Alternative Natural Greenspace (SANG). It will be available in perpetuity for public access to informal recreation prior to the occupation of the first dwelling of the allocation in Policy 52 Land North East of Hilperion, Trowbridge.

**4.286** North Trowbridge Country Park is shown in Figure 4.39.

**Figure 4.39 North Trowbridge Country Park**



**4.287** Visitors to the proposed Country Park already have access to the top of Hag Hill by public rights of way (PRoW), the allocation would allow for the remaining part of the site to be made fully accessible to the public. Visitors would include those by car and there would be a free, on-site car park. The location of the car park should take into account the setting of the Scheduled Monument Shrunken Settlement of Paxcroft to the west of Paxcroft Farm and that the layout of the access routes could take account of the historic landscape features such as field patterns, hedgerows and mature trees. Access by foot could include linkages with green and blue corridors within the area and a crossing of the A361 from the proposed development linked to the site to the south-west. Provision should be made for access to the Country Park by public transport that links to the development to the north of Trowbridge and the town centre. It should be sustainably accessed and enjoyed by all.

**4.288** The SANG should have a choice of circular routes, of varying lengths and for all year-round use, to provide an attractive alternative walk to the protected woods, to be a minimum of 2.5km in length. These paths should blend into the landscape and not detract from the natural feel of the site. Suitable furniture should be provided to allow for enjoyment of different areas of the park.

**4.289** In order to recreate the quality of the woodlands that will be protected, areas of the park near to the A361 will be planted with native tree species to encourage a diverse range of flora and fauna and will contribute to biodiversity net gain. The Hag Hill area of the site will be maintained given the landscape feature it currently provides. The overall management approach will be

to provide a natural landscape with a mix of open and semi-woodland to balance the varying desires of those using the site and enhanced where appropriate to provide good habitat for bats including woodland, grassland and ponds. Consideration should be given to bringing forward the Country Park in advance of any development within the allocation in Policy 53 (Land North-East of Hilperton, Trowbridge).

## Land at Innox Mills

- 4.290** Innox Mills is a highly sustainable brownfield site in the centre of Trowbridge. Allocating the site will provide high quality homes and other facilities through regeneration and redevelopment. There will be a variety of dwelling types, including potential for apartments in converting existing heritage stock and new housing will reflect the site's context and urban setting. The development will also provide mixed commercial, recreation and cultural uses with public realm and landscaping to blend a commercial feel and green spaces.
- 4.291** The delivery of homes on the site will create a new neighbourhood of the town that should include services and facilities to serve it. A small retail element could provide convenience without undermining the primary role of the town centre. Educational provision would be sought offsite and developer contributions made for this.
- 4.292** The site is well connected to the town centre, with walking and cycling routes adjacent to the site that can be incorporated into the design of the development to deliver vibrancy and legibility. The railway station is opposite the site and there are already regular bus services on Stallards Street. Potential light pollution from the railway station will need to be considered through the planning application process. Future residents would be able to easily access the town centre on foot or bike. The development would be seen as a consolidating extension to the heart of the town, which would help to increase footfall and boost local trade. It is also in close proximity to a range of employment opportunities within the town centre and at Canal Road Industrial Estate. The proposals support place-shaping priorities for a more vibrant town centre and sustainable travel choices.

## Policy 55

### Land at Innox Mills, Trowbridge

Land at Innox Mills, Trowbridge, as identified on the Policies Map, is allocated for the development of approximately 175 dwellings with a minimum of 10% affordable housing provision, and mixed commercial, recreation and cultural uses.

A single comprehensive masterplan, phasing and delivery strategy for the development, must be prepared and approved by the local planning authority in advance of any planning application being submitted for the whole or part of the allocated site. This must take account of the requirements of this policy and the principles shown within the concept plan and be prepared in consultation with the local community and local planning authority. Subsequent planning applications must be in accordance with the approved masterplan.

Infrastructure and mitigation requirements include:

- a new vehicular access off Stallard Street and improvements to connectivity to the railway station through a new entrance to the site which will incorporate a bus loop;

- enhancements should be made to Stallard Street to increase the standard and size of bus stops and waiting areas and pedestrian infrastructure, wherever possible this should tie in with the council's Future High Streets Fund scheme;
- improvements to cycling and walking routes through the site to link to the existing network ensuring that the linkages from the site to the town and key destination points;
- access to the railway station should also be served by a new lift access to the railway line bridge in order to facilitate disabled access to both platforms from within the station;
- core bat habitat to be protected and enhanced. Design and layout will be informed by appropriate surveys, impact assessments and the Trowbridge Bat Mitigation Strategy (TBMS) and include funding contributions towards management, monitoring and any-off site measures as necessary, as informed by the TBMS;
- high quality design which allows for vistas into and through the site to the key features of the town including the architectural buildings and church. The layout of the site should be in accordance with easements required for the infrastructure below ground;
- sensitive design and layout, which ensures the significance of heritage assets and their settings, on and adjacent to the site, including the Trowbridge Conservation Area and it's setting, are not subject to unacceptable harm;
- securing appropriate retention, restoration and reuse of heritage assets to ensure they are converted to viable new uses. This shall be informed by appropriate heritage and archaeological assessments;
- developing the riverside with attractive river frontage with public realm improvements to incorporate bat mitigation, flood alleviation and open space provision to enhance the River Biss corridor;
- moderate off-site infrastructure reinforcement for both water supply and foul water drainage as necessary;
- design and layout to take into consideration wastewater infrastructure crossing the site;
- an odour assessment to assess the potential impacts of the odour buffer of the sewage treatment works. Results of the assessment and any mitigation measures should be adopted;
- a noise assessment to assess the potential impacts of the highway network. Results of the assessment and any mitigation measures should be adopted; and
- financial contributions towards early years, primary and secondary education school places.

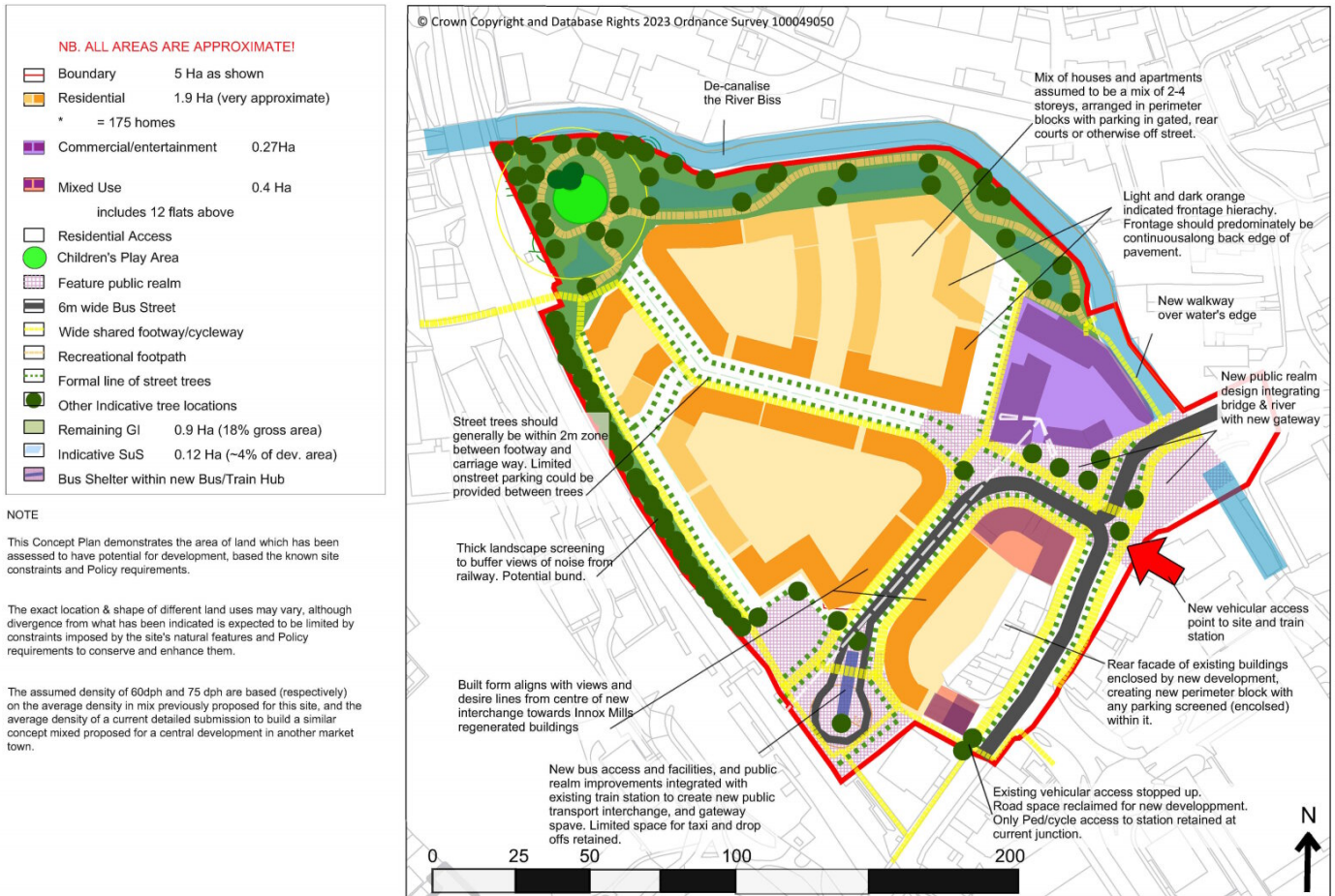
**4.293** How the site may be developed is shown on the concept plan as shown in Figure 4.40. This illustrates one treatment of the site that considers mitigation requirements and the homes, other uses and infrastructure envisaged.



**Figure 4.40 Land at Innox Mills, Trowbridge Concept Plan**

Land at Innox Mills, Trowbridge

Concept Plan



## Town centre

**4.294** Trowbridge is defined as a Principal Settlement in the town centre hierarchy for Wiltshire. Its town centre boundary and primary shopping area boundary are identified on the Policies Map, Figure 4.41 and in Appendix E. Policy 67 (Sequential test and retail impact assessment) and Policy 68 (Managing town centres) set out general policies to safeguard and promote the vitality and viability of town centres. Trowbridge has one of the largest town centres within Wiltshire and serves a reasonably wide catchment. The town centre provides retail, entertainment and cultural facilities, as well as supporting a number of businesses. It has strong road and rail transport links which support it as the principal location for services and facilities for the local community and smaller towns in the surrounding area. The town centre forms part of the historic core of the town, presenting a strong and recognisable industrial history, associated with the cloth industry. The River Biss flows through the central area and presents a significant opportunity for public realm enhancements that would link development areas to the south of the town to the town centre.

**4.295** There are a number of opportunity sites (Areas of Opportunity, as identified in Figure 4.41) within the town centre and while some of these have been built out in full or part, a number have potential for regeneration over the Plan period. Additionally, there are opportunities to bring vacant units back into use, as well as improvements to the fabric and environment of the town centre, including the enhancement of the River Biss corridor, to create a more legible and

connected centre. The council's investment in a new leisure centre for Trowbridge including swimming pool on a central site would act as a new attraction for the town centre encouraging more visitors, supporting its wider regeneration.

### Areas of Opportunity in the town are:

1. **Court Street** This area has an existing mix of uses comprising a number of under-used former mill buildings, car parking, warehouses, workshops/art studios, housing and office accommodation. There is the opportunity to create an attractive working environment supporting innovation and growth in independent / cultural and creative business and to enable linked trips between the town centre and edge of centre uses. Development here should protect and enhance the existing heritage assets of the area and provide new pedestrian links to the river, as well as improving public realm and the traditional warehouse facades.
2. **Castle Street** Development at Castle Street should support complementary retail, leisure and commercial uses allowing for a mix of day and night time activity. It should be promoted as a key walking street, thereby, encouraging linked trips between the town centre and edge of town retail / leisure attractions to the north, west and south. There may be potential to redevelop the toy shop and adjacent garage site. There is scope to improve the public realm and create an attractive, safe and comfortable walking environment.
3. **Town Bridge / Wicker Hill** There is the opportunity to create a new civic space at Town Bridge focussed on the River Biss through comprehensive public realm works that maximises active development frontages onto the River Biss corridor, Innox Mills and Wicker Hill.
4. **Asda and The Shires** There is the opportunity to improve public realm, way-marking and the relationship with the riverside, historic core, the Shires Gateway retail development and the rail station as well as to create a public space centred on the river. There are also opportunities to reconfigure space to provide larger retail units set within an attractive environment.
5. **Castle Place and the multi-storey car park** The longer term redevelopment of the multi-storey car park and leisure centre will be informed by a review of the council's car parking strategy. Support should be given to vibrant, mixed use development that will encourage people to make linked trips between the town centre and St Stephen's Place, thereby, actively addressing functional relationships with the People's Park.
6. **Riverway Industrial Site (Shails Lane)** This area is currently occupied by a range of light industrial, car showroom and recycling facilities. Redevelopment of the area should focus on delivering a mix of uses to include housing, office, business and / or leisure uses.
7. **East Wing** The site is vacant and has been used as a car park in recent years. The redevelopment of the site could be an anchor point of the town with potential for mixed uses which could include commercial, leisure, recreation and cultural uses. The site should deliver public realm improvements to incorporate the enhancement of the River Biss and mitigation for bats in accordance with the Trowbridge Bat Mitigation Strategy.



- Whilst within the primary shopping area, Castle Place Shopping Centre may also include other mixed uses to ensure vitality to the local area, and is identified as an Area of Opportunity within the town.
- Trowbridge Civic and Town Hall are situated in the town centre and provide a valuable cultural asset that will continue to be protected throughout the Plan period.
- Court Street, Castle Street and Bythesea Road are subject to a mix of land uses supporting a number of businesses within the town centre.
- Stallard Street forms the station approach and supports a number of food and beverage outlets and other Class E uses. Significant changes to the public realm of this area will be supported and proposals should look to comprehensively enhance the area to support a food and beverage function which is ancillary to the train station.
- Wicker Hill, Manvers Street, Hill Street, Back Street, Church Street, Duke Street and Roundstone Street make up the northern fringe of the town centre. There is a mix of existing uses including retail, leisure, residential and businesses. Proposals to maintain a mix of land uses in this area, including residential will be encouraged.

#### Trowbridge Areas of Opportunity

Figure 4.41 identifies opportunity areas. Redevelopment and public realm improvements in these locations will be supported. Proposals should indicate how they will contribute to the overall health of the town centre and the wider aims set out above. Proposals in these locations should generally support a mix of land uses and residential development, subject to detailed planning. Development of these areas should be in line with the opportunities identified in paragraph 4.295 and the Trowbridge Masterplan. These areas are:

- Court Street
- Castle Street
- Town Bridge/Wicker Hill
- Asda and the Shires
- Castle Place and car park
- Riverway Industrial Estate
- East Wing

#### Green and Blue Infrastructure

Development proposals should improve the resilience of the town centre by:

- protecting, improving and extending the local green and blue infrastructure network, particularly related to formal recreation activities and also along the River Biss, further enhancing it as a key feature of the town that connects and draws residents towards the town centre;
- pedestrian/cycleways should not only connect the town centre and the railway station with the wider community but act as important wildlife corridors; and
- conserving and where possible enhancing heritage assets as part of wider regeneration projects.

## Neighbourhood planning

**4.297** There is a neighbourhood area designation for Trowbridge relating to the former parish boundary prior to the last governance review. While no neighbourhood plan is in progress this could change over the Plan period. The designated area is constrained by green belt and protected bat habitats, which limits the ability to allocate sites on the edge of town, although there may be scope for brownfield sites within the urban area. The total requirement is therefore relatively modest for the designated area at 300 homes over the Plan period and recognises that it can be difficult to identify residential sites within urban areas which by their nature often come forward as windfall sites.

## Bradford on Avon Market Town

**4.298** Bradford on Avon is a constrained settlement and has limited opportunities to expand, largely due to its position surrounded by green belt. The Plan expectation is that a good proportion of the settlement's housing needs over the plan period will be met through small sites, with a focus on redevelopment opportunities within the settlement boundary. Additional sites may also be identified through the neighbourhood planning process, as led by the town council. There are no employment sites allocated through the Plan as the identified requirement is small, and it is anticipated that it can be met by sites elsewhere in the Trowbridge Area.

**4.299** Policy 3 (Reserve housing sites and broad locations for growth) also makes provision for a reserve site for housing development, which could provide approximately 120 homes on Land at the Former Golf Course (see Figure 4.42). Reserve sites are proposed at some Market Towns and will only be released by the local planning authority should for any reason other allocations be delayed, or, the contribution from small sites fail to materialise and they are required to maintain the land supply requirements set by national policy. The site could also be considered as a potential site for allocation as part of a review of the Bradford-on-Avon Neighbourhood Plan.

### Policy 57

#### Bradford on Avon Market Town

Development at Bradford on Avon will:

1. deliver employment growth and retain existing employment sites;
2. provide affordable housing to help reduce high levels of need in the town;
3. improve air quality within the town centre of Bradford on Avon, reducing the impact of traffic, particularly within the Air Quality Management Area;
4. continue to conserve, maintain, and enhance the unique historic architecture and recognise and give proper attention to the landscape character of Bradford on Avon;
5. improve the pedestrian and cyclist environment through and around the town;
6. achieve high quality design in new buildings and the public realm that respects and responds to its context; and
7. address the climate emergency and enhance biodiversity, using multifunctioning techniques such as natural flood controls e.g. flood plains.

Over the plan period (2020 to 2038) approximately 140 homes will be provided at Bradford on Avon including:

- 80 dwellings will be delivered on small sites of less than ten dwellings.

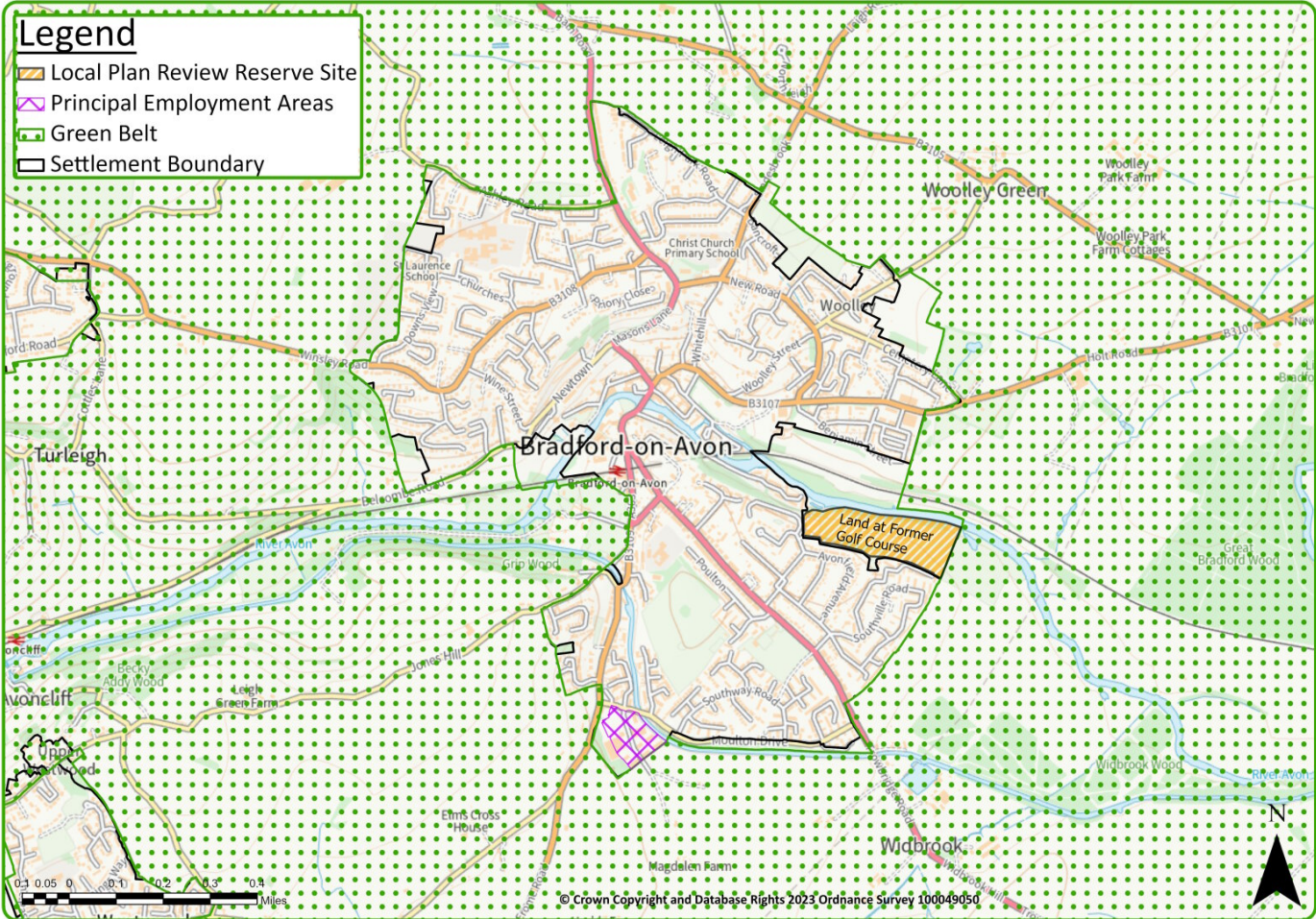
The neighbourhood area designation requirement is 15 dwellings.

The following Principal Employment Areas will be supported in accordance with Policy 65 (Existing employment land): Treenwood Industrial Estate and Elm Cross Trading Estate.

A reserve site of approximately 120 dwellings is identified on Land at the Former Golf Course, as shown on the Policies Map, which will only be brought forward in accordance with Policy 3 (Reserve sites and broad locations for growth).

### Bradford-on-Avon Strategic Site

Figure 4.42 Bradford-on-Avon Policies Map



### Town centre

**4.300** Bradford on Avon is defined as a Market Town in the town centre hierarchy for Wiltshire. The town centre boundary and primary shopping area boundary are identified on the Policies Map and in Appendix E. Policy 67 (Sequential test and retail impact assessment) and Policy 68 (Managing town centres) set out general policies to safeguard and promote the vitality and viability of town centres including Bradford-on-Avon.

**4.301** The town centre has a healthy, attractive and rich historic character with a strong independent market, which are key draws for tourists. The current assortment of frontages is an important aspect of the town centre’s character and should be maintained over the Plan period. The main vehicular through route is positioned within the town centre and is associated with air quality issues.

- 4.302** While there are limited opportunities for retail floorspace growth, there is a need to maintain an independent niche and the strong range of provision. The very good health of the town centre should, as far as possible, be protected and supported and will form a key consideration for any proposals for new food stores. There could be potential to grow the food and beverage market over the plan period.
- 4.303** There are limited opportunities for growth and regeneration of the town centre. Opportunities for enhancement are apparent in other forms such as through growth of tourism and enhancements of green and blue infrastructure pathways such as the Kennet and Avon Canal.

### Neighbourhood planning

- 4.304** The Bradford on Avon Neighbourhood Plan was made in 2017 and the designated area relates to the town and surrounding environs. The town council are considering whether to review their Plan. The town is restricted by environmental constraints, largely due to the green belt. However, there may be some opportunities for smaller housing sites to be identified over the Plan period. A total neighbourhood area designation housing requirement is set at 15 dwellings.



## Warminster Market Town

**4.305** The West Warminster Urban Extension continues to be the main source of supply for housing and employment needs at Warminster over the Plan period. It is supplemented with allocations in the Wiltshire Housing Site Allocations Plan that are starting to come forward for development. The Warminster Neighbourhood Plan identifies opportunities for regeneration within the central area of the town, which could help to strengthen the vitality and viability of the town centre. Any additional sites for new homes or business might meet, widen choice or sustain supply, and this may include sites that are identified by future reviews of the Warminster Neighbourhood Plan.

### Policy 58

#### Warminster Market Town

Development at Warminster will:

1. deliver well designed homes to meet local needs alongside associated transport infrastructure;
2. promote sustainable transport modes through an integrated transport network;
3. support the town centre as a principal location for services and facilities, including food retail shopping, by: improving accessibility to the town centre from new developments; promoting better traffic integration and management; and safeguarding heritage assets in the town's historic core;
4. regenerate Warminster's central car park and explore the potential for an expansion of the GP surgery on to the site;
5. manage, and where possible, reduce flood risk;
6. improve leisure facilities in line with the Wiltshire Council Leisure Services Review;
7. protect, and where possible, enhance existing green and blue infrastructure assets and biodiversity, including informal recreational green space valued by the community; and
8. ensure solutions to improve the conditions within the River Avon SAC are prioritised.

Over the plan period approximately (2020 to 2038) approximately 1,780 homes and 5.6ha of employment land will be provided at Warminster, including:

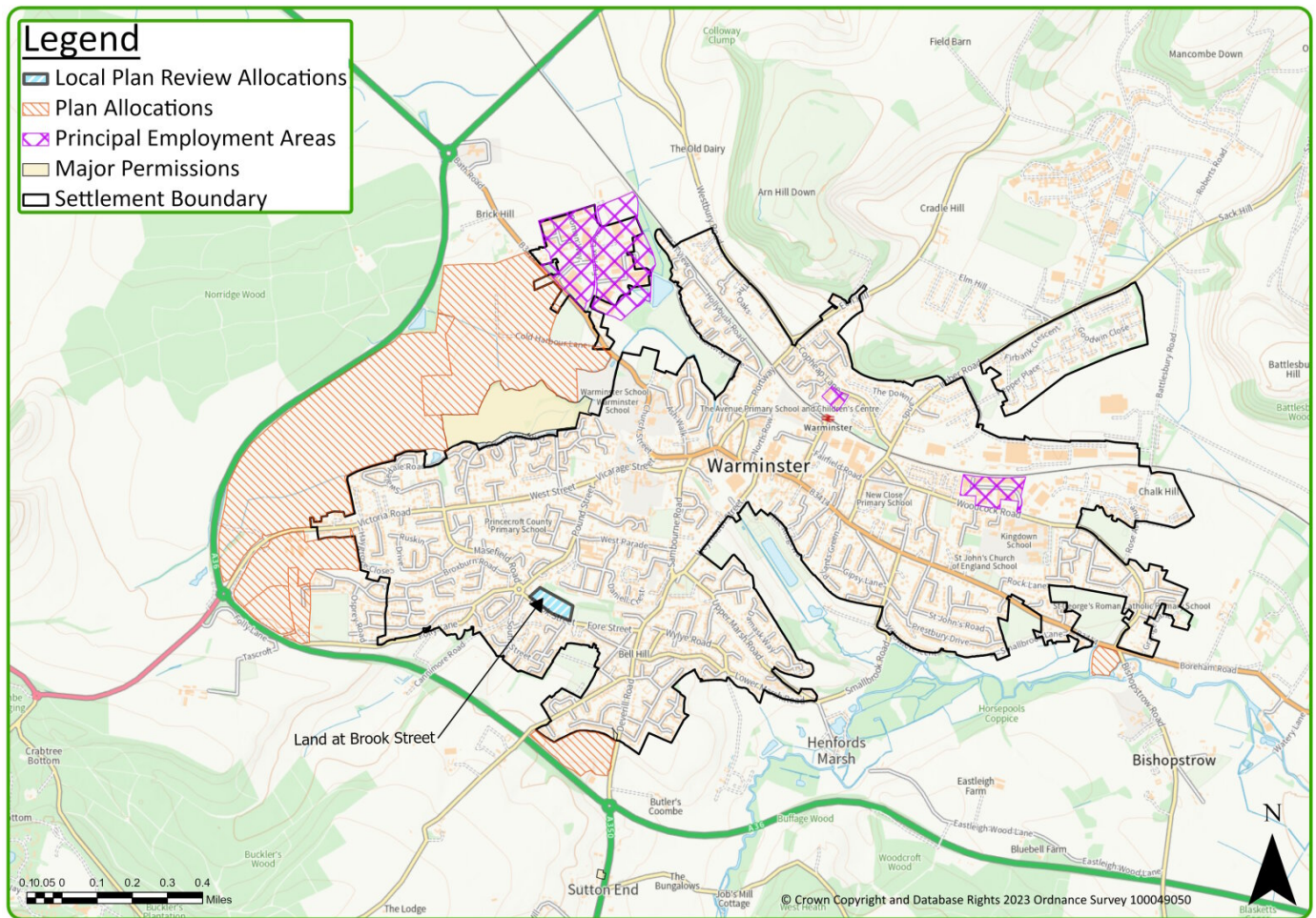
- dwellings and employment on existing allocations at: West Warminster Urban Extension, Bore Hill Farm and Boreham Road.

The neighbourhood area designation requirement is 90 dwellings.

The following Principal Employment Areas will be supported in accordance with Policy 64 (Additional employment land): Crusader Park, Warminster Business Park, Woodcock Road Industrial Estate and Northlands Industrial Estate.

4.306 The pattern of development is shown in Figure 4.43.

**Figure 4.43 Warminster Policies Map**



## Phosphate mitigation

- 4.307** The town's sewage treatment works discharges into the catchment of the River Avon. Warminster is located at the headwaters of the River Avon where opportunities for upstream mitigation are limited. Additional development cannot be allowed to worsen phosphorus levels and have an adverse effect upon the River Avon Special Area for Conservation (SAC) - a designation protecting its ecological importance.
- 4.308** Safeguarding land for mitigation options, such as wetland areas, is necessary. These measures, or effective alternatives, are essential to support further residential development at the town.
- 4.309** One area identified is at Brook Street, Warminster. It is necessary to safeguard this land parcel from alternative uses that may prevent the implementation of a mitigation strategy for the town. Therefore the following policy will apply:

### Policy 59

#### Land at Brook Street

Land at Brook Street, as identified on the Policies Map is allocated for uses to mitigate the likely adverse effects on the River Avon SAC from housing development.

## Town centre

- 4.310** Warminster is defined as a Market Town in the town centre hierarchy for Wiltshire. The town centre boundary and primary shopping area boundary are identified on the Policies Map and in Appendix E. Policy 67 (Sequential test and retail impact assessment) and Policy 68 (Managing town centres) set out general policies to safeguard and promote the vitality and viability of town centres.
- 4.311** Warminster benefits from a made neighbourhood plan within which the town centre features heavily. Regeneration of the town's central car park is a key aspiration set out. The neighbourhood plan specifies that parts of the town centre should be subject to qualitative improvements, including at Three Horseshoes Walk and the central car park, and support is given to the improvement of linkages through the central area. The neighbourhood plan sets out that the central car park could deliver potential uses including possible new retail units, improvements to the public realm and re-organisation of existing parking arrangements, a new bus/coach interchange, relocation of the library and relocation of the weekly market. There may be opportunities through further review of the neighbourhood plan to add further detail as regard to the nature and delivery of this site, having regard to evidence<sup>20</sup> of town centre retail needs.

## Neighbourhood planning

- 4.312** The Warminster Neighbourhood Plan was made in 2016 and the plan area includes Warminster and its environments. A review of the neighbourhood plan is underway, and there is potential for further reviews to take place over the Plan period to 2038. The particular circumstances relating to phosphate mitigation at Warminster, without dependence upon upgrades to sewage treatment works, complicates provision of homes within the early part of the Local Plan period, but there are likely to be opportunities later on. Warminster is one of Wiltshire's larger and more sustainable market towns, and therefore a neighbourhood plan area housing requirement is set at 90 dwellings, anticipating that it is unlikely that it will be possible to deliver this until later in the Local Plan period.

<sup>20</sup> Wiltshire Retail and Town Centres Study 2020, Avison Young (November, 2020)

## Westbury Market Town

**4.313** Westbury is not significantly constrained in environmental terms and has a strong concentration of employment. The settlement lies under the north-western scarp of the Salisbury Plain. Housing growth in recent years has been to the south of the railway and east of the town. Further growth needs to be balanced with additional investment in infrastructure and services for the local community and a stronger town centre. Recreational pressures from future growth at the town will need to be mitigated to ensure no harm to the colonies of bats relating to the Bath and Bradford on Avon Bats SAC in Green Lane and Biss Woods.

**4.314** Westbury suffers from traffic and air quality issues, largely due to congestion from the A350 that runs through the town centre and is also designated as an Air Quality Management Area.

### Policy 60

#### Westbury Market Town

Development at Westbury will:

1. deliver high quality design that draws on Westbury's local heritage, landscape and contributes to a local sense of place, and be well connected to existing services and facilities;
2. support the delivery of a strategy for town centre regeneration, taking into consideration the emerging Westbury Town Plan Centre Vision and Neighbourhood Plan, to encourage spending, improve accessibility, better manage traffic and parking and safeguard heritage assets;
3. improve sustainable transport links (particularly walking and cycling routes) within the town and to the surrounding parishes, including enhancing linkages between the railway station, employment areas and the town centre. Specifically, investigate the delivery of a railway crossing to improve the sustainable transport network;
4. seek to improve air quality and support the Air Quality Management Area in Westbury town centre;
5. address traffic issues in the town including, where appropriate, the need for a distributor road and bridge over the railway line at Mane Way to relieve congestion on Oldfield Road;
6. deliver well thought out open spaces and landscaping to ensure residents can benefit from and enjoy the environment, regardless of whether they are on foot or using transport and should link with other areas to allow easy access to all parts of the town;
7. retain existing employment areas and support their expansion to provide employment locally;
8. support new sport pitches/leisure facilities, health provision and active travel choices/ Smart Choices measures;
9. contribute towards addressing Westbury Town Council's Climate and Environmental Emergency pledge;

10 deliver funding contributions towards a Westbury Transport Strategy; and

11 deliver funding contributions for a bus service to deliver a new 30-minute frequency service.

Over the plan period (2020 to 2038) approximately 1,400 homes and 16.7ha of employment land will be provided at Westbury including:

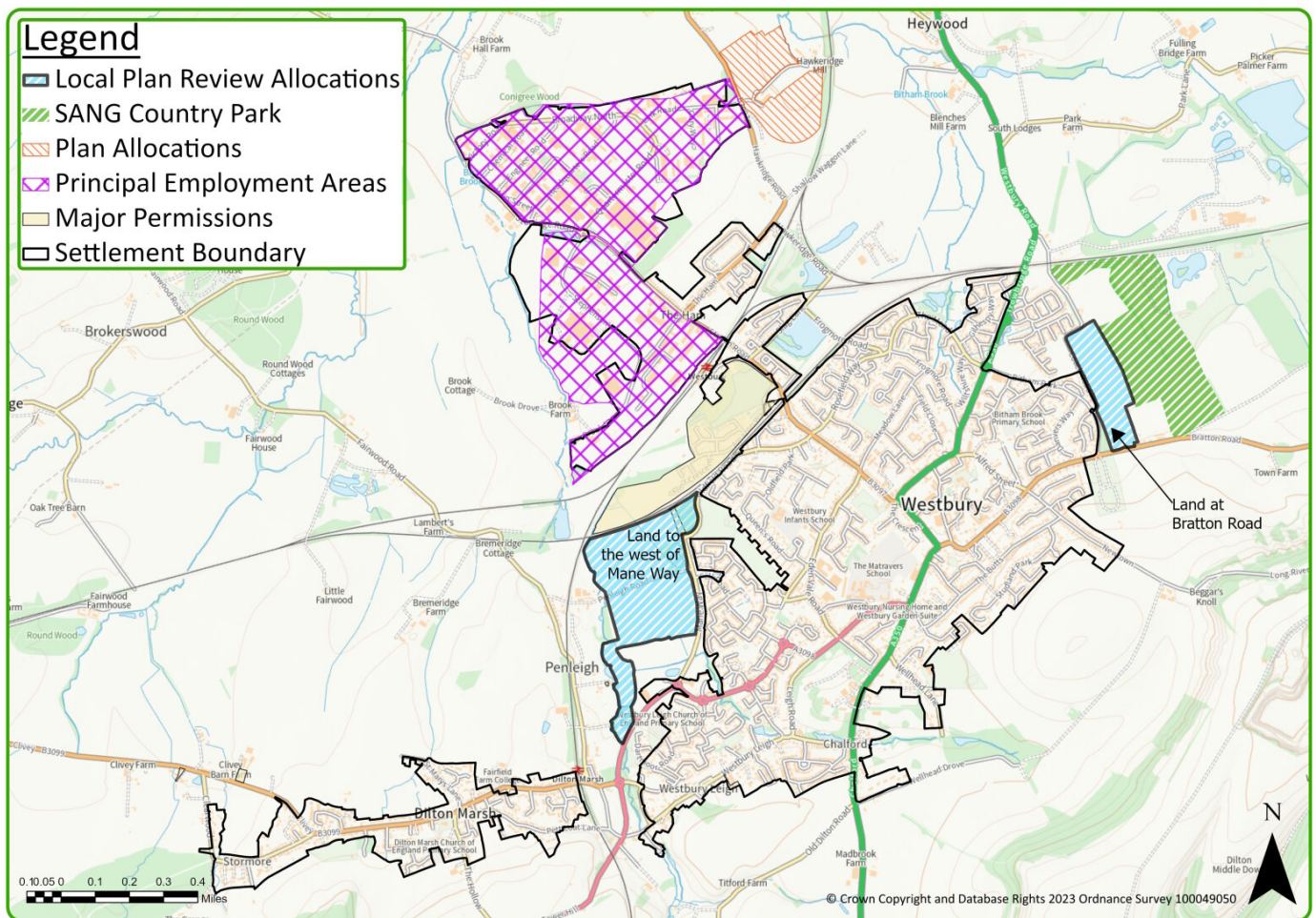
- retaining employment land on existing allocations on Land at Mill Lane, Hawkeridge and North Acre Industrial Estate;
- new allocation of approximately 220 dwellings on Land West of Mane Way; and
- new allocation of approximately 260 dwellings on Land at Bratton Road.

The neighbourhood area designation requirement is 90 dwellings.

The following Principal Employment Areas will be retained in accordance with Policy 65 (Existing employment land): West Wiltshire Trading Estate and Brook Lane Trading Estate and North Acre Industrial Estate.

**4.315** The pattern of development is shown in Figure 4.44.

**Figure 4.44 Westbury Policies Map**



## Land West of Mane Way, Westbury

- 4.316** Land West of Mane Way, Westbury is allocated for the development of approximately 220 dwellings.
- 4.317** The site will provide additional homes over the plan period and facilitate a railway bridge extending Mane Way across the railway line through the provision of land and contributions. The site benefits from reasonably good levels of accessibility, albeit improvements will be required to improve opportunities for sustainable transport choices.

## Policy 61

### Land West of Mane Way, Westbury

Land West of Mane Way, Westbury, as identified on the Policies Map, is allocated for the development of approximately 220 dwellings.

A single comprehensive masterplan, phasing and delivery strategy for the development, must be prepared and approved by the local planning authority in advance of any planning application being submitted for the whole or part of the allocated site. This must take account of the requirements of this policy and the principles shown within the concept plan and be prepared in consultation with the local community and local planning authority. Subsequent planning applications must be in accordance with the approved masterplan.

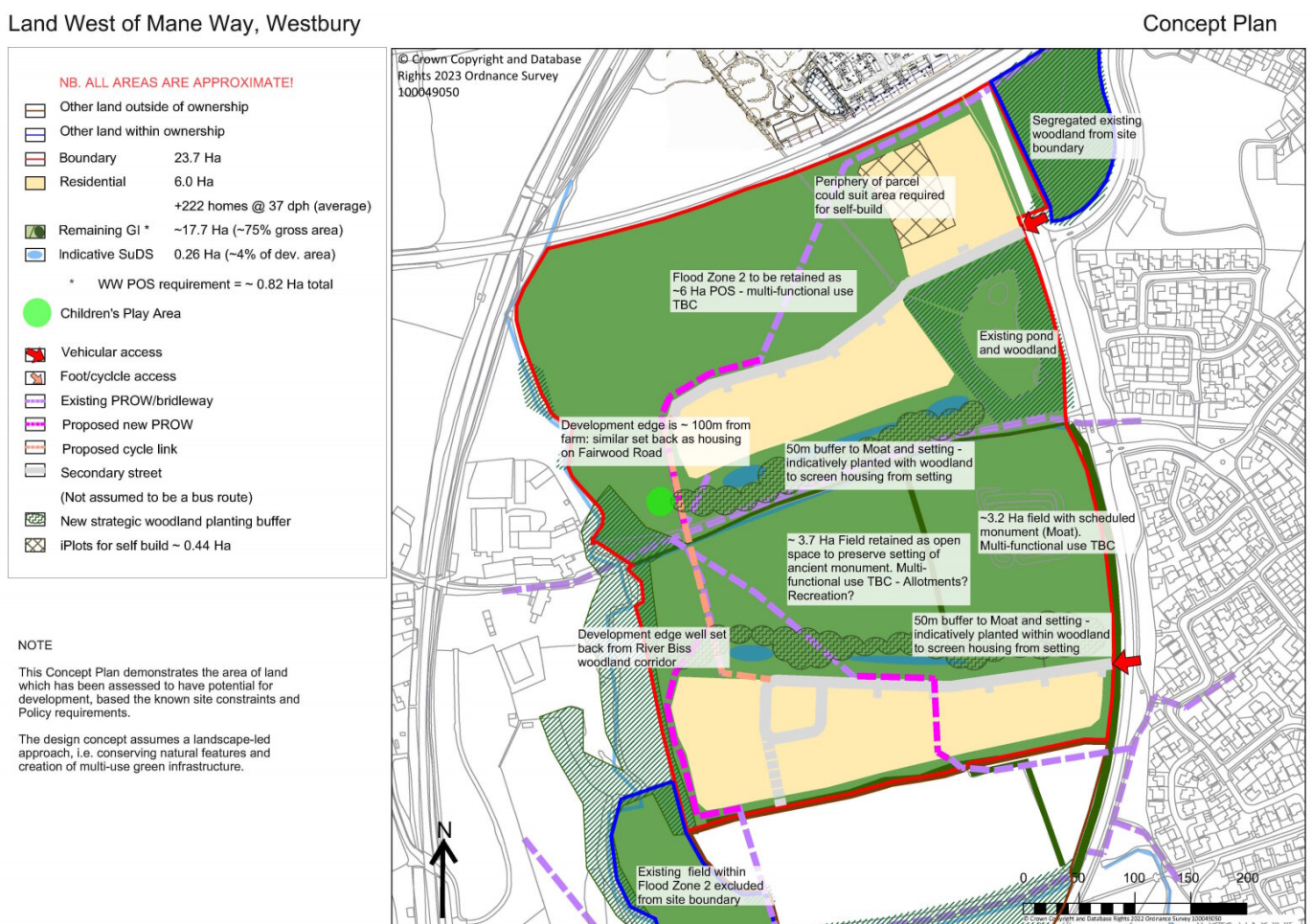
Infrastructure and mitigation requirements include:

- two points of vehicular access, one from the south directly off of Mane Way and the second off of Mane Way/Oldfield Road to the north;
- measures to positively support walking, cycling and public transport use between the site and Westbury town centre;
- provision of landscaping to include the enhancement of the Biss Brook corridor and protection of the Moated Site Scheduled Monument;
- heritage and archaeological impact assessments to guide design and layout, including assessment of the Penleigh Estate and buffers to the setting of: Scheduled Monument to Penleigh House; Grade II Listed Penleigh Cottage; Grade II Listed Penleigh Mill; and Grade II Listed Penleigh Farmhouse, which form key features of the Penleigh Estate;
- buffer of at least 8m to all onsite watercourses and the enhancement of these areas for green and blue infrastructure. Including retention and enhancement of Biss Brook and the associated riparian vegetation as part of the landscape strategy for the site and wider green and blue infrastructure network;
- layout and design to be informed by noise, dust, odour and pest impact assessments, specifically addressing noise impacts from the railway and nearby roads and any further residential amenity issues arising from nearby agricultural businesses. This includes buffers from any dwellings to the railway line, in the north, and Mane Way, in the east, to be informed by a noise impact assessment to ensure residential amenity of future occupiers;
- core bat habitat to be protected and enhanced. Design and layout will be informed by appropriate surveys, impact assessments and the Trowbridge Bat Mitigation Strategy (TBMS);
- appropriate mitigation to protect bats, including funding contributions towards management, monitoring and any off-site measures as necessary, as informed by the TBMS;
- provision of Suitable Area of Natural Greenspace in accordance with Policy 63 Westbury Country Park;
- further assessment to identify survival and extent of water meadows across the site. Mitigation could include avoidance of area of high historic landscape value;

- safeguarding of land to the north of the site, identified on the Policies Map, to support a new road connection over the railway linking to Mane Way/ Oldfield Road;
- delivery of a crossing on Mane Way to access the shared route network;
- retention of public rights of way links through the site, including WEST16, WEST17, WEST18, WEST20, WEST21, WEST22, WEST23 and WEST25;
- funding contributions toward measures that improve air quality. An assessment will be needed to understand cumulative effects of development on relevant receptors in the Air Quality Management Area, and to identify appropriate mitigation measures;
- moderate off-site infrastructure reinforcement would be required for water supply and likely significant off-site infrastructure reinforcement required for foul water drainage; and
- funding contributions towards healthcare, early years and education places.

**4.318** How the site may be developed is shown on the concept plan as shown in Figure 4.45. This illustrates one treatment of the site that considers mitigation requirements and the homes, other uses and infrastructure envisaged.

**Figure 4.45 Land West of Mane Way Concept Plan**





## Land at Bratton Road, Westbury

**4.319** Land at Bratton Road, Westbury is allocated for the development of approximately 260 dwellings.

### Policy 62

#### Land at Bratton Road, Westbury

Land at Bratton Road, Westbury, as identified on the Policies Map, as allocated for the development of approximately 260 dwellings and 0.3ha of land for nursery provision.

A single comprehensive masterplan, phasing and delivery strategy for the development, must be prepared and approved by the local planning authority in advance of any planning application being submitted for the whole or part of the allocated site. This must take account of the requirements of this policy and the principles shown within the concept plan and be prepared in consultation with the local community and local planning authority. Subsequent planning applications must be in accordance with the approved masterplan.

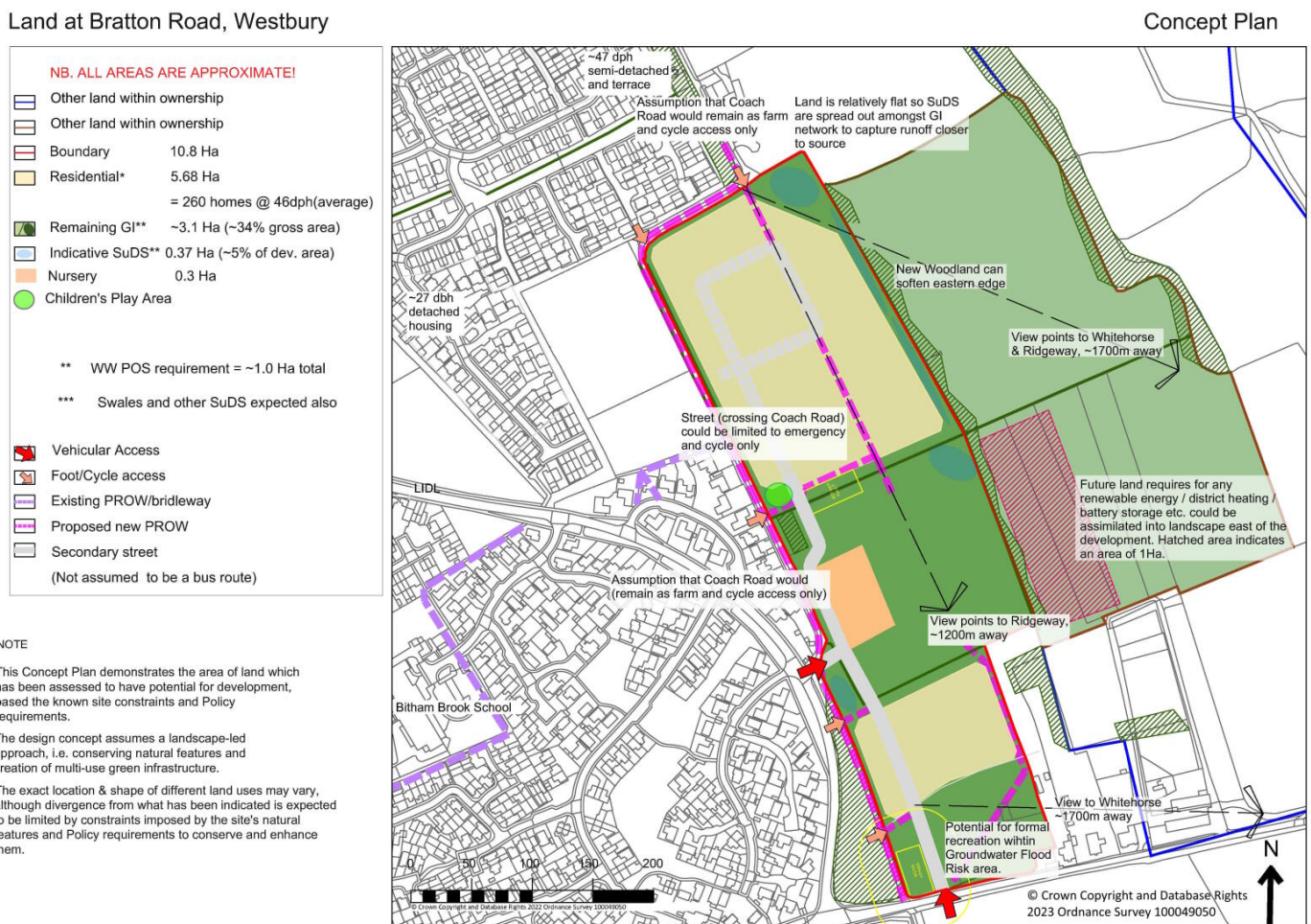
Infrastructure and mitigation requirements include:

- primary point of vehicular access off of Bratton Road;
- further vehicular access established to the north via the Mill Brook/White Horse View development;
- pedestrian links to the north and east via Coach Road and the Mill Brook development;
- measures to positively support walking, cycling and public transport use between the site and Westbury town centre;
- provision of landscaping to retain the open character of the east of the site, to include biodiversity enhancements and conservation of the historic landscape;
- provision for landscape sensitivity to the south of the site owing to the intervisibility with the ridgeline with development minimising negative effects upon the landscape character;
- core bat habitat to be protected and enhanced. Design and layout will be informed by appropriate surveys, impact assessments and the Trowbridge Bat Mitigation Strategy (TBMS);
- appropriate mitigation to protect bats, including funding contributions towards management, monitoring and any off-site measures as necessary, as informed by the TBMS;
- layout and design to be informed by heritage and archaeological impact assessments assessing potential harm on the setting of, and views between, Bratton Camp and Westbury White Horse Scheduled Monument; and Grade II\* Listed Heywood House;
- a buffer to the east of the site to support an integrated settlement edge and green and blue infrastructure;
- provision of Suitable Area of Natural Greenspace in accordance with Policy 63 Westbury Country Park;
- a buffer between Bratton Road to any dwellings to be informed by a noise impact assessment to ensure residential amenity of future occupiers;

- funding contributions toward measures that improve air quality. An assessment will be needed to understand cumulative effects of development on relevant receptors in the Air Quality Management Area, and to identify appropriate mitigation measures;
- site specific groundwater investigation to inform the layout of development to avoid areas of high groundwater flood risk;
- moderate off-site infrastructure reinforcement would likely be required for water supply and likely significant off-site infrastructure reinforcement required for foul water drainage; and
- funding contributions towards healthcare, early years and education places.

**4.320** How the site may be developed is shown on the concept plan as shown in Figure 4.46 within the red boundary line. This illustrates one treatment of the site that considers mitigation requirements and the homes, other uses and infrastructure envisaged.

**Figure 4.46 Land at Bratton Road, Westbury Concept Plan**



## Westbury Country Park

**4.321** The purpose of this policy is to set out the approach to mitigate potential likely significant effects arising from development in the north of Westbury due to potential for visitor pressure and associated adverse effects on protected woodlands. Provision of the Country Park will ensure that the planned growth within the plan period and beyond will seek to avoid harm to the Bechstein's bat maternity colonies in Picket and Clanger Woods. These are functionally linked to the Bath and Bradford-on-Avon Bats SAC which is protected by the EC Habitats Directive,

specific provisions of which are applied in the UK by the Conservation of Habitats and Species Regulations 2017 (the Habitats Regulations). Accordingly, new dwellings will contribute to the provision of the strategic Suitable Area of Natural Greenspace in Policy 63.

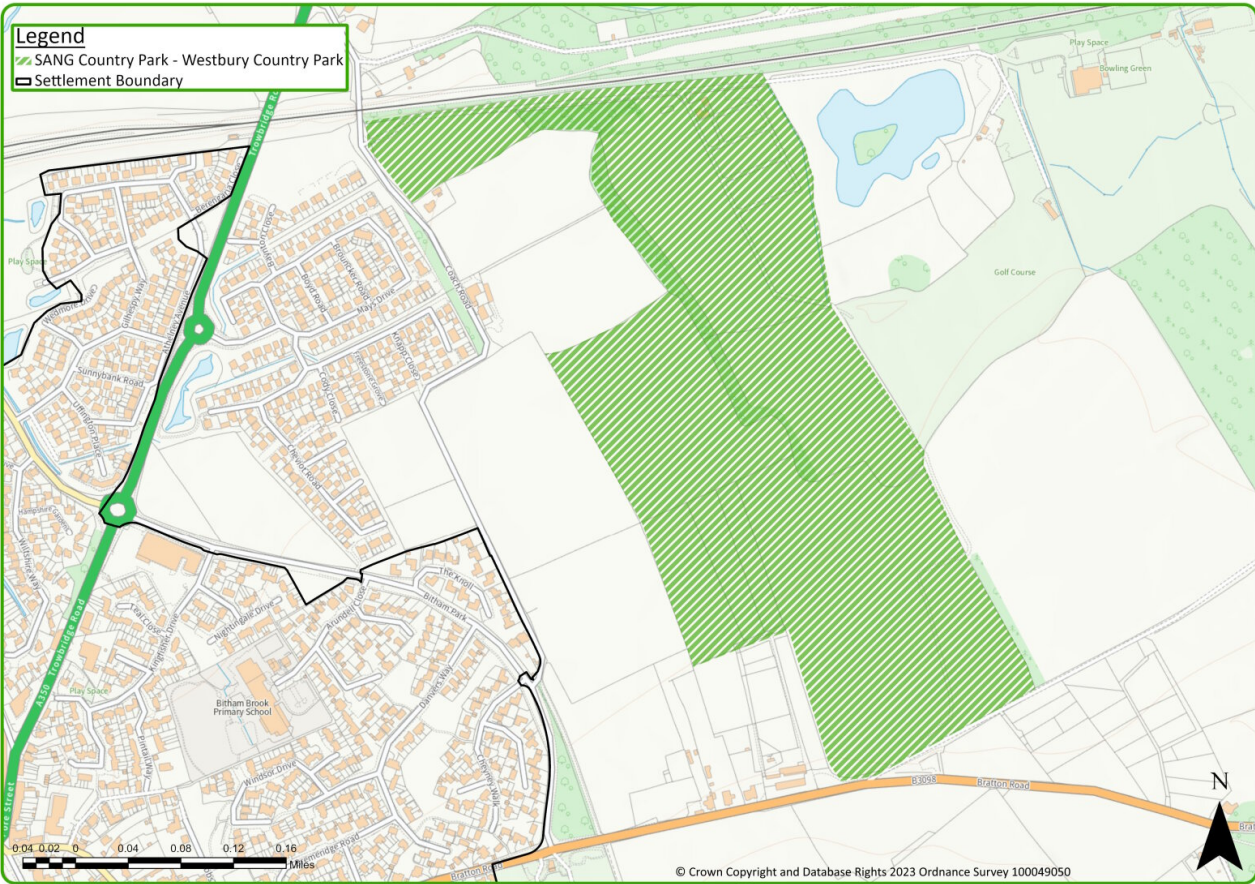
**Policy 63**

**Westbury Country Park**

Major development in Westbury should make provision for a Country Park, approximately 27 ha in size, functioning as Suitable Alternative Natural Greenspace (SANG). It will be available in perpetuity for the public to access for informal recreation prior to the occupation of the first dwelling at either the allocation in Policy 61 Land to the West of Mane Way, Westbury or the allocation in Policy 62 Land at Bratton Road, Westbury.

4.322 Westbury Country Park is shown in Figure 4.47.

**Figure 4.47 Westbury Country Park**



4.323 The council, as decision maker, is the competent authority under the Habitats Regulations and are advised by Natural England. The planning authority must ascertain that the allocations for residential development will not have an adverse effect on the integrity of the woods, alone or in combination with other plans or projects, either directly or indirectly, taking account of any conditions or restrictions that would help ensure no adverse effect, before adopting a local plan.

- 4.324** The Plan is subject to a Habitats Regulations Assessment (HRA) which sets out possible measures that need to be provided to enable development to be delivered. The Trowbridge Bat Mitigation Strategy should be read in conjunction with Policy 63. The role of the Country Park is to provide alternative green space to prevent an increase in visitor pressure and divert visitors away from both Picket and Clanger Woods to the north of Westbury.
- 4.325** A Public Right of Way (PRoW) exists along Lower Westbury Road which aligns the south-eastern boundary of the Country Park and so the allocation of the Country Park would allow for the remaining part of the allocated development site to be made fully accessible to the public. Visitors would include those by car and there would be a free, on-site car park. The location of the car park should take into account the setting of Bratton Park and Heywood House and the layout of the access routes could take account of the historic landscape features such as field patterns, hedgerows and mature trees. Access on foot to the Country Park from the adjacent proposed development site to the immediate west would be provided and linkages with green and blue infrastructure within the area would also be provided. There should be provision for access to the Country Park by public transport that links to the major development to the north of Westbury and the town centre.
- 4.326** The Country Park should have a choice of circular routes, of varying lengths and for all year-round use, to provide an attractive alternative walk to the protected woods, to be a minimum of 2.5km in length. These paths should blend into the landscape and not detract from the natural feel of the site. Suitable furniture should be provided to allow for enjoyment of different areas of the Country Park.
- 4.327** In order to recreate the quality of the woodlands that will be protected, areas of the Country Park would be planted with native tree species to encourage a diverse range of flora and fauna, and to contribute towards attainment of biodiversity net gain. The overall management approach would be to provide a natural landscape with a mix of open and semi-woodland, to balance the varying desires of those using the site and enhanced where appropriate to provide good habitat for bats including woodland, grassland and ponds. Consideration should be given to bringing forward the Country Park in advance of any development within the sites being allocated for residential development.

## Town centre

- 4.328** Westbury is defined as a Market Town in the town centre hierarchy. The town centre boundary and primary shopping area are identified on the Policies Map and in Appendix E. Policy 67 (Sequential test and retail impact assessment) and Policy 68 (Managing town centres) set out general policies to safeguard and promote the vitality and viability of town centres including Westbury.
- 4.329** Westbury town centre is a geographically smaller centre with a relationship with both the historic environment to the east and a key transport route to the west. Westbury Swimming Pool is a heritage asset and attraction for the town centre. Despite a small capacity for new retail floorspace, due to market conditions there is no need to allocate additional floorspace, with needs likely to be met through the redevelopment or expansion of existing units. This would provide the opportunity to improve the offer and attractiveness of the town. New development to the east of the town centre will be able to draw upon the medieval character of Westbury Conservation Area.

**4.330** The Westbury Neighbourhood Development Plan is supported by the Westbury Town Centre Vision and provides a clear guide for how change is anticipated over the coming years. Policy TCE2 of the Westbury Neighbourhood Development Plan, underpinned by the detail of the Vision document, identifies development proposals which will be supported.

## Neighbourhood planning

**4.331** The Westbury neighbourhood area relates to the parish of Westbury. A neighbourhood plan is at an advanced stage, with Regulation 16 consultation on the Draft Westbury Neighbourhood Plan (2022 to 2036) completed summer 2023. It seeks to: reduce carbon emissions and energy demand; secure well designed homes and places; enhance and protect Westbury's historic character; deliver the right type and mix of housing in the right location; support the retention and growth of local businesses; ensure an accessible and well-connected town; support and protect the role of the town centre; improve air quality, protect, extend and enhance the natural environment and network of green spaces; and retain and improve the range of facilities and services.

**4.332** The neighbourhood plan proposes to allocate two sites on the eastern edge of the town; Land off Bitham Park and Land between Mill Brook and Coach Road. Together these allocations are proposed for approximately 95 dwellings, including 30% affordable housing, together with community green space, landscape infrastructure and improvements to sustainable transport infrastructure. The neighbourhood area designation requirement is therefore 90 dwellings.

## Trowbridge Rural Area

### Neighbourhood area designation housing requirements

- 4.333** The council supports the preparation of neighbourhood plans in the rural area. Amongst other things, they provide the opportunity for local communities to address local housing needs and provide for new homes that can best help to sustain the vitality of their village.
- 4.334** Housing proposals help to support the role rural settlements have as an important part of the settlement strategy; additional homes help to support local business, services and facilities, serving both the settlement itself, but also its somewhat extensive rural catchment. Housing development focused at Local Service Centres and Large Villages carries with it a wider strategic purpose.
- 4.335** National planning policy requires the council to provide neighbourhood plan area designations with a housing requirement. Within the overall housing requirement for the County, the Plan must set requirements which reflect the overall strategy for the pattern and scale of development. Taking forward the Plan's settlement strategy, recognising the more strategic role of Large Villages, each of these settlements is provided with a scale of housing growth for the plan period, to enable local communities to take forward plans where they wish to do so. Neighbourhood plan area designation housing requirements are the scale of growth shown for what Local Service Centres and Large Villages lie within them.
- 4.336** In general conformity with the Plan, neighbourhood planning groups would be expected to look to accommodate new homes to meet housing requirements in full by identifying opportunities in their plans, where necessary, at Large Villages themselves, where new homes could meet both local needs and support the strategic role for such settlements set by the Plan.
- 4.337** At Small Villages, the settlement strategy provides sufficient flexibility for neighbourhood planning groups to meet local housing needs, by a variety of means, at a scale that preserves the character and setting of a village. Reflecting the different role played by Small Villages in the settlement strategy, with generally fewer facilities and services, they do not have a scale of housing growth set by the Plan and therefore there is no explicit requirement for parishes that only contain Small Villages. However, this does not mean there can be no additional growth in these areas. As set out in other policies in the Plan, new housing development will be limited to infill within the built-up area of Small Villages or should be geared towards meeting local affordable needs through exception sites, or up to 20 homes, or 5% of the size of the settlement (whichever is the lower). Table 4.17 sets out the Small Villages in the rural part of the Trowbridge Area.
- 4.338** Scales of housing growth over the plan period are shown in Table 4.16 for each of the Large Villages in the rural part of the Trowbridge Area. This is the total amount of homes that should be met by settlements within a neighbourhood plan over the Plan period from 2020 to 2038. Neighbourhood planning groups, to calculate how many new homes they will need to plan for, must deduct those homes built already and those in the pipeline with either planning permission or estimated to be built on sites already allocated in the development plan, which may include sites in the Wiltshire Housing Site Allocations Plan.

**Table 4.16 Distribution of housing growth for the Trowbridge rural area**

	Housing growth (2020-2038)	Completions and commitments (1 April 2020 - 31 March 2022)*	Residual at 1 April 2022
Bratton	44	40	4
Chapmanslade	47	47	0
Codford □	29	6	23
Corsley	0	0	0
Dilton Marsh	61	20	41
Heytesbury □	22	2	20
Hilperton	52	47	5
Holt	66	66	0
North Bradley	51	28	23
Semington	53	53	0
Southwick	65	39	26
Steeple Ashton	29	1	28
Sutton Veny ■ □	22	6	16
Westwood ■	15	2	13
Winsley ■	15	1	14

\*Includes major permissions post 1 April 2022, up to 31 May 2023

- Requirements expected to be delivered towards the end of the Local Plan period, due to identified NHS capacity constraints in the shorter term.
- Requirements expected to be delivered towards the end of the Local Plan period, due to identified nutrient management constraints in the shorter term (unless acceptable bespoke mitigation strategy can be demonstrated).

## Small Villages

**4.339** The roles of Small Villages are set out in Policy 1 (Settlement Strategy) and Policy 2 (Delivery Strategy). The following table sets out the Small Villages in the Trowbridge Area:

**Table 4.17 Trowbridge rural area Small Villages**

Edington/Tinhead	Chitterne	Maiden Bradley
Keevil	Crockerton	Monkton Farleigh
Staverton	Great Hinton	Stockton
West Ashton	Horningsham	Upton Scudamore
Yarnbrook	Limpley Stoke	Wingfield
Bulkington	Longbridge Deverill	







# Delivering the spatial objectives

## 5. Delivering the spatial objectives

### Introduction

**5.1** The following section of the Plan presents a suite of policies that cover a range of specific themes. They are arranged in three categories - Economic, Social and Environmental that reflect the structure of national planning policy. The policies do not seek to repeat those established at a national level. However, they do reflect local circumstances and are based on evidence. The Plan should be read as a whole. Therefore the proponents of development schemes and decision makers will need to follow the policy advice, and associated guidance, throughout the Plan where relevant to development proposals.

### Economic

#### Additional employment land



- 5.2** The Plan supports growth, retention and investment in employment provision. In addition to sites allocated in the Plan and the retention of Principal Employment Areas, Policy 64 (Additional employment land) allows additional land to come forward at sustainable locations and also in the countryside supporting rural businesses. The evidence<sup>21</sup> suggests that Wiltshire does not always have a sufficient choice of available land which can be delivered at the right time to meet business needs. Policy 64 (Additional employment land) therefore supports the delivery of opportunities for the provision of employment land that may come forward within and adjacent to defined settlements or the built-up area of Small Villages, in addition to the employment land which is allocated in the Plan.
- 5.3** Opportunities will need to be in the right location and support the role, and function of the settlement to which they relate, as identified in Policy 1 (Settlement Strategy) and in any neighbourhood plans. As well as meeting criteria to ensure they do not undermine delivery of allocated sites or result in harmful impacts. Policy 2 (Delivery Strategy) sets out requirements to help ensure that employment proposals where permitted are brought forward in a timely way, and for the use intended.
- 5.4** Several specialist sectors<sup>22</sup> are particularly relevant to Wiltshire and of importance to the economy in both employment and business terms for the county. These include:
- advanced engineering, defence and manufacturing
  - professional business services
  - life sciences
  - low carbon and sustainable construction
  - ICT and cyber security
  - creative industries
- 5.5** Proposals which support these specialist sectors will be particularly encouraged in line with the requirements of Policy 64 (Additional employment land). Other policies in the Plan address the potential contribution Ministry of Defence sites may make to Wiltshire's economy over the Plan period.
- 5.6** Policy 64 (Additional employment land) also aims to support Wiltshire's rural economy including agricultural practices, such as agribusiness, intensive and organic farming, precision and sustainable agriculture, as well as diversification of existing rural based businesses.
- 5.7** Policy 64 (Additional employment land) also includes an element of flexibility to allow new employment opportunities where such proposals are considered essential to the wider strategic interest of the economic development of Wiltshire. In considering criterion iii any such proposals should be supported by evidence to justify that they would not have a significant adverse impact upon existing, committed and planned public and private investment at sites identified in the Plan for employment development.

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<sup>21</sup> *Wiltshire Employment Land Review Update*, Hardisty Jones Associates (September, 2023)

<sup>22</sup> *Swindon and Wiltshire Local Economic Assessment*, Hatch (March 2022, page vi.)

## Policy 64

### Additional employment land

Proposals for employment development (within use classes B2, B8 or E(g)(i-iii)) will be supported on unallocated sites within or adjacent to Principal Settlements, Market Towns, Local Service Centres and Large and Small Villages where they are appropriate to the role and function of the settlement.

Employment development proposals elsewhere will be supported that:

- i. are for farming; or
- ii. diversify and support an existing rural based business; or
- iii. are considered essential to the wider strategic interest of the economic development of Wiltshire, as determined by the council.

Proposals will only be supported where they:

- a. are appropriate in scale with their location, do not adversely affect the operation of nearby uses or unacceptably harm residential amenity;
- b. do not lead to unacceptable impacts on the historic environment;
- c. do not represent unacceptable harm to landscape character or visual intrusion;
- d. would not undermine the delivery of strategic employment allocations;
- e. lead to no unacceptable impacts on the local transport network; and
- f. are supported by adequate infrastructure, including broadband.

Proposals for additional national and regional logistics development adjacent to M4 Junction 17 will be supported subject to:

- the impacts being assessed in accordance with Department for Transport advice;<sup>23</sup>
- development proposals not prejudicing the delivery of other planned growth; and
- the funding and delivery mechanism of any required improvements/alterations to M4 Junction 17 and the surrounding transport network having been agreed and secured.

### Existing employment land

- 5.8** Achieving the strategic objective to deliver a thriving economy that provides a range of job opportunities in Wiltshire depends on retaining the availability of and enhancing existing employment sites, as well as creating new opportunities in appropriate locations. The Plan seeks to protect Wiltshire's employment areas by applying policies to favour employment uses on these sites. On some of these employment areas there have been redevelopment pressures for other uses, notably residential and retail.

<sup>23</sup> Policy Paper - Strategic road network and the delivery of sustainable development, Department of Transport (updated December 2022)

- 5.9** Principal Employment Areas have been identified in the Principal Settlements and Market Towns, and some of the Local Service Centres and Large Villages, as set out in the relevant Area Strategies. They also include two Principal Employment Areas in the rural area near to Amesbury and Salisbury. These Principal Employment Areas are critical to the economic role of these settlements and Wiltshire as a whole. To maintain a reasonable balance between jobs and homes to encourage self-containment, these Principal Employment Areas should be protected from alternative uses with their continued use and intensification for employment purposes encouraged, as set out in Policy 65 (Existing employment land).
- 5.10** It will also be important to retain existing employment uses outside the Principal Employment Areas to maintain diversity and choice of sites for employers and allow for local business expansion. However, it is important to acknowledge that some older employment areas may no longer be fit for purpose or that their role has changed, for example, from a primarily employment site to a trade centre site. Changes of use within sites can invigorate an area and act as a positive catalyst for change. The overall employment land target includes an allowance for the replacement of some sites. Therefore, in some circumstances it may be appropriate to allow for the redevelopment (in whole or part) of existing employment sites for an alternative use, particularly where the site is not required to remain in its current use to support the local economy in the area.
- 5.11** In demonstrating that a site has no requirement to remain in employment use, the ability of the site to meet modern business needs must be considered, as well as its value and contribution to the local and wider economy both currently and in the longer term. An objective assessment must be made of the site's potential contribution to the economy, in line with other sites in the area; it must be shown that the site is no longer viable for its present, or any other employment use and that, in addition, it has remained unsold or un-let for a substantial period of time (at least five years), for which there is evidence of genuine and sustained attempts to sell or let it on reasonable terms for employment use. Existing employment sites identified within this Plan for alternative uses as part of ongoing regeneration schemes will not be expected to meet the criteria of Policy 65 (Existing employment land).

## **Policy 65**

### **Existing employment land**

Proposals for renewal and intensification of employment uses, particularly in Principal Employment Areas, will be supported.

All land in employment use should be retained for employment purposes to safeguard their contribution to the Wiltshire economy and the role and function of individual settlements.

Proposals involving the loss of employment land (B2, B8, E(g)(i-iii)) must demonstrate that:

- i. where the proposal would lead to a material loss of employment land, provision will be made for its replacement with employment land of similar size and quality nearby, unless it can be demonstrated that there is no longer a requirement for employment land in that location;

- ii. the site is no longer suited to current or future business needs (evidenced as being unsold/ unlet for five years or evidence of future unacceptable harm to residential amenity or the wider environment); or
- iii. reuse of the site for alternative uses is the only means to relocate and retain an existing business or its significant expansion; or wider significant economic, environmental and social benefits to a settlement outweigh the loss of employment land.

To meet criteria ii. above, applicants must also demonstrate genuine and sustained attempts to sell or let a site on reasonable terms for employment uses but have been unsuccessful. Planning applications should demonstrate that the site has been recently, comprehensively, marketed for employment use for at least 12 months.

Where proposals involve introducing new uses on sites adjacent to employment uses, they must be compatible with the continued operation of the employment use.

## Military establishments



**5.12** Large areas of Wiltshire have been used by the military for training purposes throughout the last century. The presence of the military has brought many benefits, particularly to the environment and the economy. In recent years there has been a rationalisation of operational facilities and establishments including a greater concentration of the Army on Salisbury Plain Training Area under the Army Basing Programme.

**5.13** In future years, the Army will undergo its most radical transformation in 20 years under the new Future Soldier programme. The outcome will be a more agile, more integrated and more expeditionary Army, that is fit for the challenges of the future. The Ministry of Defence's Strategy for Defence Infrastructure (2022) provides the framework for the transformation and modernisation of the defence estate and development of its assets over the coming decades.

It includes raising the standard of living accommodation for service personnel, improving the quality of workplaces and maintaining facilities to support defence's delivery of globally leading technologies. The estate is fundamental to military capability and the strategy will not only direct activity across Defence infrastructure but provide an ambitious landmark for future aims, such as contributing to the UK's net zero and sustainability commitments.

**5.14** The Ministry of Defence has significant assets across Wiltshire and there is a need to plan for important changes to existing facilities and address the challenge of finding appropriate re-use for redundant facilities. In line with government policy, support is provided for new development required for operational defence and security purposes at operational military establishments. However, applications for development which conflict with other policies of the development plan must be accompanied by a reasoned justification as to why the development should, nonetheless be considered suitable. The historic military estate in Wiltshire is of exceptional significance which should be taken into account in developing proposals and decision making.

**5.15** The re-use of any redundant Ministry of Defence sites, where appropriate, will be determined through masterplans, developed with the local planning authority in conjunction with the local community, to ensure the holistic planning of a site or sites in a locality, rather than piecemeal development. However, the type and quantum of development must be appropriate to the context of the site, in particular its relationship to existing settlements, and broadly align with the scale of growth supported by other policies of the Plan. Owing to the rural nature of many Ministry of Defence sites, consideration should also be given to:

- the location of sites in terms of accessibility and access to local services;
- infrastructure capacity including impacts on transportation routes;
- the suitability for conversion and retention of existing buildings;
- retaining areas of biodiversity, appropriate green space and landscaping measures;
- conserving and enhancing areas of archaeological significance; and
- consolidation of the buildings on a site and reversion of land to open countryside.

## **Policy 66**

### **Military establishments**

#### **Operational military establishments**

New development within or adjoining operational military establishments that is demonstrated to be required for operational defence and security purposes, and helps enhance or sustain their operational capability, will be supported in principle.

#### **Redundant military establishments**

The change of use, conversion, or redevelopment of redundant military establishments outside settlement boundaries to employment uses will be supported where they satisfy the following criteria:

- i. the site is well related to an existing settlement in terms of both location and scale;
- ii. the site can be served by adequate access, choice of transport modes and supporting infrastructure to not compromise the resilience and integrity of the highway network;

- iii. the proposal does not result in development on undeveloped land or on areas of open space;
- iv. the building(s) is/are capable of conversion without major rebuilding; and
- v. redevelopment proposals will only be supported where it can be demonstrated that the existing building(s) is/are not suitable for re-use or conversion and the scale of development is appropriate to the scale of the related settlement.

Sites that are isolated can be considered where the existing buildings and infrastructure on the site are suitable for redevelopment, conversion or change of use, and the site can be served by adequate access and infrastructure. Redevelopment proposals will only be supported where it can be demonstrated that the existing building(s) is/are not suitable for re-use or conversion, and the redevelopment proposal does not exceed the general footprint and floorspace of the existing building(s).

Where there is clear evidence that employment uses are not practical propositions, other uses, subject to the above criteria and that are determined through a masterplanning approach, may be appropriate. The masterplan should be developed with the local planning authority, including frontloaded consultation and partnership working with the local community and other relevant stakeholders, and submitted as part of any planning application.

#### **Development at all military establishments**

All new development at operational and redundant military establishment should be of a scale, design and use that enhances the character of the site and should be compatible with its wider landscape setting, should mitigate any adverse impacts on local infrastructure, and should be informed by the cultural and historical significance of the military facilities located on the site.

## **Sequential test and retail impact assessment**

- 5.16** National planning policy requires the application of the sequential test on proposals for new Main Town Centre Uses situated outside of defined town centres, unless otherwise identified by other policies within the Development Plan. The term Main Town Centres Uses is defined by the National Planning Policy Framework, with these generally being most retail, leisure, cultural and office uses. The principle of this test is to direct new Main Town Centre Uses towards town centres. Where no central sites are available, preference should be given to edge of centre sites over out of centre sites. Town centre boundaries are identified on the Policies Map and in Appendix E.
- 5.17** The sequential test will apply to all proposals to increase retail floor space. Examples of where the test will apply include demolition of an office unit and construction of a retail unit, as this constitutes a new development; and conversion of a residential unit to an office, where planning permission is required for this change of use. In line with national planning policy, the test should not be applied to proposals for small-scale rural offices or other small scale rural development. In meeting the sequential test, it is expected that the onus is on the applicant to demonstrate compliance with the sequential test. Proposals will need to demonstrate:
- flexibility in scale and format; and
  - a comprehensive assessment of accessibility and connectivity in relation to edge and out of centre sites, particularly for competing edge and out of centre sites.



- 5.18** National planning policy requires retail and leisure development proposals over 2,500 sqm gross floorspace, which are not in the town centre and not in accordance with an up to date development plan, to be accompanied by a retail impact assessment. Evidence <sup>24</sup> has considered factors set out within national planning policy guidance in establishing a locally defined threshold. This found that the size of town centres within the retail hierarchy vary significantly, with the centres of Salisbury, Trowbridge and Chippenham being materially larger than most other centres. Further to this, unit sizes also vary, particularly for comparison goods retail. A lower threshold would therefore, more appropriately relate to the lowest common denominator. Wiltshire is not subject to a substantial amount of out of centre retail floorspace, with Salisbury, Trowbridge and Chippenham providing a large proportion of this. A succession of planning applications where the individual impacts are assessed as insignificant, could lead to a cumulative build-up of adverse impacts on the health of town centres. This further suggests that a lower threshold is appropriate to enable decision makers to assess cumulative impacts from a build-up of retail and leisure units outside of town centres.
- 5.19** The threshold of 200sqm adopted by the Wiltshire Core Strategy 2015 is considered to remain appropriate. This threshold applies to stand-alone retail floorspace, proposed extensions to existing stores and applications to vary the range of goods to be sold from existing floorspace. The threshold is applicable to proposals in edge of centre and out of centre locations, unless otherwise identified by other policies within the Development Plan. The impact assessment required will be proportionate to the scale of the proposed development. The scope of any impact assessment should be agreed through the pre-application process prior to the submission of a planning application. Assessments should take account of considerations outlined within national planning policy and include consideration of:
- the characteristics of the proposed development, including the various scenarios for its retail offer;
  - the catchment area of the proposal and town centres where 'health' could be affected by the proposal, including an assessment of their health;
  - the pattern of trade draw and trade diversion to the proposal and any restrictions which applicants are willing to accept on the proposed retail floorspace; and
  - town centre issues to be addressed, including retail impacts, identified by area strategies and/or neighbourhood plans.

## **Policy 67**

### **Sequential test and retail impact assessment**

Proposals for Main Town Centre Uses on sites which lie outside of the defined Town Centres (as defined on the Policies Map) must be accompanied by a sequential test. This requires applications for Main Town Centre uses to be located primarily in town centres and secondarily at edge of centre locations. Only in cases where suitable sites are not available, should out of centre sites be considered. In all circumstances, applicants are required to demonstrate flexibility in terms of the scale and format of their proposed development and in the consideration of alternative sites. In relation to edge and out of centre proposals, preference will be given to accessible sites that are well connected to nearby town centres.

<sup>24</sup> *Wiltshire Town Centre and Retail Study*, Avison Young (2020)

All proposals for retail or leisure uses over 200 sqm gross on sites outside of defined town centres are to be accompanied by a retail impact assessment, which will assess:

- i. the impact of the proposal on public and private sector investment within centres in the catchment area of the proposal; and
- ii. the impact of the proposal on town centre vitality or viability, including: local consumer choice and trade in the town centre and wider area; and a cumulative assessment of the proposal together with committed and recently completed developments, plus developments under construction.

## Managing Town Centres

- 5.20** The Plan seeks to enhance the vitality and viability of the town centres in Wiltshire through policies promoting the regeneration of central areas and delivery of new growth at settlements to support the vitality of centres. There is a challenge to ensure that the larger towns of Wiltshire, particularly the Principal Settlements of Chippenham, Salisbury and Trowbridge, strengthen their roles as shopping and leisure destinations to reduce the 'leakage' of trade to other larger competing centres such as Bath, Swindon and Southampton.
- 5.21** In determining the retail and leisure needs within Wiltshire, it is important to understand the role of the different town centres. National planning policy requires local plans to define a hierarchy of town centres and the extent of town centres and primary shopping areas.
- 5.22** The town centre hierarchy is largely consistent with the settlement hierarchy set out in Policy 1 (Settlement Strategy). The role of each centre correlates to the role of the wider settlement within the settlement hierarchy. The town centre hierarchy differentiates from the settlement hierarchy by defining town centres and primary shopping areas within the top three tiers. Within this hierarchy, Principal Settlements provide strategic centres; Market Towns are large shopping and service focused centres with smaller catchments; and Local Service Centres provide a range of shops and services for the local population, thus serving a village centre function. There is one departure from the settlement hierarchy which is the separation of Tidworth and Ludgershall. These two towns function together within the wider area, but the two settlements have spatially definable town centres. Tidworth provides the main shopping and service focus for both towns and the town centre functionally serves as the main town centre for this catchment. As such, it is appropriate to separate them within the town centre hierarchy. Ludgershall town centre has its own defined role and function as a Local Service Centre in this context.
- 5.23** Town centres and primary shopping area boundaries are identified on the Policies Map and at Appendix E. The methodology used in establishing these boundaries is set out within the Wiltshire Core Strategy Retail Review 2015, subsequently updated. Most significantly, this methodology looks to apply a consistent approach to defining town centre and primary shopping area boundaries, updating the different approaches adopted by the former district councils in earlier local plans.
- 5.24** Policy 68 (Managing town centres) outlines that uses falling into Class E of The Town and Country Planning (Use Classes) Order 1987 (as amended) and uses outside of this class, but within the definition of Main Town Centre Uses, are acceptable in principle within defined town centres. This approach aims to ensure that commercial, business, service and leisure uses

are directed towards the heart of our communities. These uses are therefore encouraged to support the long-term vitality and viability of Wiltshire's defined town centres. Within primary shopping areas, retail; food and beverage; services; and other commercial uses to encourage footfall, are accepted. This approach looks to be effective in light of the freedom that the Use Classes Order provides existing retail and other Class E floorspace. Primary shopping areas make a key contribution to the overall vitality and viability of town centres. The aim of this approach is to ensure that primary shopping areas are the principal location for new and retained retail, professional service and leisure uses. Where possible, the loss of these uses should be avoided. Where Class E restricts planning controls in retaining specific uses within primary shopping areas, development management decisions should look to retain active frontages and active ground floor uses that encourage footfall and support the overall vitality and vibrancy of the town centre.

**5.25** When assessing whether a proposal maintains and enhances the vitality and viability of a town centre, the applicant will need to demonstrate how the proposal:

- supports the role and function of the centre. Having regard to the specific role and function of the town centre in question, whether the nature and character of the proposed use is supportive of that role, including its ability to serve the needs of its catchment population;
- ensures the continued retail function of the centre, whilst also encouraging a greater diversity of uses;
- ensures town centre vitality throughout the day and, potentially, the evening. Ensuring that uses contribute to the vitality and attractiveness of the centre throughout the day and evening;
- for primary shopping areas, provides an active frontage and maintains the character of the shopping area. With this supported by an up-to-date town centre land use survey, including shopping vacancy rates;
- considers, where applicable, the length of vacancy of the unit and the efforts to market the unit for its existing permitted use. The need to actively consider a change to an alternative use could, in part, be influenced by the length of time that a unit has remained vacant. In this regard, evidence of marketing the unit for the permitted use will be salient; and
- avoids adverse impacts on amenity - whether the proposed use would give rise to noise, smell or other environmental problems.

**5.26** Place based town centre strategies provide detail, including place specific challenges or priorities, for considering development proposals within and on the edge of defined centres at Principal Settlements and Market Towns. This includes the allocation of sites where this is appropriate in supporting the vitality and viability of a town centre. It is envisaged that further detailed policy to address town centre issues within each of the main towns is to be addressed through neighbourhood plans or another similar process.

**5.27** The council is also actively committed to working with town and parish councils to channel investment opportunities into town centre renewal projects. For the purposes of these projects, towns are classified into groups based upon their functionality, as set out in Table 5.1. The functional descriptions influence the type of renewal projects that are being delivered with the aim of ensuring that change is delivered in a manner that reflects the nature and character of the place.

**Table 5.1 Settlement classifications**

Settlement Type	Settlement
Principal Settlements	Chippenham, Salisbury, Trowbridge
Heritage Towns	Bradford on Avon, Corsham, Devizes, Malmesbury, Marlborough
Transition Towns	Amesbury, Calne, Melksham, Royal Wootton Bassett, Warminster, Westbury
Smaller Towns	Cricklade, Downton, Ludgershall, Mere, Pewsey, Tidworth, Tisbury, Wilton

## Policy 68

### Managing town centres

#### Town centre hierarchy

- **Principal Settlements** – Chippenham, Salisbury, Trowbridge
- **Market Towns** – Amesbury, Bradford on Avon, Calne, Corsham, Devizes, Malmesbury, Marlborough, Melksham, Royal Wootton Bassett, Tidworth, Warminster, Westbury
- **Local Service Centres** – Cricklade, Downton, Ludgershall, Market Lavington, Mere, Pewsey, Tisbury, Wilton.

#### Town centre boundaries

Town centre boundaries have been defined for the centres identified by the town centre hierarchy, as illustrated by the Policies Map. Proposals for uses falling into Use Class E or the definition of Main Town Centre Uses will be supported within town centre boundaries, where they maintain and enhance the vitality and viability of the town centre, provided they do not conflict with other policies of the Development Plan.

Proposals for the conversion of ground floor uses falling within Class E to residential development within town centre boundaries will not be supported unless identified by other policies of the Development Plan. Proposals for the change of use of existing upper floors to residential will be supported, except in circumstances where their use would be detrimental to the amenity of neighbouring activities, or would have a negative impact upon the successful running of the ground floor commercial unit, or the living conditions of future users and occupiers. The assessment of this impact should be carried out in line with the assessment of maintaining and enhancing vitality and viability.

The use of land for markets will be supported.

#### Primary shopping areas

Primary Shopping Areas have been defined within town centre boundaries, as identified by the Policies Map. Primary shopping areas are the priority locations for new and existing shopping facilities and other active ground floor uses. Proposals should retain and enhance active frontages within primary shopping areas to support the wider attractiveness of the town centre. Specifically, proposals for physical development works, where the change of use doesn't require planning permission, should maintain and enhance the vitality and viability of the town centre, avoiding

harm to the attractiveness of the primary shopping areas through the loss of an active frontage. Protection of character and appearance will be particularly important in town centres which are also subject to conversation area designations.

Generally, the following uses will be supported within primary shopping areas:

- shops, food and beverage outlets
- financial and professional services
- other main town centre and Use Class E uses which promote active ground floor uses and draw footfall

Provided that:

- i. proposals retain or improve active frontages and active ground floor uses;
- ii. proposals do not conflict with other policies of the Plan.

Town centre strategies within the Plan may provide more detail in relation to the kinds of uses that are accepted within different areas of the town centre.

## Tourism and related development



- 5.28** Wiltshire has a wealth of natural and heritage assets, designated landscapes and canals which attract national and international visitors. The county is also well positioned for visiting other popular locations such as the New Forest, the Cotswolds and Bath.

- 5.29** The visitor economy is important for Wiltshire and there is a high volume of visitor related employment, with the Stonehenge and Avebury World Heritage Site being one of the main attractions, alongside attractions such as Longleat and Salisbury Cathedral. Stonehenge is a major Wiltshire attraction and has long been one of the Top 10 major paid attractions at national level. The Plan supports the visitor economy, improving seasonality and spreading the financial benefits more widely around the county.
- 5.30** The Local Industrial Strategy for Swindon and Wiltshire<sup>25</sup> highlights the roles of Salisbury and The Great West Way initiative as elements that can help the county's tourism sector realise its potential. Salisbury, in particular, is being repositioned as a centre of heritage, culture and tourism via the vehicle of the city's Central Area Framework<sup>26</sup>.
- 5.31** Luxury, boutique and high-quality hotel and visitor accommodation businesses perform strongly in Wiltshire and represent an opportunity to attract lucrative markets. There is scope for additional supply at the higher end of the offer through the upgrading and repositioning of existing stock and the opening of new establishments. However, to support projected growth in the sector, visitor accommodation studies for the county identify a lack in many types of different accommodation. Opportunities for growth include: budget accommodation; holiday parks and eco lodges; boutique hotels in market towns; glamping, camping and caravan sites; pub and farm stay accommodation; activity holidays and residential centres.
- 5.32** If the county is to compete successfully and attract market segments that risk going elsewhere, it needs more of the above types of accommodation in rural settings. There is also a need to recognise that rural hotels and tourism businesses may benefit from permanent accommodation to aid the retention and attraction of staff and facilitate year-round operation.

## Policy 69

### Tourism and related development

Tourism and related development will be supported where it can be demonstrated that the proposal will result in economic, social and environmental benefits for the local area and:

1. is within a Principal Settlement or Market Town; or
2. outside the Principal Settlements and Market Towns, tourist and related development should be located in, or close to Local Service Centres or Large and Small Villages and, where practicable, be located in existing or replacement buildings.

All proposals for tourism and related development, including the intensification of existing tourist facilities must demonstrate as appropriate that they will:

- not have a detrimental impact on landscape, heritage assets, biodiversity and the amenity of local residents;
- avoid unacceptable traffic generation and promote active and sustainable travel options;
- not lead to adverse impacts such as light, noise and odour impacts, particularly in rural or isolated locations. Assessments may be required to address the potential for adverse effects associated with new development;

<sup>25</sup> *Local Industrial Strategy for Swindon and Wiltshire*, SWELP (March, 2020)

<sup>26</sup> *Salisbury Central Area Framework*, Civic Engineers, SQW, Wiltshire Council, and Tibbalds (August, 2020)

- be capable of accessing local services and a local employee base;
- not significantly impact the vitality of town centres; and
- not replace permanent dwellings, and be restricted to either short-term holiday uses or enable the on-site retention of key staff where necessary.

## Sustainable transport



**5.33** Transport features either directly or indirectly result in a number of the challenges and objectives of the Local Plan. To help resolve these challenges and achieve the objectives, a sustainable transport system needs to be maintained and improved for Wiltshire that reflects local circumstances and objectives. The way in which this will be achieved is set out in the remaining policies in this chapter in association with other relevant plans, including the Local Transport Plan.

**5.34** Policy 70 (Sustainable transport) focuses development growth primarily in the identified Principal Settlements and Market Towns. To support their strategic employment and service roles, and better self-containment, proportionate packages of integrated transport measures will be developed and implemented. These will be supported and funded through a number of processes including developer contributions, Local Transport Plan funding and joint working with partners and other stakeholders.

## Policy 70

### Sustainable transport

The council will seek to help people travel shorter distances and use sustainable modes in order to reduce transport carbon emissions, whilst recognising the need to keep the economy moving, and support the safe and efficient movement of people and goods within and through Wiltshire. This includes in rural areas where it is recognised that sustainable transport options are limited. This will be achieved by:

- planning significant developments in locations that are or can be made accessible by sustainable transport modes, including walking and cycling facilities;
- promoting walking, cycling and public transport to be the natural first choice for shorter and single journeys in urban areas;
- promoting appropriate demand management measures that reflect local circumstances and objectives working with partners;
- working with partners and others to deliver electric vehicle charging and other alternative fuel infrastructure;
- influencing the routing of freight within and through the county to ensure appropriate use of the Strategic and Primary Road Network;
- assessing and, where necessary, mitigating the impact of developments on transport users, local communities and the environment; and
- developing proportionate transport strategies for the Principal Settlements and Market Towns. These will be supported and implemented through private and public funding opportunities, including developer contributions, as well as joint working with partners and other stakeholders.

## Transport and new development

- 5.35** New development can potentially have both positive and negative impacts in terms of transport provision and effects on the road network. It is for this reason that the transport impacts of new developments need to be assessed in accordance with national guidance, including where appropriate, the submission of Transport Assessments. As part of a required Transport Assessment, it must be demonstrated that the needs of all transport users (where relevant) have been considered.
- 5.36** Planning development in locations that are, or can be made accessible, means that new and existing communities can access their needs (e.g. shops, schools and employment) easily and without always needing a car. Providing functional accessibility between new development proposals and existing communities can also change people's travel behaviour towards more sustainable transport alternatives such as walking, cycling and public transport.
- 5.37** However, some new developments have not always catered (e.g. by having layouts which are bus friendly), or provided (e.g. by having convenient cycle storage) for the needs of sustainable transport users or operators. This is no longer acceptable. Therefore, as part of a required transport assessment, it must be demonstrated that the needs of all transport users (where relevant) have been considered.



- 5.38** A key consideration is to ensure that development proposals achieve a suitable connection to the highway that is safe for all road users.
- 5.39** In these times of ‘just in time’ deliveries, the failure to provide adequate loading/unloading facilities in developments can lead to congestion, safety, community and environmental impacts as Heavy Goods Vehicles (HGVs) seek to park on the highway or elsewhere while waiting for allocated delivery time slots.
- 5.40** Developers will be required, where appropriate, to contribute to sustainable transport improvements and also be required to submit a travel plan with planning applications which are likely to have significant transport implications. The travel plan should aim to promote more sustainable forms of transport including, where relevant, more sustainable freight delivery and routing arrangements. The detailed requirements for travel plans are set out in additional guidance <sup>27</sup>.
- 5.41** Electric vehicle infrastructure in new development will be required to be implemented in accordance with relevant national and local guidance. In support of Part S of Schedule 1 to the Building Regulations 2010, the government has published ‘Infrastructure for the Charging of Electric Vehicles – Approved Document S (2021 Edition)’. In March 2022, the government published ‘Taking charge: the electric vehicle infrastructure strategy’. This strategy sets out the government’s vision and action plan for the rollout of electric vehicle charging infrastructure in the UK and includes the requirement for each local transport authority to develop a local electric vehicle infrastructure strategy.

## Policy 71

### Transport and new development

In urban areas, new development will be supported where users can access a choice of sustainable transport modes and opportunities are provided to make improvements. In rural areas, it will be recognised that access to sustainable transport options will be limited but opportunities should be taken to allow people to travel by a choice of transport options.

When considering the transport implications of a development, the following will need to be taken into consideration:

- a. visually impaired and other disabled people
- b. pedestrians
- c. cyclists/scooting
- d. public transport
- e. goods and service vehicles, and emergency vehicles
- f. micromobility vehicles
- g. powered two-wheelers
- h. car clubs, car sharing, taxis

<sup>27</sup> *Travel Plans, Transport Assessments and Statements, Government Guidance* (March, 2014)

- i. private car
- j. freight

Development proposals must be capable of being served by suitable and safe access to the highway network.

Where required as part of the normal functioning of the proposed development, fit for purpose and safe loading/unloading facilities must be provided.

Where appropriate, developer contributions will be sought towards sustainable transport improvements, and travel plans will be required to promote the use of sustainable transport alternatives and more sustainable freight movements. Electric vehicle infrastructure will be required in accordance with national or local standards as relevant.

Where necessary, development should provide appropriate mitigating measures to offset any adverse impacts on the transport network at both the construction and operational stages.

## Development impacts on the primary and major road networks

**5.42** Outside of built-up areas, proposals that involve a new direct access onto the national primary route network or major road network will not be permitted in order to assist with traffic flow and reduce risk. Exceptions will only be made where the type of development is such that it requires a primary route or major road network location, such as a roadside service facility. For the avoidance of doubt (and to accord with the Department for Transport definitions) 'built up roads' relate to roads with speed limits (ignoring temporary limits) of 40mph or less, and 'over-riding need' would be typified by the provision of service areas, facilities for the travelling public, maintenance compounds and exceptionally, other major transport interchanges.

### Policy 72

#### Development impacts on the primary and major road networks

Proposals for new development should not be accessed directly from the national primary route network or major road network outside built-up areas in order to effectively manage traffic flow and reduce the risk to highway safety, unless an over-riding need can be demonstrated and the impacts can be safely mitigated.

## Demand management

**5.43** Given the rural nature of Wiltshire, demand management measures that reflect local circumstances and objectives will be used as part of an integrated approach to encourage the use of more sustainable modes of travel and to help reduce the reliance on vehicles. Further details on how the measures outlined in policy should be utilised are outlined in the Wiltshire Local Transport Plan (LTP) including the LTP Car Parking Strategy, Local Cycling and Walking Infrastructure Plans (LCWIPs) and LTP Smarter Choices Strategy. The approach to parking management is set out in the LTP Car Parking Strategy and includes policies on parking charges, parking standards and residents' parking zones.

- 5.44** Along with parking, traffic management measures are a key component of any integrated approach to transport planning. They can enhance the management and efficiency of the highway network and encourage the use of sustainable transport modes through a variety of measures such as the reallocation of road space, speed controls, pedestrian crossing facilities and intelligent transport systems. The implementation of any traffic management scheme will only be made after its effect on the surrounding highway network has been considered.

## **Policy 73**

### **Transport: demand management**

Demand management measures that reflect local circumstances and objectives will be required to ensure an integrated transport network and encourage the use of sustainable modes. These measures include:

- i. car parking management – managing the car parking stock through the implementation of appropriate supply, maintenance, charges, enforcement measures and electric vehicle infrastructure. These measures include:
  - a. public car parking charges
  - b. private non-residential parking standards
  - c. managing publicly available private non-residential parking
  - d. residential and workplace parking standards
  - e. electric vehicle charge point infrastructure
  - f. school travel plans
  - g. residents parking
- ii. traffic management measures;
- iii. smarter choices measures – such as travel plans, personalised travel planning, car sharing and information and marketing campaigns to influence people’s travel behaviour towards more sustainable travel options; and
- iv. infrastructure, such as cycle paths and cycle parking, to promote the use of active travel modes.

Further details on how the measures outlined above should be utilised are outlined in the Wiltshire Local Transport Plan (LTP) including the LTP Car Parking Strategy, Local Cycling and Walking Infrastructure Plans (LCWIPs) and LTP Smarter Choices Strategy.

## Movement of goods

**5.45** The way in which an efficient and flexible freight distribution system supports economic vibrancy and growth cannot be at the expense of the amenity of local communities or the environment. The council recognises this and takes seriously the need to achieve more sustainable distribution of freight that balances the needs of the economy, local communities and the environment. As part of this approach, realistic proposals (i.e. proposals where the need for intervention has been established and which are feasible, affordable, financially sound and publicly acceptable) for intermodal and other freight terminals will be supported and protected from inappropriate development. Further details of the council's approach to freight management are contained in the Wiltshire Local Transport (LTP) Plan Freight Strategy.

### Policy 74

#### Movement of goods

The council and its partners will seek to ensure that developments allow for the efficient movement of goods whilst using the planning system and other measures to actively manage the impacts of construction and distribution of freight traffic on the local community and environment. Lorry routes must be deemed appropriate and facilities servicing sites must be sufficient where proposals are likely to generate significant volumes of freight.

The following principles will be followed:

- i. Developments which generate significant volumes of freight traffic or involve the movement of bulk materials should be located close to the strategic transport network and where adverse impacts can be mitigated.
- ii. Developments which generate significant volumes of freight traffic or involve the movement of bulk materials should make use of rail transport for freight movements wherever practical.
- iii. The provision of rail freight interchanges in suitable areas will be supported and land required for realistically deliverable proposals will be protected from inappropriate development, that would prejudice the delivery of proposals that could otherwise be served by the rail network.
- iv. Where carriage of freight by rail is not realistic, operators of heavy goods vehicles (HGVs) should use those roads where a minimum of community and environmental impacts will occur, principally the advisory freight network. Where problems caused by HGVs making unnecessary and undesirable use of routes are identified (other than on advisory freight routes), appropriate freight management processes may be employed.
- v. Developments in town centres generating freight movements should demonstrate how and where sustainable last mile delivery options are achievable.
- vi. Developments where lorry parking is deemed necessary should demonstrate that the demand and potential for alternative fuel/charging facilities can be satisfied.

## Strategic transport network

- 5.46** The function of the strategic transport network is primarily to cater for the efficient movement of inter-urban and long-distance trips. In doing so, the strategic transport network can support the vision and objectives of the Plan.
- 5.47** The A350 corridor links five major towns in the west of the Plan area including the Principal Settlements of Chippenham and Trowbridge. The corridor is made up of the A350 national primary route between the A303 and M4, and the TransWilts rail line between Warminster and Chippenham. The A350 corridor forms part of the Western Gateway Sub-national Transport Body's (WGSTB's) Midlands to South Coast strategic corridor.
- 5.48** A number of sections of the A350 primary route carry the highest volume of traffic and HGV movements on the county's non-trunk road primary routes. Because of its strategic importance, and the locally significant traffic growth that has occurred in the last twenty years, the route will continue to be selectively improved to maintain and enhance journey safety and time reliability. The proposed improvements to the A350 primary route will provide significant relief and environmental benefits, particularly for local residents, and the improved standard of provision of this road will aid the employment growth at Chippenham, Melksham, Trowbridge, Westbury and Warminster.
- 5.49** The A36 corridor links Salisbury with Warminster and Bath, and Southampton on the south coast. It is made up of the A36 (Strategic Road Network) trunk road and the Wessex Main Line. The A36 corridor forms part of the WGSTB's Midlands to South Coast strategic corridor.
- 5.50** The A303 corridor runs through the south of the county and is a strategically important route for tourist traffic and inward investment opportunities. The planned A303 Stonehenge improvements will bring improvements to the area, including the enhancement of the historic landscape significance associated with the Stonehenge, Avebury and Associated Sites World Heritage Site.
- 5.51** Road improvements on non-trunk road national primary and major road network routes will be restricted to single carriageway enhancements to achieve positive road safety and environmental benefits, unless there is a need to provide continuity with existing standards and this can be achieved without unacceptable impacts on the natural environment.
- 5.52** Work will be undertaken, in conjunction with the Department for Transport, Network Rail, train operating companies and other agencies, to support the opening and improvement of local rail stations and the provision of additional rail services where these primarily facilitate short distance passenger journeys such as those wholly within Wiltshire or to destinations in adjacent areas. Where appropriate, the council will consider financially supporting such initiatives. Subject to the provision of suitable stopping train services, priority will be given to new stations at Corsham, Devizes and Royal Wootton Bassett, an improved station at Melksham, and an additional platform at Westbury station. Developments that would prevent realistic rail proposals such as these would not be supported.

**5.53** The strategic transport network is made up of the following:

- The national primary route network (including the strategic road network):
  - strategic road network – M4, A303, A36, A419
  - major road network – A338 (Salisbury to Bournemouth), A350 (M4 to A36), A361 (west of Semington), A363, A3094
  - primary route network – A4 (west of Chippenham), A30 (St Thomas’s Bridge to Salisbury), A338 (Burbage to Salisbury), A346 (M4 to Burbage), A350 (south of A36 Warminster), A354, A429
- The strategic advisory freight route network – M4, A303, A350, A36, A419, A34 (east of Wiltshire)
- The strategic bus network: services linking the towns and larger villages with each other and with higher order centres, or providing them with access to the rail network if they do not have a rail station
- The rail network:
  - Berks and Hants Line (London – South West England via Westbury)
  - Greater Western Main Line (London – Bristol / South Wales)
  - Heart of Wessex Line (Bristol to Weymouth)
  - Waterloo to Exeter Line
  - Wessex Main Line (Cardiff to Portsmouth)
  - Westbury – Swindon line (via Melksham)

## **Policy 75**

### **Strategic transport network**

The strategic transport network is shown on Figure 3.2 and includes:

1. the national primary route network (including the strategic road network)
2. the strategic advisory freight route network
3. the rail network
4. the strategic bus network

During the Plan period the strategic transport network along the A350, A36 and A303 corridors will be maintained, managed and improved to support development growth at Chippenham, Melksham, Salisbury, Trowbridge, Westbury and Warminster. To that end, the National Highways Strategic M4 to South Coast Study and A303 Stonehenge improvement are especially relevant.

The development and/or improvement of the following railway stations will be promoted and supported:

- a. Corsham railway station
- b. Devizes railway station

- c. Melksham railway station
- d. Royal Wootton Bassett railway station
- e. Westbury railway station

The land required for these station improvements and other realistic proposals on the strategic transport network which support the objectives and policies in the Local Plan will be protected from inappropriate development.

Other potential rail improvements will be considered throughout the Plan period in association with relevant partners.

## Social

### Providing affordable homes

- 5.54** Policy 76 (Providing affordable homes) sets out when affordable housing provision will be required and indicates the proportions which will be sought from open market housing development. Both housing and planning policies will be used to promote the delivery of new affordable homes. This policy intends to provide a clear and robust planning policy framework for all those involved in the delivery of affordable housing.
- 5.55** Appropriate tenure<sup>28</sup> and affordability are key to meeting housing needs and to developing mixed, balanced and inclusive communities. The provision of affordable housing linked to open market housing development must be realistic, with regard to economic viability, but flexible to variations between sites and changes in market conditions over the plan period.
- 5.56** First Homes are a new discount market sale form of affordable housing. They must be discounted by a minimum of 30% against the market value with the first sale price no higher than £250,000 in Wiltshire. They must always be sold to qualifying first time buyers, with the discount and restrictions passed on to subsequent owners in perpetuity. If appropriate, detailed guidance will be produced by the council in relation to the delivery of affordable housing including the appropriate assessment of viability and appropriate development standards.
- 5.57** Policy 76 (Providing affordable homes) sets out the council's approach to affordable housing delivery and sets a requirement of at least 40% affordable housing, recognising that it may vary on a site-by-site basis, including because of viability. This may be the case with complex brownfield sites, such as the allocation on Land at Innox Mills, Trowbridge (Policy 55) where affordable housing has been lowered to a minimum of 10%. In a number of settlements (Salisbury, Amesbury, Tidworth and Ludgershall, Warminster, Westbury, Trowbridge, Melksham, Devizes, Chippenham and Royal Wootton Bassett), viability evidence<sup>29</sup> is indicating that brownfield sites may not be able to deliver 40%. However, in reality the

<sup>28</sup> National Planning Policy Framework 2023 Annex 2 Glossary defines Affordable Housing as including Affordable Housing for Rent; Starter Homes; Discounted Market Sales Housing and Other Affordable Routes to Home Ownership which includes shared ownership, relevant equity loans, other low cost homes for sale (at a price equivalent to at least 20% below local market value) and rent to buy (which includes a period of intermediate rent).

<sup>29</sup> *Assessment of Local Plan viability and review of the Wiltshire Community Infrastructure Levy Charging Schedule*, Urba & Porter Planning Economics (2023)

individual circumstances of such sites will inform what is possible as brownfield development sites and schemes will be unique and will present a range of circumstances to address. For example:

- The nature of existing uses on sites will influence and generate different existing use values which, in turn, will influence the potential composition of redevelopment schemes.
- The capacity of existing schools in settlements will likely vary and therefore assumed education requirements will also vary, thereby altering the policy requirements on sites.
- If there are existing buildings on sites, vacant building credits could be applied and Community Infrastructure Levy payments could be reduced, if the existing buildings has been in lawful use for a continuous period of 6 months within the past 3 years.

**5.58** The following considerations will apply depending on whether development sites are within a designated area or not, as illustrated on Figure 5.1:

- on sites not within a designated rural areas<sup>30</sup> which provide 10 or more dwellings, or are 0.5 ha in size or more (whichever is the lower threshold).
- on sites within designated rural areas<sup>31</sup> which provide 5 or more dwellings or are 0.5ha in size or more (whichever is the lower threshold).

**5.59** The council may seek to designate further areas during the Plan period.

**5.60** Where the policy generates a requirement which does not equate to a whole unit, the calculation will be rounded to the nearest whole affordable housing unit.

**5.61** Affordable housing is to be distributed across a site in small clusters. Generally, sites with 10 or more affordable dwellings will be expected to deliver these in at least two clusters, with a maximum cluster size of 15 affordable housing dwellings; unless otherwise agreed by the council.

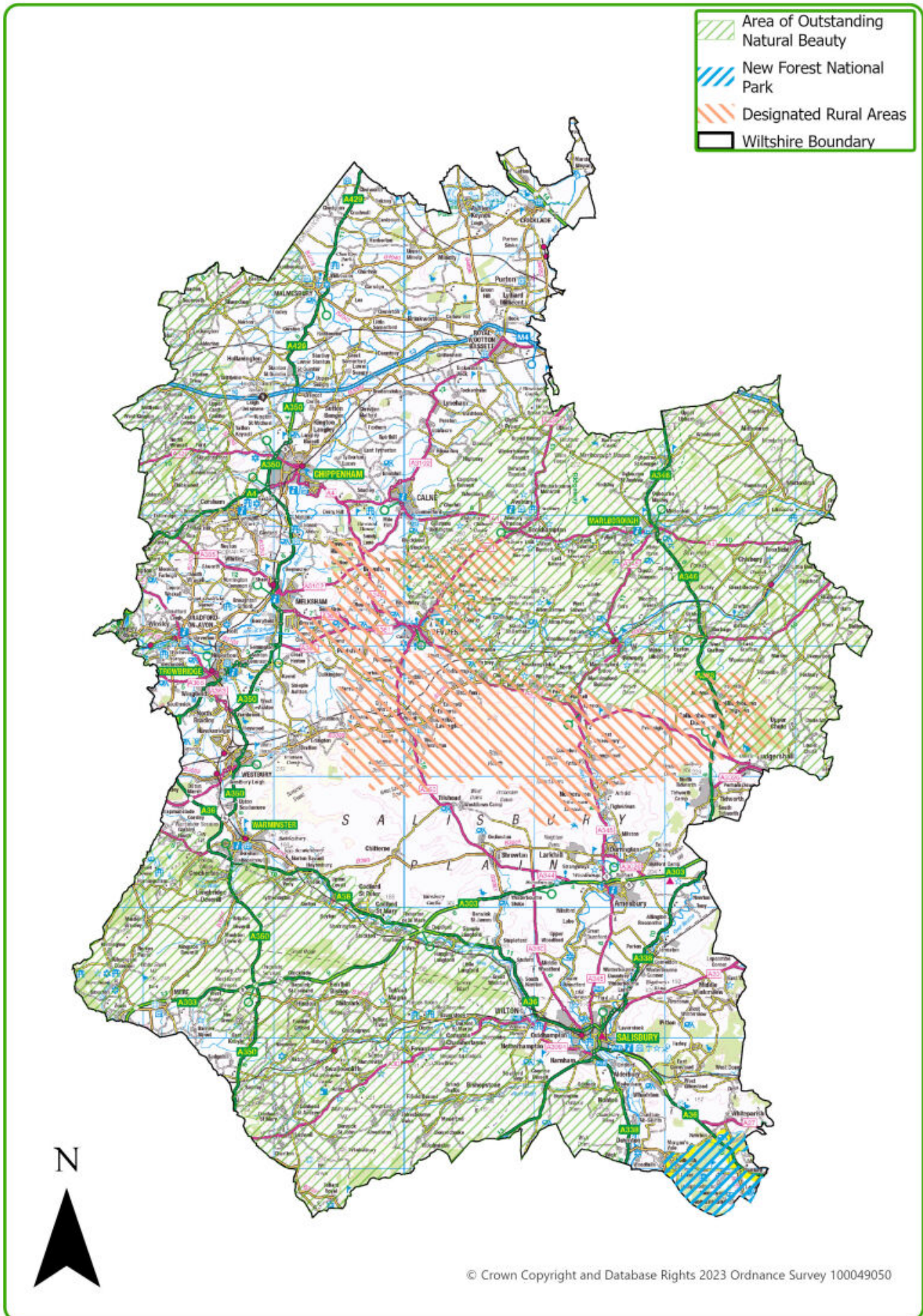
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<sup>30</sup> Those areas of Wiltshire which aren't within an Area of Outstanding Beauty or which haven't been designated as a rural area by the Secretary of State under S157 (1)(c) of the Housing Act 1985 (Designated Rural Areas).

<sup>31</sup> Designated rural areas include National Parks; Areas of Outstanding Natural Beauty and areas designated by the Secretary of State as 'rural' under S157 (1)(c) of the Housing Act 1985 (Designated Rural Areas). In Wiltshire, the following parishes are designated rural areas: Bishop Cannings, Bromham, Charlton, Cheverall Magna, Cheverall Parva, Chirton, Collingbourne Ducis, Collingbourne Kingston, Easterton, Enford, Erlestoke, Etchilhampton, Everleigh, Fittleton, Marden, Market Lavington, Marston, Netheravon, Potterne, Poulshot, Roundway, Rowde, Rushall, Seend, Stert, Upavon, Urchfont, West Lavington, Wilsford and Worton. The Areas of Outstanding Natural Beauty that fall within the planning jurisdiction of Wiltshire Council are: Cranborne Chase and West Wiltshire Downs Area of Outstanding Natural Beauty, North Wessex Downs Area of Outstanding Natural Beauty and Cotswolds Area of Outstanding Natural Beauty. This list may change, and more parishes may become designated rural areas. Please check the council's website for updates.



Figure 5.1 Designated Rural Areas in Wiltshire



## **Policy 76**

### **Providing affordable homes**

#### **Provision**

Affordable housing provision of at least 40% (net) will be required, as follows:

- i. on sites of ten or more dwellings or 0.5ha or more (lower threshold applies) in areas that are not designated as rural areas; or
- ii. on sites of five or more dwellings or 0.5ha or more (lower threshold applies) in Designated Rural Areas, as shown in Figure 5.1 and identified on the Policies Map.

Only in exceptional circumstances, where it can be proven that on-site delivery is not possible, will a commuted sum be sought.

The provision of affordable housing may vary on a site-by-site basis taking into account evidence of local need, mix of affordable housing proposed and, where appropriate, the viability of the development and where this would not lead to unsustainable development. All affordable housing will be subject to an appropriate legal agreement with the council.

This level of provision should be delivered with nil public subsidy, unless otherwise agreed by the council.

#### **Tenure**

The tenure mix on all sites will normally be 65% Affordable Housing for Rent, 10% Shared Ownership and 25% First Homes.

Tenure will be reviewed and negotiated on a site-by-site basis to reflect the nature of the development and local needs as set out in Policy 78 (Meeting Wiltshire's housing needs).

#### **On site distribution and standards**

Affordable housing units will be distributed across the whole site in small clusters and their appearance and parking designed to a high quality, so as to be indistinguishable from other development. In determining the level of integration that can be achieved, consideration will be given to the practicalities of management and maintenance associated with the proposal whilst still ensuring affordability, particularly in developments of flats.

## Rural exceptions sites



- 5.62** Policy 77 (Rural exception sites) allows for the allocation of, or granting of planning permission for small sites comprising affordable housing only as an exception to normal policies. The policy sets out the criteria against which such proposals will be evaluated and under what circumstances schemes solely for affordable housing may be permitted.
- 5.63** In doing so, the Plan recognises the particular difficulties in securing an adequate supply of affordable housing for local needs in rural areas. As an exception to normal policy therefore, and where it can be demonstrated that a proposed development will meet a particular locally generated need that cannot be accommodated in any other way, the council may permit small scale residential development (20 dwellings or fewer) outside, but adjoining the settlement boundaries Local Service Centres and Large Villages, or adjacent to the existing built area of Small Villages and other settlements not identified in the settlement strategy. As such schemes are dependent upon local needs, it is anticipated that there would only be the need for one scheme at a settlement over the Plan period if necessary.
- 5.64** The council may also consider exception to site development that includes cross-subsidy from open market sales on the same site. However, these would be limited to defined settlements and in considering such schemes, the applicant would need to demonstrate to the council's satisfaction that the open market element is essential to the delivery of the development. A full, open-book financial appraisal will be required to accompany any application. The land values in the detailed financial appraisal should be benchmarked against those for agricultural land in the local area and historic values of exception sites.

**5.65** For all proposals, it is important that the scale and type is appropriate to the nature of the settlement and will respect the character and setting of that settlement.

## **Policy 77**

### **Rural exceptions sites**

At settlements defined as Local Service Centres and Large Villages, housing development outside but adjoining settlement boundaries or, for Small Villages and those not identified within the settlement strategy, adjoining the built area, housing will be supported where its primary purpose is to provide affordable homes to meet the local needs of a settlement, provided:

- the proposal consists of 20 dwellings or fewer and will be no greater than 5% of the size of the settlement;
- the type, size and tenure reflect identified local needs as evidenced on Wiltshire Council's housing registers<sup>32</sup> and/or through a local housing needs survey;
- the housing provided will remain in perpetuity to meet defined local needs, initially and on subsequent change of occupant secured by an appropriate legal agreement.

### **Cross-subsidy**

Proposals at Local Service Centres, Large and Small Villages which include some market housing will be supported where it is necessary to enable development and can be demonstrated that the site would be unviable, as an exception site that meets the above criteria, without cross-subsidy. In these circumstances:

- The majority of the development is for affordable housing and up to 33% of the housing is market housing.
- It has been demonstrated through detailed financial appraisal that the scale of the market housing component is essential for the successful delivery of the development and is based on reasonable land values as an exception site.
- No additional subsidy for the scheme and its affordable housing delivery is required.

<sup>32</sup> A register of people seeking housing in a local council's administrative area, it may include both those who are in affordable housing need and those who are not eligible for affordable housing but who are still seeking housing in the local authority area.

## Meeting Wiltshire's housing needs



- 5.66** It is fundamental to the success of this Plan that the right types of homes are delivered. Policy 78 (Meeting Wiltshire's housing needs) provides the basis for considering dwelling type and mix of housing to be built including specialist homes. The consideration of local housing need is important to the quality of life for residents within Wiltshire. All people should have access to a good home, irrespective of their personal circumstances. That means providing an appropriate range of dwellings in terms of size and price, from one-bedroom apartments to large family homes; as well as homes that meet the needs of elderly people enabling them to live in their homes longer and those of vulnerable people.
- 5.67** Wiltshire has an ageing population, more so than the national average, and this needs to be taken into account when planning for new housing. The population projections underlying the Wiltshire Local Housing Needs Assessment (LHNA) Update Volume 2 (2023) identifies the accommodation needs of different groups within Wiltshire helping ensure that the needs of Wiltshire's local communities can be addressed. The Wiltshire LHNA should be considered alongside Policy 78 (Meeting Wiltshire's housing needs). The mix of housing provided will vary from site to site, but the aim should be to provide a range of types and sizes of homes that take account of the existing housing needs in the area. It shows that Wiltshire will have a substantial increase in the older population during the Plan period.
- 5.68** This Plan considers the care of the elderly within their local communities, so people can continue to enjoy life in their own homes for as long as possible. When this is no longer possible, there is a need to ensure there are alternative facilities where people can continue

to enjoy living in their local area with the level of care they require provided. These include sheltered and enhanced sheltered housing, Extra Care housing, retirement villages, continuing care retirement communities and registered care homes both with and without nursing care.

- 5.69** The council's LHNA finds that many older people across Wiltshire continue to live at home. Lifetime Homes are designed to allow dwellings to meet the changing needs of their occupiers over time and enable people to stay in their own homes for longer. The provision of Lifetime Homes will play an important role in meeting future housing needs, and this is also reflected in Policy 78 (Meeting Wiltshire's housing needs). Furthermore, an adequate supply of homes to meet the needs of the population will allow for churn within the housing stock at all levels of the market.
- 5.70** It is also important that suitable housing and accommodation is provided to meet the needs of vulnerable people including those groups listed in Policy 78 (Meeting Wiltshire's housing needs). In 2020, there were a significant number of households living in Wiltshire with one or more persons with a limiting long-term illness or disability that affects their housing need. The number of these households is likely to increase further over the Plan period.
- 5.71** National planning policy allows Plans to make use of the nationally described space standard (NDSS), where the need for an internal space standard can be justified. The council has examined a number of developments recently granted permission to measure how they perform against the main criteria within the NDSS: gross internal area, bedroom floorspace and bedroom widths. This identified how a significant number of new build development schemes fell short of at least one NDSS requirement.
- 5.72** As a result, all new housing will be expected to meet the Nationally Described Space Standard. Developers will be required to meet the minimum space standards for gross internal area, and also the minimum widths for bedrooms, and the minimum areas for internal storage.
- 5.73** All proposals must clearly show:
1. the gross internal floor area,
  2. extent of built-in storage,
  3. the number of bedrooms, their floor areas and minimum width dimensions, and
  4. the minimum floor to ceiling height for at least 75% of the gross internal area (GIA).
- 5.74** Building Regulations (Part M) sets out three levels of access standards for new homes:
- Category 1 – Dwellings which provide reasonable accessibility (M4(1))
  - Category 2 – Dwellings which provide enhanced accessibility and adaptability (M4(2))
  - Category 3 - Dwellings which are accessible and adaptable for occupants who use a wheelchair (M4(3))
- 5.75** All new homes must meet basic access standards - category M4(1)) and there is the option for the Plan to set higher access standards (Categories M4(2) and M4(3)). The LHNA has highlighted population projections showing a substantial increase in the older population in Wiltshire and consequently there is a need to provide housing with enhanced accessibility and adaptability (M4(2)) and wheelchair accessible housing (M4(3)).

## Policy 78

### Meeting Wiltshire's housing needs

New housing both market and affordable on developments should:

- be well designed to address local housing need incorporating a range of different types, tenures and sizes of homes to create mixed and balanced communities;
- meet the Nationally Described Space Standard (NDSS) and be built to building regulations M4(2) standard; and
- provide for a minimum of 7% of all housing on sites expected to be built to building regulations M4(3) standard.

Housing size and type, including any distinction between flats and houses, will be expected to reflect that of the demonstrable need for the community within which a site is located. The Wiltshire Local Housing Needs Assessment identifies the housing needs of Wiltshire. Any variation to this will need to be justified through the production of new, sound evidence from either an updated Local Housing Needs Assessment or other credible evidence sources. In relation to affordable housing, other sources of credible evidence include the council's housing register and local needs surveys.

The provision, in suitable locations, of new housing to meet the specific needs of vulnerable and older people is supported in all circumstances.

#### Older people

Housing schemes should assist older people to live securely and independently within their communities. Residential development must ensure that layout, form and orientation consider adaptability to change as an integral part of design at the outset, in a way that integrates all households into the community.

When this is no longer possible, there are a range of models providing specialist accommodation for older people, ensuring people can continue to enjoy living in their local area with the level of care they require provided.

Developers will be required to demonstrate how their proposals respond to the needs of an ageing population in accordance with the council's most up to date information on the need for older person's accommodation. In Principal Settlements and Market Towns specialist accommodation for older people such as extra care housing, nursing care homes and dementia care homes should be considered.

Proposals for extra-care accommodation to be sold or let on the open market are not considered exempt from the need to provide affordable housing.

#### Vulnerable people

Provision of homes and accommodation for vulnerable people will be supported, including but not limited to:

- i. people with learning disabilities and autism
- ii. young at risk and care leavers
- iii. people with mental health issues

iv. homeless people and rough sleepers

Such accommodation should be provided in the Principal Settlements and Market Towns where there is an identified need, and good access to services and facilities.

Sites in Principal Settlements and Market Towns should incorporate housing suitable for vulnerable people. Housing should be either clustered together in groups of no more than 6 houses or distributed evenly across the site.

In exceptional circumstances, the provision of specialist accommodation outside but adjacent to the Principal Settlements and Market Towns will be considered, provided that:

- i. a genuine, and evidenced, need is justified;
- ii. environmental, landscape and heritage assets and their settings considerations can be suitably addressed;
- iii. facilities and services are accessible from the site; and
- iv. its scale and type is appropriate to the nature of the settlement and will respect the character and setting of that settlement.

## First Homes exception sites

**5.76** First Homes are a specific kind of discounted market sale housing, that meets the definition of 'affordable housing' for planning purposes, that is designed to help local first-time buyers on to the property ladder, by offering homes at a discount compared to the market price. They can come forward on unallocated land outside of a development plan provided they are not in 'designated rural areas', as defined by Annex 2, National Planning Policy Framework that comprise:

- Green belt
- Areas of Outstanding Natural Beauty
- Areas designated as 'rural' under Section 157 of the Housing Act 1985<sup>33</sup>

**5.77** In 'rural designated areas', only rural exception sites brought forward under Policy 77 '(Rural exception sites) of the Plan are allowed for.

**5.78** The delivery of First Homes, either through a First Homes exception site or as part of the affordable housing mix secured as part of an open market residential scheme, must comply with the following criteria:

- be discounted by a minimum of 30% against the market value.
- after the discount has been applied, the first sale must be at a price no higher than £250,000.
- are sold to a person or persons meeting the First Homes eligibility criteria:
  - all purchasers of a First Home should be a first-time buyer as defined in paragraph 6 of schedule 6ZA of the Finance Act 2003 for the purposes of Stamp Duty Relief for first-time buyers.

<sup>33</sup> *The Housing (Right to Buy) (Designated Rural Areas and Designated Region) (England) Order 2003 - designated certain parishes in the district area of Kennet*, GOV.UK (May 2003) available to view by [clicking here](#)



- purchasers of First Homes, whether individuals, couples or group purchasers, should have a combined annual household income not exceeding £80,000 in the tax year immediately preceding the year of purchase.
- a purchaser of a First Home should have a mortgage or home purchase plan (if required to comply with Islamic law) to fund a minimum of 50% of the discounted purchase price.
- the local eligibility criteria i.e. local connection test as set out within the Wiltshire Council Allocations Policy, will apply for the first 3 months from when a home is first marketed.
- are subject to a planning obligation under Section 106 of the Town and Country Planning Act 1990 to secure the necessary restrictions on the use and sale of the property, and a legal restriction on the title (at HM Land Registry) of the property to ensure that these restrictions are applied to the property at each future sale (as a percentage of current market value).

**5.79** To ensure that the First Homes exception policy is effective and does not lead to multiple proposals at a settlement, the level of First Homes at any settlement is restricted.

## **Policy 79**

### **First Homes exception sites**

Development proposals for First Homes Exception Schemes will be supported, provided:

1. the proposal is within or adjoining the existing settlement as identified on the Policies Map;
2. the proposal is proportionate in size to the existing settlement, in terms of the number of existing dwellings, but should be no larger than 1ha in size or exceed 5% of the size of the existing settlement; and in combination with other First Homes exception site development at a settlement does not exceed this threshold;
3. the site is not within areas designated as green belt, Area of Outstanding Natural Beauty or in a designated rural area;
4. the proposal does not result in unacceptable harm to areas or assets of designated importance or constrained by wider environmental considerations - e.g. areas at risk of flooding, heritage assets and their setting.

### **Cross-subsidy/market housing**

All development proposals on First Homes Exception Sites must primarily be led by the provision of First Homes. The inclusion of other forms of affordable housing and/or open market housing will only be considered where it can be demonstrated that such housing would meet a defined local need, and in the case of open market housing that the site would be unviable as an exception site without cross-subsidy, via a detailed viability assessment.

## Self and custom build housing

- 5.80** The council holds a Self and Custom Build Register. The number of people and groups registered on the council's Self and Custom Build Register indicates there is demand for self and custom build plots in Wiltshire.
- 5.81** A serviced plot of land is a plot of land that has access to a public highway and has connections for electricity, water and wastewater, or can be provided with access to those things.

### Policy 80

#### Self and custom build housing

On sites of 20 or more dwellings, 5% should be made available as serviced plots for self and custom build. Plots should be marketed for sale for a period of 12 months per plot and any plots subsequently developed for self-build and custom build must be completed within 3 years of purchase by a self-builder.

## Community facilities

- 5.82** Community facilities serve an important role in supporting the fabric of everyday life, particularly in rural areas, where easy access to day-to-day facilities can be more restricted than in urban areas. Community facilities are a broad ranging group of uses which generally serve a social benefit to local communities within and around settlements. This can include meeting places/village halls, sports venues, health and education infrastructure, public houses, places of worship, and small local shops. Providing a good range of community facilities is essential to supporting sustainability, vibrancy and vitality in Wiltshire, which is of particular importance in more rural locations to support rural life without the necessity of the private car.
- 5.83** Under The Town and Country Planning (Use Classes) Order 1987 (as amended), certain changes of use of community facilities to alternative uses (residential non-community uses) can take place under the prior approval process rather than requiring a change of use planning permission. However, many other community facility uses fall within uses which do require planning permission for changes of use.
- 5.84** The purpose of this policy is to ensure that, wherever possible, Wiltshire's existing community facilities are retained and supported as a means to ensure their vitality, and to provide policy support for the delivery of appropriate new rural community facilities.

### Policy 81

#### Community facilities

##### Development of new community facilities

Development of new community facilities within and adjoining settlement boundaries and at Small Villages will generally be supported where it is demonstrated that the development will:

- i. contribute towards making the settlement more sustainable;

- ii. be appropriate to its landscape and environmental setting;
- iii. be well related to an existing settlement<sup>34</sup>; and
- iv. lead to no highway safety issues or adverse impacts on the local transport network.

### **Redevelopment of community facilities**

Proposals that require planning permission which leads to the loss of a community facility<sup>35</sup> will only be supported where it can be demonstrated that the site/building is no longer required or no longer economically viable for an equivalent or alternative community use. Where it is demonstrated that it is not possible to provide an equivalent or alternative community facility use, a mixed use which still retains a substantial proportion of community facility provision, will be supported.

In order for the loss of a community facility which has a primary function to deliver a public service (such as healthcare, education, sports buildings and places of worship) to be supported, it must be demonstrated that equivalent or better local services are available, or that the service is no longer required.

In order for the loss of a public house, local shop or other rural community facility which primarily functions as a commercial enterprise to be supported, a comprehensive marketing plan will be required that demonstrates all reasonable attempts have been taken to secure the continued use. This marketing plan will:

- i. be undertaken for at least six months;
- ii. be open and flexible with respect to accommodating alternative community uses;
- iii. establish appropriate prices, reflecting local market values, for the sale or lease of the site/building, which reflects the current or new community use, condition of the premises and the location of the site;
- iv. clearly record and report all marketing undertaken and details of respondents, in a manner capable of verification;
- v. provide details of advertisement undertaken including dates of publication and periods of advertisement;
- vi. demonstrate that the lease of the site without restrictive rent review and tenancy conditions, or other restrictions which would prejudice the reuse as a community facility, have been offered; and
- vii demonstrate contact with previously interested parties, whose interest may have been discouraged by onerous conditions previously set out.

<sup>34</sup> By 'well related to' this means that the development site has a clear relationship with the settlement, and should ideally be accessible to the settlement centre without reliance on the private car.

<sup>35</sup> Community facilities are those that serve settlements and include health, education and cultural infrastructure including uses such as local shops, meeting places, sports venues, public houses and places of worship.

## Housing in the Countryside

**5.85** Policy 82 (Housing in the countryside) explains the approach that will be taken for housing in the countryside, unless it is for housing permitted by other policies in the Plan including rural exception sites or where permitted development rights allow for such development to take place under the prior approval process. Outside of these circumstances, additional dwellings in the countryside will only be justified in certain other situations. Broadly, these are:

- to meet essential housing needs to support a rural business;
- to enable viable re-use of heritage assets;
- to optimise re-use of redundant or disused buildings in the countryside; and
- through subdivision of existing residential buildings in the countryside.

**5.86** The policy will support the objectives of: protecting the countryside and maintaining its local distinctiveness; supporting the rural economy; and supporting the sensitive reuse of built assets. In addition, national policy provides some flexibility for developments that are of an exceptional design quality, reflecting the highest standards in architecture. Such cases are to be judged on a case-by-case basis.

### Policy 82

#### Housing in the countryside

Proposals for housing development outside of the defined settlement boundaries and outside of the built areas of Small Villages, on land that is not allocated in the development plan or subject to an exceptions policy will not be supported, unless it meets one of the following criteria:

1. The proposal would deliver onsite housing to accommodate employees that are essential for the viable operation of a rural business<sup>36</sup>. In such circumstances, applicants will be expected to submit clear evidence to show:
  - i. the functional need for permanent onsite accommodation, including an assessment of alternative options at nearby settlements and/or as part of existing onsite accommodation; and
  - ii. that the enterprise will remain financially viable for the foreseeable future, to justify the development of permanent accommodation.
2. The proposal would enable a viable and sensitive alternative use of a heritage asset in a manner which secures its protection and longevity, and retains the characteristics for which it is valued as a heritage asset.

<sup>36</sup> Rural businesses include agricultural, forestry, equestrian or other similar land-based rural enterprises.

3. The proposal is for the conversion or re-use of a disused building in the countryside. In such circumstances, evidence will be required to show that the building is structurally sound and capable of conversion without major rebuilding, and that the development would enhance the character of the original building.<sup>37</sup> and its setting.
4. When the development would entail the replacement or subdivision of an existing residential dwelling, provided that the scale and design of the development is appropriate, having regard to the local landscape and design context.

In all cases, it must be demonstrated that safe and suitable access to the site is achievable for all users; that appropriate opportunities to promote sustainable transport modes have been considered; and that any adverse impacts on the transport network can be acceptably mitigated.

## Health and wellbeing

- 5.87** The Plan has an important role to play in ensuring that opportunities exist for people to be able to make healthier lifestyle choices and address health inequalities.
- 5.88** Quality of life is essential to health and wellbeing and relates to every area of life. Challenges may include the lack of skills needed to secure productive employment; an unfit and poorly insulated home; poor access to public open space; not having access to affordable healthy food; reduced opportunities to be physically active as part of everyday life; having limited opportunities for food growing; lack of access to health care; fear of crime; or a lack of social interaction and sense of community.
- 5.89** Although not the entire solution, land-use planning is an integral part of improving health and wellbeing. Providing and improving a range of open space, sports and leisure facilities for physical activity, including active travel, are key to tackling obesity and improving physical and mental health and wellbeing. The provision of affordable homes and developments that encourage healthy lifestyle choices can also contribute to closing the gaps in life expectancy and addressing health inequality.
- 5.90** For significant developments, Policy 83 (Health and wellbeing) requires a Health Impact Assessment (HIA) to be submitted alongside planning applications to demonstrate that the potential impacts on health have been considered at the planning application stage. Guidance may be prepared to provide advice on what should be included in the HIA to demonstrate that any health-related impacts have been fully considered.

### Policy 83

#### Health and wellbeing

Proposals should demonstrate that development will contribute positively to health and wellbeing by enabling and promoting healthy lifestyles and minimising any negative health and wellbeing impacts.

<sup>37</sup> Proposals that would involve demolition and/or rebuilding work which would go beyond what is reasonably necessary for the conversion of the building to residential will not be supported

## Health Impact Assessment (HIA)

For the following forms of developments, a health impact assessment should be carried out to inform proposals:

1. residential development where:
  - i. the number of homes to be provided is 150 or more; or
  - ii. the site area is 5ha or more.
2. other development (not involving housing) where:
  - i. the area of development exceeds 1ha; or
  - ii. employment development exceeds 5ha.

## Healthy food environment

The council will seek to enhance local food growing opportunities by requiring new residential developments to either have access to, or be accessible to green and blue infrastructure, including community gardens, community orchards and/or allotments.

## Open space and play facilities



- 5.91** National planning policy emphasises the importance of providing access to good quality public open spaces. This includes opportunities for sport and recreation and protecting public rights of way to promote the health and well-being of communities and facilitate social interaction and inclusion. It also allows for local communities to identify local green space for protection where it is of particular importance. The importance of open space has also been elevated given our experiences of lockdown during the Covid 19 pandemic.
- 5.92** For Wiltshire, the 2020 Wiltshire Open Space Assessment Update (reviewed and published 2023) identifies the quantity, quality, and accessibility of different categories of open space. It also recommends local standards for quantity, quality and accessibility for public open space that will be delivered through new development. Using the standards identified, the assessment found:
- Quantity – Overall there are deficits in most types of public open space across the county. There are deficits in rural areas in play space (youth) of approximately 43ha; play space (child) of approximately 29ha; and allotments of nearly 8ha. There are deficits in urban areas regarding play space (youth) of approximately 99ha; play space (child) of approximately 67ha; parks and recreations grounds of nearly 23ha; and around 22ha of allotments.
  - Quality - The majority of sites assessed in quality audits undertaken at 269 open spaces during February/March 2023 were assessed as being of good quality. However, approximately one third of sites assessed were identified as having particular issues (i.e., scoring 4 or below (poor) for at least one criterion).
  - Accessibility – Where there is existing public open space, there is generally good access across the county. However, accessibility has been found to be poor to: play space (youth), green space of at least 2ha in size; at least one green space of 20ha; one green space of 100ha; one green space of 500ha; and to a minimum of 1ha of statutory Local Nature Reserves per thousand population.
- 5.93** Considering the findings in the latest Wiltshire Open Space Assessment, Policy 84 (Public open space and play facilities) requires that all major new development provides, protects and improves the quantity, quality, and accessibility of and to public open space in order to address the identified significant deficits in quantity and issues with quality and poor accessibility.
- 5.94** It is important to note that the council no longer adopts public open space. Developers will be encouraged to discuss with town and parish councils, in the first instance, before setting up a company to manage new public open space in accord with a term to be agreed and secured through the development management process.
- 5.95** Other council owned strategies/ studies covering different types of open space include the Wiltshire Playing Pitches Strategy and the Wiltshire Green Blue Infrastructure Strategy. The Wiltshire Playing Pitches Strategy seeks to support the council and its partners to provide an accessible, high quality and sustainable network of sports pitches and other outdoor sports facilities. This supports increased formal club-based sport as well as social, casual, and informal sporting opportunities aimed at getting all Wiltshire residents more active including those who face barriers to participation and/ or experience multiple inequalities. The Wiltshire Green and Blue Infrastructure Strategy focuses on the natural environment and how creating a strong, well considered network of green and blue corridors and spaces can support adaptation and resilience to climate change, halt loss of and improve biodiversity and contribute to the

health and wellbeing of our communities. The council's Planning Obligations Supplementary Planning Document provides more detail about its approach to securing developer contributions for open space and play facilities.

## **Policy 84**

### **Public open space and play facilities**

All major new development must make provision for public open space and, where appropriate, play facilities. In addition, all development must protect and improve the quantity, quality, and accessibility of and to public open space.

All major new development which will have an adverse impact upon the existing quantity, quality and accessibility of and to public open space will need to submit an open space assessment with the planning application. This must be produced according to: the latest standards set out in the Wiltshire Open Space Assessment; other council strategies/studies covering different types of public open space including green and blue infrastructure and play areas; and relevant supplementary planning documents (or successor documents).

The open space assessment must ensure development will:

- a. provide new, replace or improve existing open space;
- b. identify and quantify the effects of development on the quantity, quality and accessibility of open space affected within Wiltshire and any neighbouring local authority's area if the public open space also serves it. Include impact on the amenity, character of the area and current and future needs;
- c. include how the developer will secure the management and maintenance of any new and/ or improved public open space. This will be secured by planning condition or legal agreement;
- d. provide new or replacement public open space on-site. If this is not possible, then provide off-site;
- e. show how locating new public open space or improving the quality of existing provides multifunctional benefits to help meet other relevant policies within the Plan e.g. relating to biodiversity, green and blue infrastructure, climate change, cultural heritage etc.



# Environment



## Sustainable construction and low carbon energy

- 5.96** This Plan will contribute to the UK's legally binding target of net zero carbon by 2050. To achieve this, it is critical that energy performance in new and existing, residential and non-domestic buildings is maximised, and residual energy use is met through low carbon and renewable sources. This relates to the total operational energy of the development, which currently accounts for approximately 40 – 60% of a building's whole life carbon, but it is anticipated that this will reduce further as the National Grid is decarbonised alongside the effects of investment in energy supply.<sup>38</sup> Total operational energy is broken down into two separate components, regulated and unregulated energy sources.
- 5.97** Regulated energy sources relate to the energy used in space heating, ventilation, hot water and lighting. Unregulated energy sources relate to equipment and appliances, which are affected by occupant behaviour (once the building is occupied), this is typically more difficult to influence through planning policy. By setting a total energy use target this policy aims to influence both regulated and unregulated carbon through the design of the building.
- 5.98** On new residential developments the proposals should help to contribute to significant reductions in greenhouse gas emissions, minimise vulnerability, improve resilience and support the integration of renewable and low-carbon energy technologies such as heat pumps and roof mounted solar photovoltaic arrays. The council acknowledges that this is an area that is developing and does not wish to be overly prescriptive on how the journey to net-zero construction is realised, however if necessary further guidance may be produced.
- 5.99** Applicants are advised to model their regulated energy use via calculations within the most updated version of the Standard Assessment Procedure (SAP)<sup>39</sup>. Applicants will be required to demonstrate how they have met the space heating demand, total energy demand and total energy generation through a Sustainable Energy Statement that includes a Non-Technical Summary.

<sup>38</sup> LETI Climate Emergency Design Guide, LETI (2020)

<sup>39</sup> Standard Assessment Procedure (Sap 10), BRE. Available at: <https://bregroup.com/sap/sap10/>

- 5.100** The council intends to develop a sustainable construction checklist to aid implementation of this policy and provide clarity and certainty for developers. However, where required in the interim, bespoke checklists shall be submitted to demonstrate policy compliance.
- 5.101** In all cases, offsetting through financial contributions must be seen as a last resort and any exceptions based on financial viability must be robustly justified through the submission of a viability assessment. Developers will be expected to pay for the council's reasonable costs in obtaining independent third-party advice on any viability assessment.
- 5.102** Where exceptionally allowed, financial contributions shall be directed to an appropriate mechanism to offset the carbon impacts of the development such as a council carbon offset fund. Where practically possible, such funds shall be spent prior to the first occupation or use of any new development, to ensure that the carbon impacts are fully mitigated.
- 5.103** As well as addressing new residential development, it is similarly important to support and develop the non-residential construction sector's contribution to mitigating and adapting to climate change. In this regard the policy recognises that there is a large range of building types and uses that fall into the category of 'non-residential', including - schools, community facilities, and commercial premises. Nonetheless, the fabric first approach to reducing carbon and energy use should equally apply to non-residential development.
- 5.104** Adaptation to the impacts of a changing climate need to be treated as an important feature of the built environment. Measures to address this shall be supported and encouraged, including works to avoid overheating through the design of buildings and maximising opportunities for cooling through green and blue infrastructure. In particular, for new major residential developments, the design and access statements should explain how the proposal meets the CIBSE TM59<sup>40</sup> overheating target in the current climate, and how overheating can be mitigated in the future climate.
- 5.105** Opportunities for retrofitting should be sought to facilitate carbon reduction. This could include retrofitting at whole street or neighbourhood scales to reduce individual costs, improve viability and support coordinated programmes for improvement. However, the retrofit challenge is significant, and the required action ought not be stymied, and so individual proposals should be supported when they are forthcoming.
- 5.106** Innovation and creativity, as well as collaboration and partnership, will be supported in the pursuit of the sustainable construction aims expressed within this policy.

## Policy 85

### Sustainable construction and low carbon energy

#### New residential developments

New build residential development will achieve a zero-carbon in operation standard, by significantly reducing heat and power demand of the building through energy efficient design and/or modern methods of construction. The remaining energy demand should then be supplied through onsite renewables. Proposed new dwellings will demonstrate the following:

<sup>40</sup> *TM59 Design methodology for the assessment of overheating risk in homes 2017*, CIBSE (2017) available at: <https://www.cibse.org/knowledge-research/knowledge-portal/technical-memorandum-59-design-methodology-for-the-assessment-of-overheating-risk-in-homes>

- space heating demand less than 30kWh/m2/annum;
- total energy use less than 40kWh/m2/annum;
- on site renewable energy generation to match the total energy use, with a preference for roof mounted solar PV, subject to building orientation and heritage considerations; and
- connection to a district heating network where one is available.

If it can be demonstrated that this would be economically unviable or technically unfeasible (for example to achieve enough onsite renewables for a block of flats), after on-site renewables have been maximised, any remaining carbon can be offset through developer contributions.

### **Non-residential buildings**

New non-residential development floorspace will limit carbon emissions through sustainable construction measures. Through the submission of a sustainable construction checklist all planning applications will provide evidence that the standards below are met. Major development is to achieve BREEAM Excellent (or future legislation standard) and achieve net zero carbon in operational emissions, following the hierarchy set out below.

- Minimise energy use through energy efficient fabric, natural light/ventilation and services.
- Residual energy use should be met through connection to a heat network if available.
- Maximise opportunities for renewable energy to mitigate all regulated operational emissions.
- Residual carbon emissions that cannot be mitigated on site should be offset through a financial contribution to the council's carbon offset fund.

All buildings designed for employment uses, both major and minor in scale will be required to include and maximise coverage of rooftop solar photovoltaic panels unless this would not be appropriate for planning or technical reasons due to site specific circumstances. For instance, if the building is in a sensitive heritage location, or if the building is over-shadowed by trees/other buildings, or if a green roof solution is being proposed.

### **Existing buildings**

Where planning permission is required, retrofitting measures to improve the energy performance of existing buildings and the alleviation of summer overheating will be supported. These measures should be in accordance with the following hierarchy:

- i. Reduce energy consumption through energy efficiency measures.
- ii. Use renewable or low-carbon energy from a local/district source.
- iii. Use building-integrated renewable or low-carbon technologies.

Opportunities should be sought to facilitate carbon reduction through retrofitting at whole street or neighbourhood scales to reduce individual costs, improve viability and support coordinated programmes for improvement.

In all cases, including those listed above, proposals relating to historic buildings, listed buildings and buildings within conservation areas and world heritage sites should ensure that appropriate sensitive approaches and materials are used, thereby seeking to maintaining the significance of heritage assets through the application of established best practice.

## Renewable energy installations



- 5.107** In line with the government's energy security strategy, there is a need to increase the generation and use of renewable, low carbon energy. Policy 86 (Renewable energy installations) identifies the range of considerations that underpin the delivery of such technologies. Work<sup>41</sup> undertaken to assess the potential for renewable energy generation identified that subject to careful siting and satisfactorily addressing site specific constraints, most forms of renewable energy technologies have the potential to be utilised across Wiltshire. That said, the technical potential for wind energy installations at a commercially viable scale (i.e. installations with a height of 250 metres) is limited at best due to average wind speeds in Wiltshire, as well as other environmental and technical constraints. As such, whilst the policy supports wind energy installations, it is anticipated that such development would be limited in scale and require local support which may best be achieved through community-led schemes.
- 5.108** This policy also establishes that not all renewable energy development needs to be located inside settlement boundaries. Indeed, for a range of practical reasons, some forms of renewable energy development may need to be located outside settlement boundaries. The criteria set out within this policy will be used to aid the decision making process, thereby providing greater clarity and certainty for more investment by the renewable energy industry and community-led organisations within Wiltshire.

<sup>41</sup> *Wiltshire Renewable Energy Assessment: Wiltshire Council, Land Use Consultants Limited (LUC) (February, 2023)*

- 5.109** Policy 86 (Renewable energy installations) applies to all types of renewable energy, including solar photovoltaic arrays (PV), wind turbines, hydropower, biomass generators, anaerobic digestion plants and appropriate energy from waste type technologies. In the case of energy from waste development, the policy requires that waste is managed in accordance with the waste hierarchy and therefore, applications for such technologies must be compliant with the most up to date national and local waste policies. Sustainable sources for biomass should be sourced locally and the transport implications, including carbon emissions, should be considered in relation to feedstocks for biomass generators, anaerobic digestion plants and other energy from waste technologies. Roof-mounted solar PV installations and other integrated solutions will also be supported on existing buildings including low-carbon solutions such as heat pumps.
- 5.110** It is acknowledged there is a need for flexibility and stability in the energy supply as the country transitions to greater levels of energy security and renewable generation. Therefore, associated and necessary infrastructure required to support the delivery of renewable energy in Wiltshire shall be equally supported as part of the development, for example battery storage. However, the burning of fossil fuels for energy generation, including by gas balancing plants, would increase the county's carbon dioxide emissions. As such, this would be inconsistent with the council's acknowledgement of the climate emergency and less preferable to other means of balancing energy supply. The application of proven mitigation measures, such as carbon capture usage and storage (CCUS), would be a material consideration in any such proposals.
- 5.111** Proposals for the development of renewable energy installations within Wiltshire will require careful consideration due to their potential visual and landscape impacts, including cumulative impacts with other similar developments. Proposals that are directed to the less sensitive areas of Wiltshire's landscape, as shown in the Landscape Sensitivity Assessment <sup>42</sup>, will be supported. In all cases, proposals will need to demonstrate the satisfactory resolution of all site-specific site constraints. In designated landscapes regard should be had to any management strategies and policies of any partner organisations, such as Areas of Outstanding Natural Beauty management plans.
- 5.112** Furthermore, the size, location and design of renewable energy schemes should be informed by a landscape and visual impact assessment to minimise any potential adverse impacts. However, in all cases it must be recognised that the provision of renewable energy, at scale, will support reductions in greenhouse gas emissions.

## Policy 86

### Renewable energy

Proposals for renewable energy schemes, and integrated renewable and low-carbon technologies on existing buildings, will be supported in the context of delivering sustainable development, addressing climate change and helping Wiltshire to transition to a low-carbon future. In all cases, proposals will need to demonstrate the satisfactory resolution of all site-specific constraints. In particular, proposals will need to demonstrate how impacts have been assessed, including any cumulative effects and, where applicable, taken into account the following considerations in accordance with other relevant policies of this Plan:

<sup>42</sup> *Wiltshire Council Renewable Energy Study: Landscape Sensitivity Assessment*, Land Use Consultants Limited (LUC) (March, 2023)

- a. the need to balance the wider environment, social and economic benefits of renewable electricity, heat and/or fuel production/distribution/storage;
- b. the landscape, particularly in and around Area of Outstanding Natural Beauty and the setting of the New Forest National Park;
- c. the objectives of the Western Wiltshire Green Belt;
- d. the need to conserve and where possible enhance biodiversity including species and habitats;
- e. the historic environment including the Stonehenge and Avebury World Heritage Site and its setting;
- f. the cumulative environmental effects of proposals with other renewable energy installations;
- g. best and most versatile agricultural land;
- h. for ground mounted solar development, that grazing practices are maintained, particularly within defined SAC bat sustenance zones;
- i. the proper functioning of the local highway network, recognising the value and function of the designated rights of way network;
- j. energy from waste facilities must support the management of waste in line with the waste hierarchy;
- k. the amenity of local residents, including noise, odour, visual amenity and safety.

Proposals will also need to demonstrate that there are appropriate plans or a planning mechanism in place requiring the removal of the equipment/ancillary infrastructure on cessation of energy generation, and/or storage, and restoration of the site back to its original use or an acceptable alternative countryside use for sites in countryside locations.

### **Community-led energy schemes**

Additional support will be given to community-led energy schemes where evidence of community support can be demonstrated, with administrative and financial structures in place to deliver/ manage the project and any income from it.

## **Embodied carbon**

**5.113** Policy 87 (Embodied carbon) seeks to address embodied carbon emissions resulting from major developments within Wiltshire to illustrate a complete picture of the development's carbon impact on the environment.

**5.114** Embodied carbon emissions are the carbon emissions resulting from the materials, production, demolition and disposal. An embodied carbon assessment in the context of the Plan provides details of a building's materials used in the substructure, superstructure and finishes<sup>43</sup>. This provides a true picture of a buildings carbon impact on the environment.

<sup>43</sup> LETI *Embodied Carbon Primer*, LETI (January, 2020)

- 5.115** An embodied carbon assessment shall be produced by a suitably qualified person and be submitted with relevant applications. The policy focuses on elements of the building that are expected to have a high share of embodied carbon emissions, that are commonly considered during early design stages and have available databases to facilitate accurate assessments. The assessment shall include a brief non-technical summary to demonstrate the proposal's compliance with the policy standard. Where such an assessment has been completed, we would encourage that the results are logged on the Inventory of Carbon and Energy (ICE) database in order to contribute to the embodied carbon knowledge base.
- 5.116** The policy standard has been set to reflect current construction industry practice. As such, it is unlikely to drive a reduction in embodied carbon in major developments and so it will not have any significant cost implications for developers or impact viability. However, this approach will allow the collection of evidence to support future requirements and better understand the whole carbon impact of development beyond the operational carbon emissions. As such, it will have a positive impact by supporting the council's future work towards net zero goals.

## Policy 87

### Embodied carbon

Proposals for major residential and/or non-residential development will need to be supported by an Embodied Carbon Assessment that demonstrates a score of less than 900kg/sqm of carbon can be achieved within the development of the substructure, superstructure, and finishes.

## Biodiversity and geodiversity

### Protecting biodiversity and geodiversity

- 5.117** National policy requires local planning policies to contribute to and enhance the natural and local environment. Wiltshire's natural environment is one of its greatest assets and includes a network of identified wildlife sites:
- International – Special Areas of Conservation, Special Protection Areas and Ramsar Sites<sup>44</sup>
  - National – Sites of Special Scientific Interest (SSSI) and National Nature Reserves
  - Local – County Wildlife Sites, Local Nature Reserves, Protected Road Verges and Local Geological Sites.
- 5.118** Proposed development on land within or outside a SSSI likely to have an adverse effect on a SSSI will be determined in accordance with the requirements of paragraph 180 of the National Planning Policy Framework and Circular 06/2005. The valuable natural environment includes not only identified sites, but also other features of nature conservation value including:
- priority species and habitats;
  - areas of habitat with restoration potential;

<sup>44</sup> Applications affecting these sites will be determined in accordance with relevant national legislation, policy and statutory procedures, in addition to the policies in this plan.

- all waterbodies, including those covered under the Water Framework Directive; and
- features providing an ecological function for wildlife such as foraging, resting and breeding places, particularly ecological networks and wildlife corridors<sup>45</sup> of all scales which provide ecological connectivity allowing species to move through the landscape and support ecosystem functions.

**5.119** For the purposes of evaluation in ecological impact assessments, the value of undesignated habitats and species should be measured against published selection criteria<sup>46</sup> where possible<sup>47</sup>. However, statutory protection will only ever apply to those sites which have been formally notified by Natural England.

**5.120** Collectively these sites and natural features make up the local ecological networks necessary to underpin and maintain a healthy natural environment. This policy seeks to ensure protection and enhancement of these sites and features and is necessary to help halt and reverse current negative trends and meet new challenges, particularly from climate change adaptation and pressures associated with the increasing population.

**5.121** It is vital that all stages of sustainable development are informed by relevant ecological information, from site selection and design to planning decisions and long-term management. All effects should be considered, including positive and negative, direct, and indirect, cumulative, and on and offsite impacts over the lifetime of the development (including construction, operational and restoration phases), also giving consideration to disturbance effects such as noise, lighting, recreational pressures, trampling, traffic, domestic pets and vandalism. Development is expected to work with the ecological features on site to guide design and maximise habitat quality and connectivity.

**5.122** All effects upon the natural environment should be addressed sequentially in accordance with the principle of the ‘mitigation hierarchy’ with development proposals clearly demonstrating how this hierarchy has been applied:

1. Avoid e.g., avoid developing sites of higher ecological value and within sites develop areas of least ecological value, retaining and adequately buffering valuable on-site habitat, maintaining its ecological value/connectivity/long term functionality.
2. Mitigate e.g.,
  - a. reduce, moderate, minimise
  - b. rescue
  - c. repair, reinstate, restore.
3. As a last resort compensate or offset negative impacts, achieving outcomes of at least equal ecological or geological value.

<sup>45</sup> Maps are being produced to illustrate some of the ecological networks and wildlife corridors prioritised for nature conservation purposes.

<sup>46</sup> JNCC ‘Guidelines for the selection of biological SSSIs’ or the ‘Wiltshire and Swindon Wildlife Sites Handbook’.

<sup>47</sup> In accordance with CIEEM (2018) Guidelines for Ecological Impact Assessment in the UK and Ireland: Terrestrial, Freshwater, Coastal and Marine version 1.2. Chartered Institute of Ecology and Environmental Management, Winchester.



**5.123** Compensation is always a last resort but will be necessary in some exceptional instances where other approaches cannot guarantee ‘no net loss’ of biodiversity and any unavoidable losses are outweighed by other sustainability considerations and overriding public interest. Such measures should be delivered within the development site where possible. However, where this is not feasible, it may be more appropriate to deliver offsite measures through landscape scale projects. Such measures will likely be secured through a legal agreement. Appropriate compensatory measures should demonstrate net gain of the relevant local biodiversity resource in the short and long-term, and be delivered as close to the development site as possible to avoid the degradation of local ecological networks or ‘ecosystem services’<sup>48</sup>. Additional guidance is available<sup>49</sup> to help clarify appropriate ecological avoidance, mitigation and compensation measures to demonstrate compliance with this policy, which should be proportionate to the scale of any predicted impact.

**5.124** A number of strategic plans and guidance documents are also available to ensure that the most commonly occurring effects upon international sites can be avoided as efficiently and effectively as possible<sup>50</sup>. For example:

- Mitigation Strategy for Salisbury Plain Special Protection Area - applicable to residential development within 6.4km of Salisbury Plain Special Protection Area
- Wiltshire Bats Special Area of Conservation Planning Guidance – applicable to all development types in the areas within and surrounding Bradford on Avon, Box, Colerne, Corsham, Trowbridge, Westbury, Fonthill and Chilmark
- Trowbridge Bat Mitigation Strategy Supplementary Planning Document – applicable to new development in the Trowbridge area
- River Avon Phosphorus Mitigation Strategy and River Avon Planning Guidance – applicable to new development within the catchment of the Hampshire Avon
- Solent Nitrogen Mitigation Strategy – applicable to new development within the catchment of the River Test
- New Forest Mitigation Strategy – applicable to development within 13.8km and 15km of the New Forest Special Protection Area, Special Area of Conservation and Ramsar site
- North Meadow and Clattinger Farm Special Area of Conservation Recreational Mitigation Strategy

**5.125** Other plans and guidance documents will be produced by Wiltshire Council as necessary. For example, in the event that compensatory measures for the River Itchen Special Area of Conservation Drought Order are identified and delivered by Southern Water in the River Test catchment, and there is a likely significant effect from new growth in Wiltshire. The mitigation strategies and supplementary planning documents have been reviewed and endorsed by Natural England and Wiltshire Council has committed to ensuring that all these measures are effectively delivered.

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<sup>48</sup> Ecosystem services are best defined through the work of the UK National Ecosystem Assessment available at: <http://uknea.unep-wcmc.org/>

<sup>49</sup> Please refer to the Biodiversity and Development pages of the Wiltshire Council website for further details.

<sup>50</sup> Biodiversity and development pages of the Wiltshire Council website contains further details. These strategic plans and guidance documents will be kept under review to ensure they provide appropriate mitigation for protected sites.

- 5.126** The Hampshire Avon is an internationally important chalk river which has been designated as a Special Area of Conservation (SAC) for its sensitive habitats and species. Development within the catchment has the potential to have a detrimental effect upon its qualifying features. Most of these impacts can be avoided or mitigated through measure such as buffer zones, access management, habitat management and construction method statements.
- 5.127** Currently phosphorus concentrations exceed the appropriate targets required in the conservation objectives for the River Avon SAC over a number of reaches. Development must not (alone or in combination) result in non-compliance with SAC water quality targets or compound existing problems of target exceedance and must comply with the mitigation strategy and Wiltshire Council guidance. New development must not prejudice achievement of conservation objectives for the SAC over the long term with all new development within the catchment of the Hampshire Avon needing to be phosphorus neutral. Where applicable, development must include incorporation of Sustainable Drainage Systems (SuDS) within the scheme layout, informed by, and in accordance with, the CIRIA guidance the council recently commissioned<sup>51</sup>, and provision of a completed phosphorous budget using the most recent calculator released by Natural England. Where a proposed development / project does not fall within scope of the council's phosphorus mitigation strategy, a bespoke mitigation strategy must be put forward to demonstrate that the project could achieve nutrient neutrality.
- 5.128** It is important for all watercourses, not just main rivers and ordinary watercourses, that development demonstrates how adverse impacts are to be avoided. It is anticipated that most development proposals within 20m of a watercourse should be accompanied by a Construction Environment Management Plan.

### **Cotswold Water Park**

- 5.129** The Cotswold Water Park (CWP) is an area of more than 177 lakes set in over 42 square miles of Wiltshire, Gloucestershire and Oxfordshire created from decades of sand and gravel extraction. Whilst mineral activity is set to continue, representing future nature conservation opportunities, the degree to which new waterbodies are created may be constrained, heightening the importance of conserving and enhancing the existing natural assets present at CWP.
- 5.130** Having evolved in response to a complex interplay of physical and human influences, the CWP hosts a unique combination of land use pressures and community aspirations. In recognition of the ecological importance of the area, in 2021 much of the CWP was designated a Site of Special Scientific Interest (SSSI) for its rich array of water birds and aquatic plants. This new notification covers the full extent of open water and associated habitats necessary for maintenance of the features of special interest. The SSSI designation means the park and its wildlife have legal protection under the Wildlife and Countryside Act. As such, Natural England must be consulted on many operations requiring their consent. As wildlife declines across the country, conserving and enhancing areas such as the CWP is increasingly important to ensure sustainable wildlife/plant life populations can thrive. Ecologically, the CWP is of importance to a large range of species not restricted to those notified SSSI features.
- 5.131** Future development at and/or impacting the CWP must conserve and where possible enhance its biodiversity value. Development should also adhere to any guidance produced guiding future development of the CWP, such as the Cotswold Water Park Vision and

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<sup>51</sup> *Using SuDS to reduce phosphorus in surface water runoff*, Bradley, J., Haygarth, P., Stachyra, K. and Williams, P. (2022)

Implementation Plan and Cotswold Water Park Nature Recovery Plan. To build and maintain sustainable and resilient communities, there is a need and desire for the CWP to be an exemplar of sustainability, and this should be reflected in all development proposals.

## **Demonstrating conservation and enhancement**

**5.132** Where there is evidence to suggest that a designated site for biodiversity or geological conservation, protected species or its habitat may be affected during and/or after development, a suitable level of ecological survey should be carried out and an ecological parameters plan provided for outline planning applications. Surveys should be conducted and plans produced in a timely manner so as to inform development proposals with sufficient baseline information, ecological parameters, and principles prior to submitting a planning application, thereby minimising subsequent delays in determination. Surveys should be carried out at the correct time of year in order to establish the ecological baseline and to determine the extent of potential impact so as to inform the formulation of necessary measures to protect species and habitats present in accordance with the mitigation hierarchy, with such measures in place before work affecting the species/habitat commences. It is expected that these measures will ensure overall protection and enhancement of the species and habitat in question and not lead to degradation of local ecological networks or ecosystem services.

## **Biodiversity within the built environment**

**5.133** Sustainable development also provides opportunities to enhance the natural environment for wildlife and Wiltshire's communities.

**5.134** In many cases simple measures embedded within the built environment can ensure growth provides an opportunity for nature recovery, offering a vital lifeline to some of the UK's most threatened species (e.g., priority bird species, bats, reptiles, hedgehogs.) Such measures are of increasing importance with many new homes and associated land offering little value to wildlife, facilitating declines in some species.

**5.135** National policy makes it clear that plans should promote the recovery of protected species. This policy seeks to ensure measures are put in place to optimise the opportunity development can represent to the natural world and priority species that, in part, are reliant upon the built form and associated land. Development should demonstrate how opportunities have been maximised to integrate nature recovery into the built environment, examples including:

- provision of bird and bat bricks (integrated into the built form);
- provision of wildflower verges/meadows;
- adopting a wildlife friendly native planting/landscaping scheme; and
- wildlife friendly sustainable drainage systems.

**5.136** Designing in space for nature is critical as highlighted by recent population trends of some of the UK's most threatened species that inhabit our built environment. The recent BS 42021:2022 guidance should be followed with regards to integral nest boxes, with the exception of the minimum required ratio of integral nest boxes to dwelling given this policy outlines a greater minimum ratio than that stated within the British Standard. The British Standard has demonstrated high occupancy rates of such features and Wiltshire Council seeks to ensure the best outcomes for wildlife within the built environment. The advice of a professional ecologist should be sought when determining the appropriate boxes for the area.

**5.137** Additional guidance will be produced where necessary to aid the design and incorporation of suitable ecological enhancement measures to demonstrate compliance with the following policy.

## **Policy 88**

### **Biodiversity and geodiversity**

#### **Protection**

Development proposals will need to clearly demonstrate how the mitigation hierarchy has been sequentially applied.

Development proposals must demonstrate how they protect features of nature conservation value, both terrestrial and aquatic, and geological value as part of the design rationale. There is an expectation that such features shall be retained, sufficiently buffered, and managed favourably to maintain their ecological value, connectivity and functionality in perpetuity. Furthermore, development proposals must secure and implement measures, including appropriate compensatory measures where necessary, to ensure no net loss of biodiversity and the local biodiversity resource, and to secure the integrity of local ecological networks and provision of ecosystem services.

All development proposals shall incorporate appropriate measures to avoid and reduce disturbance of sensitive wildlife species and habitats throughout the lifetime of the development.

Any development potentially affecting a UK National Site Network site must provide avoidance measures in accordance with the strategic plans or guidance where possible, otherwise bespoke measures must be provided to demonstrate that the proposals would have no adverse effect upon the UK National Site Network. Any development that would have an adverse effect on the integrity of a European nature conservation site and where the impacts cannot be satisfactorily mitigated, will not be supported.

#### **Local sites, priority habitat and habitats of principal importance<sup>52</sup> and local ecological networks**

Development will avoid direct and indirect impacts upon local sites by maintaining sufficient buffers and ecological connectivity with the wider environment. Damage or disturbance to local sites will be unacceptable, other than in exceptional circumstances where it has been demonstrated that such impacts:

1. cannot reasonably be avoided;
2. are reduced as far as possible;
3. are outweighed by other planning considerations of overriding public interest;
4. where appropriate compensation measures can be secured through planning obligations or agreements.

Development proposals affecting local sites must make a reasonable contribution to their favourable management in the long-term.

<sup>52</sup> As detailed within Section 41 of the Natural Environment and Rural Communities Act 2006.

Development proposals should avoid negative impacts upon priority habitat, habitats of principal importance, ecological networks, and wildlife corridors, instead promoting their conservation, restoration, and enhancement alongside the recovery of priority species.

## **Biodiversity in the built environment**

In addition to features required as part of biodiversity net gain, mitigation or compensation, all proposals are required to incorporate features of biodiversity value tailored to the specific proposals, relevant local receptors and in accordance with best practice to maximise potential benefits.

As a minimum, the following are required within new proposals:

1. integrate integral bird nest bricks (e.g., swift bricks) at a minimum of two per dwelling;
2. provision of integrated bat boxes;
3. provision of overhanging eaves suitable for nesting house martins in all major development, supplemented by the provision of nest cups; and
4. hedgehog highways integrated throughout the design of development (e.g., suitable gaps in all garden fences) between gardens and the wider ecological network to facilitate movement of protected species.

Other features that should be included (but are not limited to):

1. provision of wildflower verges and meadows throughout the development managed to ensure their longevity (e.g., provision of suitable native seeding and topsoil provisions);
2. undertake nature friendly native planting schedules throughout development (e.g., planting wildlife friendly show gardens, incorporating native hedgerows and tree planting);
3. design site lighting to avoid harm and optimise nature conservation (e.g., designing in dark corridors);
4. optimise the ecological value of sustainable urban drainage systems where required (e.g., through the provision of swales and pools, connected to the wider ecological network, planted with native vegetation);
5. incorporate features within the public realm to facilitate nature recovery and access to nature (e.g., bat walls/lofts, swift towers, log piles, insect hotels, invertebrate/bee bricks, reptile hibernacula, green and brown roofs / walls).

## Biodiversity net gain



- 5.138** In line with legislation and national planning policy, the biodiversity net gain policy guides development towards enhancing the natural and local environment. The overarching aim is to ensure development leaves biodiversity in a measurably better state than before, in line with the intentions of the Environment Act 2021, alongside enhancing the provision of ecosystem services.
- 5.139** The facilitation of biodiversity enhancement contributes towards strategic biodiversity priorities and compliments Policy 89 (Biodiversity net gain). Measurable biodiversity net gains will be sought, at the very least in accordance to this policy, while account will also be taken of the potential impacts of any subsequent mandatory targets, legislation and guidance.
- 5.140** In order to measure biodiversity net gain the council requires the use of the latest Biodiversity Metric<sup>53</sup> or its successor and that the biodiversity net gain delivery be in accordance with established good practice principles within Biodiversity Net Gain: Good practice principles for development (CIEEM, CIRIA and IEMA) and BS 8683:2021. Minor applications and small-scale proposals, where applicable, should use the small sites version of the Metric<sup>54</sup>. The council strongly encourages developers to seek opportunities to exceed the minimum 20% requirement

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<sup>53</sup> Currently The Biodiversity Metric 4.0.

<sup>54</sup> The Small Sites Metric is a simplified version of the Biodiversity Metric specifically designed for use on small development sites.

to help increase levels of biodiversity and reverse the trend of biodiversity loss across the UK<sup>55</sup>. Biodiversity net gain does not override the protection for designated sites, protected or priority species and irreplaceable/priority habitats.

- 5.141** When securing biodiversity net gain, be that through on or off-site habitat enhancements and associated management, the local authority must be satisfied that this is secured in perpetuity. Developers will be required to maintain and manage biodiversity enhancements for at least 30 years and are encouraged to aim beyond this timeframe. This may involve the use of conservation covenants, private voluntary legal agreements between a landowner and a responsible body that will safeguard the land for conservation. Conservation covenants will continue to apply even if the land changes hand.
- 5.142** It is recognised that national policy and legislation is changing in this area as aspirations to achieve nature recovery become reality. Where and if required Wiltshire Council's approach to biodiversity net gain may be supported by a supplementary planning document and/or a further implementation note/guidance following the Local Plan adoption, as necessary.

### **Local nature recovery strategy**

- 5.143** National planning policy requires that components of the local wildlife-rich habitat and wider ecological networks are identified and mapped, including international, national and locally designated sites of importance for biodiversity, wildlife corridors and stepping-stones that connect them. Similarly, the Environment Act 2021, in outlining the need for Local Nature Recovery Strategies across England, outlines the need for such strategies to map protected sites alongside areas of importance for biodiversity, including areas of notable potential for biodiversity enhancement and environmental benefits. The intention is for the Local Nature Recovery Strategy to do this which will in turn inform biodiversity net gain, notably targeting off-site mitigation and outlining conservation priorities. Development should also support wider policy objectives as outlined within the Local Nature Recovery Strategy. This will help ensure biodiversity net gain focuses on habitat creation and enhancement where the greatest benefits for nature can be achieved.
- 5.144** It is envisaged that the Local Nature Recovery Strategy for Wiltshire, outlining Wiltshire's biodiversity and spatial strategy for nature, will establish priorities and opportunities to recover and enhance Wiltshire's natural environment through habitats and species conservation. The strategy will assist the implementation of the Nature Recovery Network (NRN) and development should follow suit. The Local Nature Recovery Strategy will enable opportunities for the delivery of multiple benefits to be identified and should provide the best value for time and money invested.

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<sup>55</sup> Analysis from the Natural History Museum, biodiversity intactness index, reveals that the UK is one of the most biodiversity depleted countries in the world with only 53% of its biodiversity remaining. Available at: <https://www.nhm.ac.uk/our-science/data/biodiversity-indicators.html>



## Policy 89

### Biodiversity net gain

Development<sup>56</sup> must achieve a minimum of 20% biodiversity net gain, or higher as stipulated in national legislation and/or policy or supplementary guidance, over the pre-development biodiversity value as measured by the latest Biodiversity Metric<sup>57</sup>. Exempted development<sup>58</sup> must achieve no net loss of biodiversity and should achieve appropriate net gains, aspiring to deliver at least 20% biodiversity net gain.

Biodiversity net gain must be delivered in the following hierarchical manner:

1. Onsite delivery: where delivered on site habitats should be functionally linked to the wider habitat network creating coherent ecological networks.
2. Offsite delivery: should prioritise contributing to nearby habitat recovery and creation strategies as identified within adopted mitigation strategies, strategic wildlife corridors, Local Nature Recovery Strategy<sup>59</sup> and, Green and Blue Infrastructure Strategy.
3. Offsite delivery: on an alternative suitable site, prioritising strategic delivery in the Local Nature Recovery Strategy area.
4. Credits: as a last resort, and where it is agreed by the local planning authority no suitable alternatives exist, through the purchase of an appropriate amount of national biodiversity units/credits.

Planning applications subject to mandatory biodiversity net gain must submit a Biodiversity Gain Plan<sup>60</sup> at the application stage that should include:

- how the mitigation hierarchy has been adhered to;
- justification for the baseline date and assessed value of the site prior to development, including a brief synopsis of the site's historic biodiversity value and appointing strategic significance in metric;
- pre and post-development biodiversity value of onsite habitats and created off site habitats;
- demonstrate how net gains are achieved through onsite, offsite or purchased credits, clarifying and explaining the predicted biodiversity outcomes both qualitatively and quantitatively;
- how a positive proportionate contribution has been made to the ecological networks and priorities as outlined within the Local Nature Recovery Strategy and regional Nature Recovery Networks and for maintaining or creating local ecological networks through habitat creation, protection, enhancement, restoration and management.

<sup>56</sup> Except where exemptions, modifications or exclusions have been made by legislation.

<sup>57</sup> As per the latest iteration, currently Biodiversity Metric 4.0 with qualifying small sites utilising the latest small sites metric.

<sup>58</sup> As stipulated within legislation

<sup>59</sup> Prior to Wiltshire adopting a Local Nature Recovery Strategy off-site habitat delivery, created or enhanced, should be well located to maximise opportunities for local nature recovery and this be demonstrated within the Biodiversity Gain Plan.

<sup>60</sup> As per guidance within The Environment Act 2021 and/or subsequent legislation

The assessments underpinning, and the Biodiversity Gain Plan itself, must be undertaken by a suitably qualified and/or experienced ecologist and be submitted together with baseline and proposed habitat mapping in a digital format with the application.

Sites where net gain is provided (on or off site) must be managed and monitored by the applicant or an appropriate body funded by the applicant for a minimum period of 30 years. Annual monitoring reports detailing the sites condition must be submitted to the council each year over this period. A management plan must be provided at the application stage detailing how the post-development biodiversity values of the site and any supporting off-site provision will be secured, managed, and monitored in perpetuity.

Where there is evidence of neglect or damage to any of the habitats on development sites reducing their biodiversity value their deteriorated condition will not be taken into consideration and steps will be taken to establish the previous ecological baseline<sup>61</sup> of the site in order to decide the acceptability of any development proposals.

Development proposals where the principal objective is to conserve or enhance biodiversity and geodiversity interests will be supported in principle.

## Trees, hedgerows, and woodland



<sup>61</sup> Schedule 14 of the Environment Act enables planning authorities to recognise habitat degradation on a site since 30 January 2020, where necessary utilising an earlier habitat state as the baseline for biodiversity net gain calculation.

- 5.145** Wiltshire has many important ancient trees, woodlands, and hedgerows, which are valued, aesthetically, historically, culturally, and ecologically as well as for a wide variety of other ecosystem system services they provide. However, even those trees, woodlands and hedgerows which are not ancient still have numerous benefits and are often valued locally, and with careful management can have these values improved and protected for many years to come. Proposals should retain and incorporate into their design on site and adjacent woodland, trees, and hedgerows. Development that would result in the net loss of, damage to, or threaten the continued well-being of locally valued and/or protected trees, hedgerows, or woodland will not be permitted unless the loss of a tree(s) and/or hedgerow is deemed acceptable as agreed by the local planning authority. Where applicable, the minimum necessary should be removed and its subsequent replacement provision will be required of at least the same scale, maintaining the continuity of the asset and its function as a GBI corridor / habitat, that utilises a locally native mix of native species that are in sympathy with the character of existing tree or hedgerow species. All work to be carried out around existing trees as well as protection measures for trees and their root systems shall be in accordance with BS 5837 'Trees in Relation to Construction.'
- 5.146** The UK government has committed to planting 30,000 Ha of trees per year by 2025 and sustaining that planting target for 25 years to meet their 2050 Net Zero Carbon Commitment and the 25-year Environment Plan. As part of its Climate Strategy Wiltshire Council, to help meet this national commitment as well as its own climate goals, has committed to facilitating the planting of 444 Ha of trees every year within the county for 20 years to achieve our proportion of the net zero target and habitat creation targets and increase Wiltshire's canopy cover from 14% to 17%. It is recognised that over 44% of Wiltshire's landscape has designated or statutory protections, for historic, cultural, and ecological reasons and therefore it is important that any new tree planting respects local, regional, national, and international designations by following 'Right Tree, Right Place' planning principles. Reference should be made where appropriate to Areas of Outstanding Natural Beauty and National Park guidance on tree and woodland planting.
- 5.147** Wiltshire also has substantial agroforestry and leisure businesses linked to woodland in the Savernake Forest, and Longleat Estates. The UK government is committed to reducing the UK's reliance on imported timber and boosting domestic production as well as developing UK domestic bio-mass industries. Wiltshire Council recognises the growing economic importance of the woodland and forestry industry and the potential diversity of economic opportunities and jobs the industry can support.
- 5.148** The Great Western Community Forest (GWCF) is one of nine community forests set up around England to provide the benefits of being close to woodlands and forests to large urban population centres. The GWCF is administered by Swindon Borough Council, but a significant part of its funding boundary overlaps with the north of Wiltshire. Wiltshire Council is committed to partnering with Swindon Borough Council to further the aims of the GWCF and develop planting schemes within Wiltshire that meet the objectives of the Community Forest.
- 5.149** Wiltshire Council supports the establishment of new woodlands, trees, and hedgerows as part of integrated on or off-site biodiversity net gain commitments for new developments as well as part of the overall increase in tree canopy cover across Wiltshire.

- 5.150** With regards trees in the urban environment, the National Planning Policy Framework calls for streets to be tree lined, and for new residential areas to have community orchards and / or fruit trees in private gardens where large enough to accommodate them. But clearly, a balance may need to be struck between the objective of planting trees in every street/road and potential highway feasibility/safety concerns. The objectives of national policy will be supported by the future England Tree Strategy along with further information from the Wiltshire Design Guide and the future Wiltshire woodland, hedgerow and tree strategy.
- 5.151** Many of Wiltshire's existing urban areas are denuded of trees. This may be for historic reasons regarding the conservation of views or street scenes but often trees have been removed due to disease or death and not replaced, or new urban development has not significantly prioritised tree planting. The council will work with partners to help significantly increase our urban tree canopy to help meet our overall tree planting goals.
- 5.152** Where tree planting does take place on a development, sometimes these trees fail to mature. Reasons for tree failure include:
1. poor specification of planting pits (e.g., inadequate soil type and volume, aeration, and drainage);
  2. vandalism or vermin damage (rabbits / deer / squirrels);
  3. poor maintenance (e.g., strimmer damage / lack of summer watering / loosening or removal of tree ties and supports).
- 5.153** Wiltshire Council recognises the importance of managing these major influences on tree planting establishment and require new development to adequately show through detailed drawings, management, and maintenance plans how they will ensure the long-term establishment of the trees that they intend to plant in a manner that is most economical. This should be in accordance with BS 8545:2014 that describes a process for planting young trees that will result in them achieving 'independence in the landscape'. The importance of soil type and structure is also recognised and the need to provide appropriate beneficial mycorrhizal fungi to help trees establish in non-woodland areas. Further information on this will be available in the woodland and tree strategy.
- 5.154** The Wiltshire Green and Blue Infrastructure Strategy committed Wiltshire Council to producing a woodland, hedgerow and tree strategy, this will set out how the council expects to meet its commitments to tree planting that meets the principles of 'Right Tree, Right Place' incorporating the local advice of the Areas of Outstanding Natural Beauty.

## **Policy 90**

### **Woodland, hedgerows, and trees**

Proposals for major development shall make provision for the retention and enhancement of Wiltshire's woodlands, hedgerows, and trees, and shall incorporate these assets into development design as part of the wider Green and Blue Infrastructure (GBI) Network, by:

1. contributing to the tree planting targets of Wiltshire Council's Climate Strategy and woodland, hedgerow and tree strategy, following the principles of 'Right Tree, Right Place';

2. supporting the economic benefits of woodland and tree planting from agroforestry, leisure, tourism as well as wider ecosystem services such as natural flood management and climate resilience;
3. where applicable, supporting the aims and objectives of the Great Western Community Forest;
4. where applicable and acceptable in highway terms, ensuring on major developments that tree lined streets, community orchards and garden tree planting, are fully integrated into proposals;
5. seeking, where applicable, to increase woodland and street tree cover in existing urban areas in Wiltshire to create shade, mitigate storm water runoff, improve air quality, sequester carbon, and improve the health and well-being of local communities;
6. ensuring the long-term sustainability of woodland, hedgerow, and tree planting, through the appropriate specification of plants, planting accessories, soil volumes, and long-term management to ensure the establishment to maturity of planting schemes in Wiltshire and minimise wastage.

## Conserving and enhancing Wiltshire's landscapes

- 5.155** Landscape encompasses matters beyond aesthetics and visual amenity. The European Landscape Convention (ELC) outlines landscape as land ‘as perceived by local people or visitors, which evolves through time as a result of being acted upon by natural forces and human beings’. This encompasses not only visual appearance but also the natural and human factors, over many years, that influence the landscape. The ELC promotes landscape protection, management and planning, and applies to all landscapes, towns and villages, as well as open countryside; the coast and inland areas.
- 5.156** Development can present many pressures upon Wiltshire’s landscapes including on the periphery of towns and villages, where the erosion of the separate identity of settlements and their coalescence, character, visual and functional amenity can degrade their setting to the detriment of the character of the rural countryside. New developments must seek to conserve and where possible enhance the rural edge of settlements by protecting locally important views and landscape character, as well as ensuring appropriate landscape buffers are formed that can adequately manage the transition from the urban to rural landscape.
- 5.157** Wiltshire benefits from many historic landscapes and townscapes that provide individual character and visual identity, reflected in the use of local materials and building styles used in paving, boundary treatments, and structures. Development should seek to reflect these contextual character cues in accordance with the Wiltshire Design Guide and note how hard landscape detailing reflects its local context in the design documentation.
- 5.158** Tranquillity is an important experiential aspect of landscape. The Guidelines for Landscape and Visual Impact Assessment (GLVIA) (LI and IEMA 2013) define tranquillity as ‘a state of calm and quietude associated with peace, considered to be a significant asset of landscape’. It is recognised that it is difficult to objectively measure tranquillity, as much of it derives from individual perception impacted by the landscape context. It very much relies on the overall appreciation of the landscape context. Despite this there are fundamental aspects that can be considered by developers as set out in the Landscape Institute Technical Note 01/2017. This includes motion, light pollution, remoteness (or wildness) and noise, but needs to be set in its context. Tranquillity mapping by Campaign to Protect Rural England and its application for

landscape planning by the Forestry Commission should be considered at the strategic level. The Cranborne Chase Area of Outstanding Natural Beauty International Dark Skies Reserve status needs to be recognised by any new development, along with the dark skies policies of the Cotswold and North Wessex Downs Areas of Outstanding Natural Beauty and their status protected and enhanced.

- 5.159** The Construction Code of Practice for the Sustainable Use of Soils on Construction Sites (DEFRA 2009) states that ‘Soil is a fundamental and ultimately finite resource that fulfils a number of functions and services for society which are central to sustainability.’ As well as protecting grade 1 and 2 agricultural soils the council requires all new developments to, where possible, protect and enhance the existing soil structure. Where soil cannot be protected, new developments shall ensure sufficient de-compacted soil volumes are provided in accordance with the DEFRA Code of Practice and the Landscape Institute Technical Note 04/2017 ‘Soils and Soil-forming Material.
- 5.160** There is a Wiltshire Council Landscape Character Assessment (LCA) that covers the whole of the county along with LCAs for the Areas of Outstanding Natural Beauty and National Park, Cotswolds Water Park and Salisbury Plain Training Area. The Wiltshire LCA and, where necessary, other LCAs where appropriate should form the basis of understanding the landscape context of all development. The Landscape Character Assessments set out many of the important landscape features that are characteristics of an area and should be consulted when reviewing what landscape site feature may require protection, enhancement, or reintroduction as part of new development. This along with the new emerging Wiltshire Landscape Strategy will help ensure that new development is appropriately designed to fit into its landscape context.
- 5.161** Other relevant assessments and studies that may inform development proposals include:
- those which are professionally prepared to best practice guidelines e.g. Wiltshire and Swindon Historic Landscape Characterisation study;
  - local studies which are approved by the council e.g. Village Design Statements, Parish plans, Neighbourhood plans.
- 5.162** There will also be a new Wiltshire landscape strategy which includes guidance based on the distinct character areas identified within the Wiltshire Landscape Character Assessment. The existing local ‘Special Landscape Area’ designations will no longer be saved, the council instead recognises the National Planning Policy Framework’s landscape character approach to determining landscape value and will require applicants to assess the value of their sites at the local level through the use of the Landscape Institutes Technical Guidance Note TGN 02-21: ‘Assessing landscape value outside national designations.’
- 5.163** Applications for development which would, by its nature, scale, appearance or location, have the potential to change local landscape character must be accompanied by a Landscape and Visual Impact Assessment. Where required Landscape Visual Impact Assessments (LVIAs) and Landscape Visual Appraisals (LVAs) should be undertaken in accordance with The Guidelines for Landscape and Visual Impact Assessment (GLVIA) (LI and IEMA) to a breadth and depth proportionate to the scale of the development. Townscape Character Assessments for urban development sites in addition to following the GLVIA should also follow the Landscape Institute’s Townscape Character Assessment Technical Information Note 05/2017.

**5.164** Full regard must also be had to the conservation and enhancement of the most highly valued landscapes including Wiltshire's nationally designated landscapes as well as the importance of protecting landscapes for the benefit of wildlife.

### **Wiltshire's designated landscapes**

**5.165** The national significance of the landscape of Wiltshire is acknowledged in the designation of 44% of the area administered by Wiltshire Council as an Area of Outstanding Natural Beauty, while a small area of the New Forest National Park<sup>62</sup> is also present within the south of the county. When determining proposals in Areas of Outstanding Natural Beauty and that relate to the New Forest National Park, great weight will be given to conserving landscape and scenic beauty in accordance with paragraphs 176 and 177 of the National Planning Policy Framework. Particular attention is also drawn to paragraph 11 (including footnote 7), which restricts the presumption in favour of sustainable development in such areas. However, this conserving and enhancing Wiltshire's landscapes policy also addresses development outside these areas which could affect the setting of these highly valued landscapes. The current management plans for these areas are as follows:

- Cranborne Chase and West Wiltshire Downs Area of Outstanding Natural Beauty Management Plan
- North Wessex Downs Area of Outstanding Natural Beauty Management Plan
- Cotswolds Area of Outstanding Natural Beauty Management Plan
- New Forest Management Plan

**5.166** Proposals for development within or affecting the Areas of Outstanding Natural Beauty or New Forest National Park should demonstrate that they have taken account of the objectives, policies and actions set out in those current or any other revised or replacement management plans. Other documents prepared by the Areas of Outstanding Natural Beauty or New Forest National Park may also be relevant, including position statements, woodland and biodiversity strategies, landscape sensitivity and tranquillity studies, and the landscape character assessments listed above.

**5.167** Development within the setting of an Area of Outstanding Natural Beauty or national park is considered to be all of the surroundings from which a designated landscape can be experienced, or which can be experienced from the designated landscape. Its extent is not fixed and may change as the landscape and its surroundings evolve. Elements of a setting may make a positive or negative contribution to the natural beauty of a landscape and may affect the ability to appreciate it. Wiltshire Council has a 'Duty of Regard' under section 85 of the Countryside and Rights of Way Act 2000 to conserve and where possible enhance the natural beauty of Areas of Outstanding Natural Beauty and their setting.

**5.168** Wiltshire also contains some of the Western Wiltshire Green Belt as identified on the Policies Map. The purpose of the green belt is to prevent urban sprawl, principally around Bristol and Bath, and to safeguard the surrounding countryside by keeping this land permanently open.

**5.169** Applications for development within the green belt, alongside any alterations to the extent of the green belt, will be determined in accordance with national planning policy.

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<sup>62</sup> New Forest National Park Authority is the Local Planning Authority for the part of the national park falling within Wiltshire

**5.170** The following policy seeks to conserve and where possible enhance Wiltshire’s landscapes and their distinctive landscape character. The term ‘landscape’ here is used to refer to the built, historic and natural environment in urban, peri-urban and rural areas.



## Policy 91

### Conserving and enhancing Wiltshire's landscapes

Development will conserve and where possible enhance Wiltshire's landscapes by:

1. being located and designed to respect landscape character and maintain an area's distinctive sense of place and reinforce local distinctiveness as set out in the Wiltshire Landscape Character Assessment<sup>63</sup> and landscape strategy;
2. conserving, enhancing, and restoring the characteristics and views of landscapes along with valued attributes and existing site features such as trees, hedgerows, dry stone walls and waterbodies that contribute to the character and quality of the area;
3. conserving and enhancing the locally distinctive character of settlements and their landscape settings;
4. conserving and enhancing the transition between man-made and natural landscapes at the urban fringe;
5. being of high-quality design appropriate to its townscape and landscape context in accordance with the National Design Guidance and Wiltshire Design Guide, that incorporates green and blue infrastructure, supports climate resilience, biodiversity enhancement, and health and wellbeing of the local community;
6. be located and designed to prevent erosion of relative tranquillity (light pollution and noise) and intrinsically dark landscapes, and use opportunities to enhance areas in which tranquillity have been eroded;
7. where necessary, being supported by a proportionate Landscape and Visual Impact Assessment, Landscape and Visual Appraisal, or Townscape Appraisal that shows how, through an iterative process that has considered the site context, this has helped integrate and enhance the proposed development;
8. protecting geology and soils that underpin the landscape character of Wiltshire enhancing healthy 'living' soils as the foundation for successful plant growth, natural carbon sequestration, groundwater storage and filtration, as well as all eco-system services.

#### Wiltshire's designated landscapes

Great weight will be given to conserving and enhancing the landscape and scenic beauty of Wiltshire's designated landscapes, Areas of Outstanding Natural Beauty and the New Forest National Park. Development within, and influencing the setting of, these designated areas should be limited in scale and extent and are expected to contribute towards conserving and enhancing their natural beauty.

Proposals for development within or affecting designated landscapes must demonstrate that they have taken account of the objectives, policies and actions set out in the relevant management plans for these areas. Proposals for development outside of an Area

<sup>63</sup> The Wiltshire Landscape Character Assessment, alongside any subsequent revisions and other relevant assessments and studies, provides an up-to-date and consistent understanding of the key landscape characteristics and features that contribute to local distinctiveness and sense of place in Wiltshire.

of Outstanding Natural Beauty that is sufficiently prominent (in terms of its siting or scale) to have an impact on the area's special qualities, as set out in the relevant management plan, must also demonstrate that it would not adversely affect its setting.

Development will not be supported if it cannot demonstrate conservation or enhancement to the landscape character and special qualities of an Area of Outstanding Natural Beauty or National Park.

## Conserving and enhancing dark skies

### Wiltshire's dark skies

- 5.171** Dark night skies serve a multitude of benefits including those related to human health, landscape character and views of the night sky alongside being critical to many species, supporting heathy ecosystems. Modern lighting practices have introduced light as a form of pollution to our night skies, causing a glow in the countryside that can harm local biodiversity whilst detrimentally impacting on an area's character. Where relevant, planning applications should be supported by lighting schemes setting out the necessity for, and suitability of, the planned lighting including, as appropriate, details of how the lighting will be directed/shielded, will produce minimum levels of brightness, and will be used only when required.
- 5.172** The impact of artificial light has left much of England without the presence of truly dark night skies. National policy<sup>64</sup> makes it clear how planning policies and decisions should limit the impact of light pollution from artificial light on local amenity, intrinsically dark landscapes, and nature conservation.
- 5.173** Within Wiltshire there are large areas of open countryside that host dark night skies<sup>65</sup>, much of which falls within the boundaries of Wiltshire's Areas of Outstanding Natural Beauty<sup>66</sup>, notably those areas outside of the defined limits of development. This is reflected in the respective management plans for each of these Areas of Outstanding Natural Beauty whereby the conservation and enhancement of dark skies is a consistent priority.
- 5.174** In 2019 the dark skies within the Cranborne Chase Area of Outstanding Natural Beauty were designated as an International Dark-Sky Reserve (IDSR), having been found to host the darkest night skies in central southern England<sup>67</sup>. The IDSR designation covers the whole of the Cranborne Chase designated landscape with the area's management plan, providing further detail regarding the importance of conserving and enhancing the Dark-Sky.
- 5.175** Given the demand for various types of lighting associated with development, it is important that the impact on the surrounding area is considered when determining such applications. Although some lighting is permitted development, the council will ensure applications that involve the

<sup>64</sup> *National Planning Policy Framework*, GOV.UK (2023, para. 185)

<sup>65</sup> CPRE Night Blight interactive map underpinned by Open Street Map and World Imagery satellite maps.

<sup>66</sup> Cotswold national landscape, Cranborne Chase Area of Outstanding Natural Beauty and the North Wessex Downs Area of Outstanding Natural Beauty.

<sup>67</sup> *Campaign to Protect Rural England* (June, 2016) Night Blight: Mapping England's light pollution and dark skies showed that 52% of Cranborne Chase Area of Outstanding Natural Beauty is in Band 1, which is the darkest category and 40% of the Area of Outstanding Natural Beauty is in the next category.

use of lighting will be determined in accordance with the Plan and will expect applicants to demonstrate that they have appropriately considered the design of their scheme and the level of lighting required.

**5.176** Development proposals located within Wiltshire’s Areas of Outstanding Natural Beauty or their setting should seek to avoid and reduce light pollution, taking account of the relevant management plan. Where permission is granted, the council may impose planning conditions to mitigate the impacts from any lighting, for instance conditions that require:

- the fitting of devices to reduce glare and light spillage;
- restricting the hours during which the lighting may be operated;
- applications be submitted for any future installation of external lighting.

**5.177** In certain circumstances, applicants may be required to take appropriate measures to control the level of illumination, glare, spillage of light, angle and hours of operation. This does not mean that there can or should be no new lighting, but it does uphold the principle of providing the right light in the right place at the right time. This usually means lighting with a clear purpose, downward facing and of sufficient strength to provide the illumination required, but with the light only being on for the period when it is needed.

**5.178** Development proposals within Wiltshire’s Areas of Outstanding Natural Beauty should uphold the following two key principles:

- Firstly, at the design stage, features that have the capacity to contribute to light pollution should be ‘designed out’ of the scheme at an early stage or are effectively mitigated.
- Secondly, any required lighting follows the ‘right light, right place, right time’ philosophy.

**5.179** For the purposes of policy implementation, applicants should refer to the Institution of Lighting Professionals (ILP) Guidance Note for ‘The Reduction of Obtrusive Light [ILP GN 01/2021]’, or future revisions, that contains design and installation guidance and recommendations in different Environmental Zones. As identified on the Policies Map, the Cranborne Chase designated landscape (IDSR) predominantly represents zone E0 (protected) with a buffer within the outer edge of the designation, alongside the Cotswold and North Wessex Downs designated landscapes outside of settlement boundaries, representing zone E1 (Natural) as per ILP GN 01/2021. A proportionate approach will be taken to development proposals within or bordering settlements. In practice, all outdoor lighting should meet the requirements of ILP GN 01/2021 (or its current updates), alongside the current requirements for an International Dark-Sky Reserve as specified by the International Dark-Sky Association with regards the Cranborne Chase IDSR.

## **Policy 92**

### **Conserving and enhancing dark skies**

Within an International Dark Sky Reserve and/or an Area of Outstanding Natural Beauty, development will only be supported where it conserves or enhances the intrinsic quality of dark skies. Development proposals must ensure that all opportunities to reduce light pollution are taken.

## Green and blue infrastructure

### Wiltshire's green and blue Infrastructure

**5.180** Green and blue infrastructure (GBI) is a descriptive term encompassing a wide range of multi-functional green and blue spaces and other natural features, urban and rural, which are capable of delivering a wide range of environmental, economic, health and wellbeing benefits for nature, climate resilience, and communities.

**5.181** Wiltshire's green and blue infrastructure policy seeks to protect and enhance the GBI network in Wiltshire, helping to achieve the vision set out within the Wiltshire GBI Strategy.

**5.182** The GBI Strategy adopted in February 2022 defines GBI as:

*'A network of multi-functional green and blue spaces and other natural features, urban and rural, which is capable of delivering a wide range of environmental, economic, health and wellbeing benefits for nature, climate, local and wider communities and prosperity.'*

**5.183** The Strategy focuses on the natural environment and how by creating a strong, well-considered network of green and blue corridors and spaces we can support the achievement of three main goals, namely:

- adaptation and resilience to climate change;
- halt the loss of and improving biodiversity; and
- health and wellbeing of communities

**5.184** GBI assets can serve one or more functions with connectivity between different GBI assets helping to maximise the ecosystem services and well-being benefits that they can generate. Well-connected GBI assets create GBI networks that are adaptive and resilient to urbanisation and climate change. Linear landscape features such as river corridors and hedgerows provide ecological networks for the dispersal of wildlife. Connecting green spaces and places via a network of sustainable walking and cycling routes along green corridors encourages and enables access to nature in a more sustainable and healthy manner.

### Development and GBI

**5.185** The protection and enhancement of Wiltshire's GBI Network will be crucial in helping to ensure that the growth set out in the Plan can be delivered in a sustainable manner. Set within the context of the Wiltshire-wide Strategic GBI network, Settlement GBI Frameworks will be developed to highlight key needs and opportunities for improving local GBI networks in and around the Principal Settlements and Market Towns identified for growth over the plan period.

**5.186** The Settlement GBI Frameworks will have a central role in informing local planning and delivery of GBI to support planned sustainable growth of these communities. The Frameworks will also provide a tool for identifying shared priorities for improving local GBI networks in line with the GBI Strategy's goals through partnerships and specific local initiatives.

**5.187** While Settlement GBI Frameworks will not be developed for all settlements in Wiltshire, it should be noted that many towns and villages are now collating and developing their own local priorities and objectives for GBI linked into their neighbourhood plan.

- 5.188** Wiltshire’s green and blue infrastructure policy supports the retention, enhancement and creation of GBI alongside the delivery of green and blue infrastructure projects and initiatives. The planning and delivery of these projects will need to address any potential negative environmental impacts, particularly in relation to disturbance of wildlife, flood risk, water quality, landscape character and tranquillity.
- 5.189** When retaining and enhancing GBI, development proposals represent a valuable opportunity to incorporate existing and new GBI features and connections into the design of new streets, public realm, public open space, sustainable drainage schemes, landscaping areas and so on. When retaining and enhancing GBI care should be taken to optimise integration and subsequent benefits, for example integrating blue infrastructure features with ‘open’ sustainable drainage to ensure maximum benefit to wildlife, amenity, and natural flood storage functions.
- 5.190** Many GBI assets however, for example woodlands, trees, and hedgerows, take some time to mature and realise their full GBI benefits meaning in the first instance every effort shall be made to retain and enhance onsite GBI features as part of the GBI design for the development.
- 5.191** Similarly, it is important that developers recognise that GBI does not stop at existing features, but rather features should be created and enhanced providing a network of corridors that can be developed across developable land through streets, public realm, gardens, and Sustainable Drainage Systems (SuDS). Features optimising the built environments GBI potential include rain gardens and bio-retention swales to street tree planting and wildlife tunnels that can connect foraging corridors across access roads or simply provide hedgehog highways through back gardens.
- 5.192** The provision of GBI also offers opportunities to enhance the health and wellbeing of communities through promoting active travel along corridors and routes that are attractive, safe, and are well integrated with local and regional public rights of way (PRoW) networks and providing access to nature.
- 5.193** Well-integrated existing and well-designed new GBI can create features providing multiple benefits and this policy is designed to ensure development seizes this opportunity.
- 5.194** Recognising the value and potential of GBI, proposals for major developments be expected to audit the current provision in and around the development site and prepare a proportionate GBI statement, or green and blue infrastructure audit incorporated into submitted material, demonstrating how GBI will be retained, integrated, enhanced and extended as a result of the development process. A GBI audit should encompass all GBI assets, for example:
- existing trees, woodlands, hedgerows and priority habitat;
  - public open spaces, allotments, private gardens, cemeteries and churchyards;
  - existing or abandoned rail corridors, PRoW, road corridors;
  - canals, rivers, ponds, lakes, streams, watercourses, ditches.
- 5.195** Developers should highlight as part of the GBI audit areas and features outside the site boundary which could benefit from an appropriate level of financial contribution to the reinforcing of GBI physical links and connections between the new development and the wider Wiltshire GBI network. Appropriate contributions may also be sought towards the delivery of specific GBI projects and initiatives, for example as set out in the GBI Settlement Frameworks.

**5.196** Appropriate long-term management of green and blue infrastructure is essential and developers will be required to contribute to this through the provision of measures including financial contributions, management schemes and management plans. Details of this should be provided in a Landscape and Ecology Management Plan (LEMP) for each major development. Management of GBI must ensure considerations of amenity are balanced with the need to conserve and enhance habitat integrity and minimise disturbance to wildlife.

## **Policy 93**

### **Green and blue infrastructure**

Development shall make provision for the retention and enhancement of Wiltshire's green and blue infrastructure network and shall ensure that suitable links to the network are provided and maintained.

Proposals for major development will be required to:

1. retain and enhance the integrity, quantity, quality and connectivity of existing on site green and blue infrastructure;
2. identify and incorporate opportunities for the creation and extension of the green and blue infrastructure network, ensuring new and existing green and blue infrastructure is well integrated, enhancing strategic connectivity whilst maximising wildlife and ecosystem services;
3. put measures in place to ensure appropriate long-term management, maintenance and funding of any green and blue infrastructure directly related to the development;
4. identify and provide opportunities to enhance and improve linkages between the natural and historic landscapes of Wiltshire;
5. retain and enhance existing public rights of way, maximising accessibility and opportunities for new connections. Existing and new routes shall be integrated into the wider GBI network providing convenient and attractive links throughout the development and surrounding area.

Where damage or loss of existing green or blue infrastructure is unavoidable, only the minimum necessary shall be removed. Any loss must be mitigated through the creation of new or replacement green and/or blue infrastructure equal to or above its current value and quality, that maintains the integrity and functionality of the green and blue infrastructure network.

Green and blue infrastructure projects and initiatives that contribute to the delivery of a high quality and highly valued multi-functional green and blue infrastructure network in accordance with the Wiltshire Green and Blue Infrastructure Strategy and GBI Settlement Frameworks will be supported. Developer contributions to support such initiatives will be required where appropriate.

## **Wiltshire's canals and the boating community**

### **Wiltshire's canals and the boating community**

**5.197** Canals are an important part of Wiltshire's green and blue infrastructure and sustainable transport network. They provide recreational opportunities for boating, walking and green corridors for wildlife as well as playing a role in conveying flood water. The canal network in Wiltshire includes part of the Kennet and Avon Canal, and parts of the partially restored

Thames and Severn Canal and Wilts and Berks Canal (including the North Wilts Branch). When canal restoration is complete, an impressive 'Wessex Ring' will be formed, comprising the three canal systems, linking to other parts of the UK canal network.

- 5.198** Wiltshire's canals policy supports the restoration and improvement of the historic canal network in Wiltshire, which provides considerable opportunities to enhance green and blue infrastructure in the area.
- 5.199** Where sought, financial contributions must meet the legal tests relating to securing planning obligations.

### **Wilts and Berks and Thames and Severn Canals**

- 5.200** The historic alignment of the Wilts and Berks Canal runs broadly on a south-west to north-east axis through northern Wiltshire, passing Melksham, Chippenham and Royal Wootton Bassett. It also includes the North Wilts Branch of the canal network which runs between Swindon and Cricklade. The historic alignment of the Thames and Severn Canal skirts the northwest boundary of Wiltshire, passing Latton and Marston Meysey. Both historic alignments and the proposed Melksham Canal Link are identified on the Policies Map.
- 5.201** The historic alignment of the Wilts and Berks Canal through Melksham is no longer suitable for reinstatement as a canal, and an alternative route to link between the Kennet and Avon Canal (at Semington) and River Avon (at Melksham) is required. However, the historic line through Melksham can still be followed, and the council will support its identification and historical significance by signage where appropriate. Other parts of the original line of the Wilts and Berks Canal also have potential for interpretation, particularly the junction with the Kennet and Avon Canal at Semington, and the council will support the development of a footpath network based on a restored canal towpath linking with other appropriate rights of way where the canal has been lost under development.
- 5.202** The council supports in principle the restoration of the Wilts and Berks (including the necessary creation of the Melksham Canal Link) and Thames and Severn Canals. Restored canals can bring significant benefits in terms of attracting visitors to Wiltshire, contributing to the local economy, promoting sustainable transport through the provision of walking and cycling routes and providing an important element of the strategic green and blue infrastructure network. Once complete the restored canal network should provide opportunities for standing open water and marginal habitat, helping to contribute to nature recovery in line with the emerging Local Nature Recovery Strategy.
- 5.203** However, any proposals will need to demonstrate that the potential impacts of restoration on the existing biodiversity, as well as the wider natural and historic environment have been fully considered, both locally and, where practicable, as part of the overall restoration scheme, with an overview of the overall balance of positive and negative impacts. Proposals will need to demonstrate that adequate facilities for sewage disposal and waste collection will be provided to the satisfaction of the local planning authority and relevant utilities company. Canal restoration proposals must also have regard to the status and objectives of relevant existing waterbodies in the area, for instance as set out in plans prepared in accordance with the Water Framework Directive e.g., the Severn River Basin Management Plan (2015) or any successor documents. The preparation of 'masterplans' or similar documents will be particularly supported as a means of considering the likely overall impacts of the canal restoration

schemes, maximising potential benefits, and minimising or mitigating any likely negative effects. The use of sustainable drainage systems should be encouraged wherever possible, unless this could risk groundwater resources through infiltration.

## **Kennet and Avon Canal**

**5.204** The Kennet and Avon Canal is a significant asset within Wiltshire's sustainable transport and green and blue infrastructure network.

**5.205** Non-statutory guidance on the conservation and management of the Kennet and Avon Canal provides a useful context on the management of the canal and provision of facilities for visitors to the waterway. Such documents and any new guidance documents produced by the Canal and River Trust will be treated as material considerations when making decisions on planning applications relating to the canal. As a statutory consultee, weight will be given to the views of the Canal and River Trust on any planning application which has the potential to have direct or indirect effects upon the canal and its users.

## **Residential moorings**

**5.206** Residential boats provide a form of housing within Wiltshire and moored boats can be considered as an inherent feature of canals. Itinerant boaters are recognised as forming part of the travelling community in Wiltshire. A comprehensive approach to identifying residential moorings may be appropriate, whereby multiple applications relating to a stretch of canal can be considered together. Wiltshire Council will work with the Canal and River Trust to positively plan for the strategic long-term needs of the Kennet and Avon Canal and its users, including the provision of new moorings and facilities.

## **Policy 94**

### **Wiltshire's canals and the boating community**

The restoration, reconstruction and as necessary, creation of a new link between the Kennet and Avon Canal (at Semington) and River Avon (at Melksham) to facilitate the re-opening of the Wilts and Berks and Thames and Severn canals as navigable waterways will be supported. The alignments (and diversions where applicable) of the Wilts and Berks, including the new link section, North Wilts Branch and Thames and Severn Canals, as identified on the Policies Map, will be safeguarded.

These alignments will be safeguarded by:

1. not permitting development likely to destroy the canal alignment or its associated structures;
2. ensuring that where the canal is affected by development, the alignment is protected or a suitable alternative alignment is provided for canal construction and associated structures;
3. where undefined, the width of a safeguarded canal route must allow for the provision of associated cuttings and/or embankment requirements and the provision of green and blue infrastructure assets consisting of native flora.

Proposals for the reinstatement or creation of canal along these safeguarded alignments, or any alternative alignments, will need to demonstrate that the cultural, historic and natural environment will be protected and enhanced, with no overall adverse effect, and that potential impacts on ecology, landscape, flood risk, water resources (abstraction) and water quality have been fully assessed and taken into account. Proposals for the reinstatement of discrete sections of the canal



will also need to demonstrate that the potential environmental impacts of restoration projects as a whole have been assessed and taken into account as part of any planning application. Canal restoration/creation should ensure integration into the wider green and blue infrastructure (GBI) network, demonstrated as part of a green and blue infrastructure audit submitted as part of a planning application, to facilitate the formulation of strategic GBI corridors.

Proposals will be permitted that are designed to develop Wiltshire's canals recreational and nature conservation potential, in particular, the use of canals for walking and cycling.

The needs of boat users, including all necessary facilities, should respect the canal's character, setting, biodiversity and historic value. Facilities should not detract from the navigation of a canal and/or pedestrian and cycle movement alongside a canal where applicable. Wherever possible, proposals for facilities for boat users should be well related to existing infrastructure, maximising the potential for their redevelopment, improvement or modest extension.

Financial contributions may be sought towards the improvement or restoration of Wiltshire's canal network and towpaths and appropriate mitigation.

Planning applications for residential moorings will take into account potential impacts on landscape, biodiversity features and local residential amenity alongside all other relevant planning considerations, including any Canal and River Trust guidance.

## Flood risk

- 5.207** Development proposed within areas at risk from sources of flooding will need to refer to the Strategic Housing and Economic Land Availability Assessment when providing evidence to the local planning authority in order to apply the sequential test in line with the requirements of national policy and established best practice. The Strategic Housing and Economic Land Availability Assessment (SHELAA) demonstrates that there is sufficient land available in Flood Zone 1, the zone of least risk, to meet the proposed housing requirement of 36,740 new homes for the area. The Plan therefore favours housing development in Flood Zone 1 over areas of higher risk as identified by the Strategic Flood Risk Assessment (SFRA).
- 5.208** Proposals put forward in areas of higher risk (Flood Zones 2 and 3 or areas susceptible to flood risk sources) will need to be supported by clear evidence that no lower risk alternative sites are available. The SHELAA will be used as an evidence base when testing the suitability of proposals put forward in higher risk areas.
- 5.209** The Plan supports a sustainable approach to surface water drainage, and development will be expected to incorporate multifunctional Sustainable Drainage Systems (SuDS) such as rainwater harvesting, green roofs, permeable paving, and ponds, wetlands and swales, wherever possible. The council's Green Blue Infrastructure Strategy should be applied to make use of opportunities which could alleviate water runoff whilst achieving other benefits such as temperature regulation, improving health and wellbeing and improving biodiversity. The council's Climate Change Adaptation Plan should be referenced as this sets out the environmental opportunities and challenges facing Wiltshire and identifies key actions and guidelines in relation to climate change, including flooding and sustainable drainage. Furthermore, the Wiltshire Design Guide provides useful guidance on the design of SuDS.



The drainage strategy should be informed by the council's Green and Blue Infrastructure Strategy, the Climate Change Adaptation Plan, and the Wiltshire Design Guide as these all provide guidance on SuDS by incorporating the synergistic benefits and a nature-based approach, dealing with runoff onsite where possible and avoiding methods such as culverting which alters the natural formation of watercourses.

## Water resources



**5.212** Catchment Abstraction Management Strategies indicate that many of Wiltshire's rivers are over abstracted or over licensed (particularly the Hampshire Avon and Upper Kennet), putting stresses on the natural environment of these rivers that are likely to be exacerbated in the future due to climate change. It is therefore important that new development uses water efficiently to limit these environmental stresses.

**5.213** Wiltshire has been identified as a seriously water stressed area. Water stress applies both to the natural environment and to public water supplies which will both be detrimentally affected by climate change in the southwest of England where droughts are likely to become increasingly common. Reducing personal water consumption, as part of an overall approach to increasing resilience in the water environment, is imperative and gives suitable justification for a tighter water efficiency target of 85 litres per person per day in new residential developments. Whilst this level is recognised as ambitious, it is fully achievable and will aid in the futureproofing of Wiltshire's water resources.

- 5.214** The Building Research Establishment Environmental Assessment Method (BREEAM) is an internationally recognised sustainability rating scheme used to measure environmental performance and reduce the environmental impact of non-residential buildings. The use of the BREEAM standard will ensure the rigorous consideration of water efficiency and water recycling systems in the design, construction and use of non-residential buildings.
- 5.215** In order to achieve the necessary water-efficiency standards (for both residential and non-residential development) developers will need to think carefully about what water-efficiency features need to be incorporated within their proposal by implementing an innovative combination of features and fixtures. Features such as rainwater harvesting and grey water recycling and/ or innovative fixtures such as water-efficient appliances, fittings and leak detection devices are relevant examples. Early discussion with the council to this effect, will be encouraged. This will aid in the consideration of the proposal and ascertain whether any further details (and the format of those details) may be required.
- 5.216** The availability of adequate drainage (in terms of foul, sewerage and sewage treatment facilities) or the provision of suitable arrangements to facilitate a proposal, will depend on the individual circumstances of the proposed development. Early discussion with the council will ascertain any potential issues and will provide clarity as to what is required in supporting the submission of a proposed development.
- 5.217** In addition to these requirements, the council will maintain dialogue with infrastructure providers and neighbouring planning authorities to ensure an overall improvement to critical water resources, and to ensure that development proposals can be serviced without increasing the pressure on existing natural systems or prejudicing the delivery of Water Framework Directive targets. The Infrastructure Delivery Plan will highlight and address issues relating to water provision.
- 5.218** Several settlements within Wiltshire and the surrounding counties rely on Wiltshire's significant groundwater resources for an adequate supply of fresh, clean drinking water. The Environment Agency (EA) has identified and mapped a number of these resources according to their significance and vulnerability to pollutants, with categories including Source Protection Zones (1-3)<sup>69</sup>, Safeguard Zones and Water Protection Zones<sup>70</sup>. The EA advocates a risk-based approach to protection of these groundwater resources, as set out in the document 'The Environment Agency's approach to groundwater protection'<sup>71</sup> and planning should aim to reinforce the application of this approach. Most potential impacts upon groundwater resources can be avoided or mitigated through appropriate land management practices and buffer strips.

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<sup>69</sup> *Groundwater source protection zones Guidance*, GOV.UK (August, 2019) Available at: [Groundwater source protection zones \(SPZs\) - GOV.UK \(www.gov.uk\)](https://www.gov.uk/guidance/groundwater-source-protection-zones)

<sup>70</sup> *The Water Resources Act 1991 (Amendment) (England and Wales) Regulations 2009*, GOV.UK (2009) Available at: [legislation.gov.uk](https://www.legislation.gov.uk)

<sup>71</sup> *The Environment Agency's approach to groundwater protection*, Environment Agency (February, 2018) Available at: [The Environment Agency's approach to groundwater protection](https://www.environment-agency.gov.uk/publications/groundwater-protection)

## Policy 96

### Water resources

Development must not prejudice the delivery of actions and targets within relevant River Basin or Catchment Flood Management Plans and should contribute towards their delivery where possible.

Since 2021, Wiltshire has been classified as a water stressed area<sup>72</sup>. Accordingly, the council requires that:

- I. new residential development should have a predicted mains water consumption of no more than 85 litres per person per day;
- II. non-household development should achieve a score of three credits within the water (Wat 01 Water Consumption) issue category for the BREEAM New Construction Standard, achieving 40% reduction compared to baseline standards;
- III. all new development should incorporate water saving opportunities into their design, such as grey water recycling and rainwater harvesting. Developers will be expected to demonstrate how water efficiency has been taken into account during the design of their proposals.

Development proposals within a Source Protection Zone, Safeguard Zone or Water Protection Zone must assess any risk to groundwater resources and groundwater quality and demonstrate that these would be protected throughout the construction and operational phases of development.

Development will only be supported where adequate foul drainage, sewerage and sewage treatment facilities are available or where suitable arrangements are made for their provision.

Development should not be permitted in areas within buffer zones or safeguarded areas, set out by utility companies unless impacts can be satisfactorily mitigated.

## Contaminated land

- 5.219** Wiltshire generally has good or excellent land quality, but our industrial heritage means that there are many sites which have had one or more industrial or commercial uses, which may have resulted in soil and water contamination that may need to be addressed.
- 5.220** Wiltshire Council adopted its Contaminated Land Strategy in 2011 detailing how it will discharge its duties in connection with the Environmental Protection Act 1990 Part IIA and is progressively surveying the county for sites that may have been subject to historic contaminative uses. The council maintains a contaminated land register associated with this legislation. In line with the Contaminated Land Strategy, additional guidance has been prepared to assist developers in effectively addressing the issue of land contamination as a supplementary planning document.
- 5.221** The vast majority of sites which may be subject to contamination are, however, cleaned up as part of the redevelopment process. It is essential to ensure that the development of these brownfield sites leaves them safe and suitable for the new use.

<sup>72</sup> *Water stressed areas- 2021 classification*, GOV.UK (July, 2021) Available at: [Water stressed areas – 2021 classification - GOV.UK \(www.gov.uk\)](https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/94424/water_stressed_areas_2021_classification.pdf)

- 5.222** The implementation of satisfactory investigation, risk assessment, remediation and validation of these sites is managed through the planning process.
- 5.223** Achievement of this objective should assist in providing the necessary confidence to owners and occupiers of land, after development, about its condition and hence its standing in relation to relevant environmental protection regimes including Part IIA.
- 5.224** On a precautionary basis, the possibility of contamination should be assumed when considering planning applications in relation to all land subject to or adjacent to previous industrial use and also where uses are being considered that are particularly sensitive to contamination, e.g. housing, schools, hospitals and children’s play areas. Contamination should also be considered when preparing planning policy documents, including neighbourhood plans and masterplans.
- 5.225** The council has adopted an Inspection Strategy for Contaminated Land which specifically addresses the approach the council is taking to land covered by the Part IIA regime. The principles of risk assessment and site categorisation contained within the Inspection Strategy are also useful when considering the re-use of land through the planning process.
- 5.226** Policy 97 (Contaminated land) requires that all development, which either because of its nature or location, may be on or adjacent to land or water affected by historic contamination overcomes this barrier to development by demonstrating the measures that will be taken to help mitigate these impacts. The nature and extent of the mitigation measures necessary will be site specific and the council’s requirements will be proportionate and reasonable. Developers will be required to demonstrate that the development site is, or will be, made suitable for the proposed final use and will need to provide one or more of the following documents:
- i. detailed site history identifying possibly contaminative uses
  - ii. site characterisation: the nature and extent of any contamination and the hazards and risks posed
  - iii. detailed remediation scheme: including methodology and quality assurance
  - iv. methodology to report unexpected contamination
  - v. methodology to ensure verification of remedial works
  - vi. details of long term monitoring and maintenance proposals (where necessary)
- 5.227** The need for, type and complexity of reports will depend on the specific site.
- 5.228** In line with the Inspection Strategy additional guidance will be prepared to assist developers in effectively addressing the issue of land contamination.

## **Policy 97**

### **Contaminated land**

Development proposals which are likely to be on, or adjacent to land which may have been subject to contamination will need to demonstrate that measures can be taken to effectively mitigate the impacts of land contamination on public health, living conditions both on the site and the wider area, environmental quality, the built environment and amenity. Developers will be required to demonstrate that the development site is, or will be, made suitable for the proposed final use.



## Ensuring high quality design and place shaping

- 5.229** Wiltshire is a diverse county with distinctive characteristics related in a large part to its historic environment which includes heritage assets of international, national and local significance. Wiltshire has many market towns and villages set in large expanses of countryside. Steep hillsides and river valleys also create prominent long views and skylines which help to define Wiltshire's settlements. Historic centres are highly valued and form the focus of each town and village. Continued demand for housing means Wiltshire's towns have grown significantly over time.
- 5.230** The historic environment includes important landscapes, archaeological and built heritage assets and their settings, a large number of conservation areas and historic parks and gardens, as well as the Stonehenge and Avebury World Heritage Site. It creates visual richness and adds value to the built environment and wider countryside.
- 5.231** Development needs to be carefully planned to ensure that valuable features and characteristics are protected and enhanced. The following policies set out how the Plan will ensure that development contributes towards:
- achieving high quality buildings and spaces that reinforce a sense of identity;
  - a well-integrated development, which makes a positive contribution to the character of Wiltshire's urban and rural environments by complementing valuable contextual features and buildings;
  - protection and enhancement of Wiltshire's heritage assets;
  - ensuring that places with national and international designations receive the highest level of protection.
- 5.232** High quality design is fundamental to the creation of high-quality places by both enhancing appearance and functionality. It is the means by which improved health and wellbeing, and better quality public realm and buildings, can be delivered.
- 5.233** New development should integrate into its surroundings whilst seeking to enhance the overall character of the locality. In doing so, the layout and design of new developments must be based on a thorough understanding of the site itself and its wider context and seek to maximise the benefits of the site's characteristics. There must be careful consideration of setting, topography and the retention of established planting and trees which can visually enhance a development.
- 5.234** High quality design will be required for all new developments from building extensions through to major developments. Innovative designs which help raise the standard of design more generally in the area will be encouraged. Proposals for new development must demonstrate that:
- a. an analysis of the constraints and opportunities of the site and its surroundings have informed the principles of design and how the detailed design responds positively to its neighbours and the local context;
  - b. the proposal makes a positive contribution to the local environment and creates a place with a distinctive character;



- c. the public realm has been designed to ensure that it is attractive, safe, accessible and well connected to its surroundings, including walking and cycling routes to and within the development, to encourage their use;
- d. the accompanying landscape framework has been developed to enhance both the natural and built environment and maximise the potential to improve local biodiversity;
- e. measures to minimise carbon emissions and promote renewable energy and reduce impact on climate change form an integral part of the design solutions;
- f. it secures a strong sense of place and clear sense of arrival at points of entry into the towns and villages.

**5.235** The following policy sets out a range of issues which all developers will need to take into account when designing each individual scheme. Proposals will need to be accompanied by appropriate information to demonstrate policy compliance, including a design and access statement where this is required by the local validation checklist. All proposals will need to have regard to:

- i. Design requirements in The Wiltshire Design Guide;
- ii. Design requirements in neighbourhood plans;
- iii. Design requirements in the Wiltshire Local Transport Plan and Car Parking Strategy;
- iv. Design guidance including: Conservation Area Management Plans and Appraisals, and for Waste Storage and Collection; and
- v. Design guidance in Village Design Statements, Conservation Area Statements, Area of Outstanding Natural Beauty Management Plans, or similar that are up to date and approved by the local authority as providing guidance on the implementation of Policy 98 (Ensuring high quality design and place shaping).

**5.236** Proposals will also need to have regard to relevant national guidance:

- National Design Guide;
- 'Building for a Healthy Life' (2020) recommendations for the design of residential and mixed-use developments;
- 'Streets for a Healthy Life' (2022) recommendations; and
- Design guidance in 'Manual for Streets' (2007) and its successor document.

**5.237** Density is interlinked with design. It is essential that all land in Wiltshire is used efficiently, and innovative design solutions are encouraged to achieve higher density levels where appropriate. The appropriate density will be a product of a robust site assessment and a sustainable transport assessment.

**5.238** New development should be located and structured in a way that reduces the need and desire to travel by car. Detailed design of the public realm should be supported by high quality transport infrastructure which helps to increase the attractiveness of public transport, walking and cycling.

## Policy 98

### Ensuring high quality design and place shaping

A high standard of design is required in all new developments, including extensions, alterations, and changes of use of existing buildings. This will be achieved through:

- i. enhancing local distinctiveness by responding to the value of the natural and historic environment, relating positively to its landscape setting and the existing pattern of development and responding to local topography by ensuring that important views into, within and out of the site are to be retained and enhanced;
- ii. the retention and enhancement of existing important landscaping and natural features, (e.g. trees, hedges, banks and watercourses), in order to take opportunities to enhance biodiversity, create wildlife and recreational corridors, effectively integrate the development into its setting and to justify and mitigate against any losses that may occur through the development;
- iii. responding positively to the existing townscape and landscape in terms of the distinctive local characteristics of the built form (i.e. the layout of blocks, streets, plots and buildings' scale, mass, height, build-line), and appearance (i.e. elevational composition, articulation, detailing and materials) and where a distinct change in character is proposed this must be explained and justified in the Design and Access Statement;
- iv. being sympathetic to and conserving historic buildings and historic landscapes;
- v. taking all opportunities for incorporating sustainable building design by following the energy hierarchy i.e. reducing the need for energy (e.g. for home heating or cooling), being more efficient with energy, and maximising the use of renewable energy (e.g. installing photovoltaics, and orienting facades, roofs and amenity spaces to receive optimal benefit from sunlight and solar gain) in accordance with the Wiltshire Climate Strategy;
- vi. making efficient use of land whilst taking account of the local context (including, where applicable, density standards in local design guidance and local transport infrastructure and strategies) and of any distinctive characteristics, constraints and opportunities of the site itself;
- vii. the inclusion of tree-lined streets and taking the opportunities to include trees elsewhere in developments i.e., parks, orchards, integrated with sustainable drainage systems;
- viii. having regard to the compatibility of existing land and building uses in the vicinity of the proposed development, the impact of the development on the amenities of existing occupants, and ensuring that appropriate levels of amenity are achievable within the development itself, including the consideration of vehicle parking, access and movement, internal and external space standards, private outdoor space, waste storage and collection, privacy, overshadowing, mass and height (overbearing), vibration, and pollution (e.g. light intrusion, noise (including vibration), smoke, odour, fumes, effluent, waste or litter);
- ix. incorporating design features to reduce actual or perceived opportunities for crime and anti-social behaviour on the site and in the surrounding area through the design of the new streets, buildings and spaces including the use of building frontages with windows and doors located to assist in the informal surveillance of public and shared areas;

- x. ensuring that the public realm, including new streets, public open spaces and other rights of way, are designed to create places of character which are legible, safe and accessible, with the integration of art and design in the public realm;
- xi. the sensitive design of shop frontages, advertisements and signage, which are appropriate and sympathetic to their local setting by means of scale, design, lighting and materials, having regard to local design guidance, where applicable;
- xii taking account of the needs of potential users, with regard to accessibility and inclusivity, and considering how space and buildings will be used in the immediate and long-term future;
- xiii the use of high standards of materials and finishes for: buildings (e.g. appropriate form, colour and characteristic weathering); external spaces and hard landscaping (e.g. boundaries, paths, street materials and retaining structures), and all street furniture (e.g. seating and signage); and having regard to any local design guidance, where applicable.

## Ensuring the conservation and enhancement of the historic environment

**5.239** Wiltshire benefits from a rich and varied historic environment but it is recognised that this is a finite and irreplaceable resource. Policy 99 (Ensuring the conservation and enhancement of the historic environment) aims to ensure that Wiltshire’s monuments, sites and landscapes, and areas of historic and built heritage significance are protected and enhanced in order that they continue to make an important contribution to Wiltshire’s environment and quality of life. □

**5.240** Heritage assets include: □

- listed buildings
- conservation areas
- scheduled ancient monuments
- registered parks and gardens
- registered battlefields
- world heritage sites
- non-designated heritage assets such as buildings and archaeological sites of □ regional and local significance.

**5.241** □ Within the context of the specific characteristics of Wiltshire, development will be □ required to be sensitive to all heritage assets including: □

- the individual and distinctive character and appearance of Wiltshire’s historic market towns and villages
- archaeological monuments and landscapes including below ground resource
- the Stonehenge and Avebury World Heritage Site
- historic buildings and structures related to the textile industry
- historic rural structures related to agriculture (including farmsteads and their buildings) and rural domestic life (including country house landscapes)

- ecclesiastical sites including churches, chapels and monuments
- the historic Great Western Railway and associated structures
- the historic waterways and associated structures including canals and river courses
- heritage assets associated with the military
- the sensitive re-use of redundant and under-used historic buildings and areas which are consistent with their conservation especially in relation to the viable reuse of heritage assets at risk
- opportunities to enhance Wiltshire’s historic public realm by ensuring that all development, including transport and infrastructure work, is sensitive to the historic environment.

**5.242** Designation of a conservation area, listed building, or scheduled ancient monument does not preclude the possibility of change including new development and the council is committed to working pragmatically with owners and Historic England to find positive solutions which will allow adaptation of historic buildings and places to reflect modern living aspirations and to meet challenges such as those posed by climate change. Such alterations will be acceptable where they are designed and developed in such a way as to be consistent with the conservation of a heritage asset’s significance and to take into account the nature of its construction. Consequently, it is expected that development will be of the highest standard in order to maintain and enhance the quality of the area or building, and be sensitive to its fabric, character and appearance. In considering applications for new development in such areas, the council will seek to ensure that the form, scale, design and materials of new buildings are complementary to the historic context.

**5.243** The council maintains an extensive and detailed Historic Environment Record which also includes data on the historic landscape character of the county. This should be consulted and used to inform development proposals including as the starting point for assessment of archaeological significance. Opportunities to enhance its content will be supported and encouraged.

**5.244** Opportunities to develop additional planning guidance to ensure a positive strategy for heritage in Wiltshire will be explored during the plan period. Such guidance will provide further research and details on heritage in Wiltshire, its character and role in sense of place in the county and will seek opportunities for enhancing Wiltshire’s historic environment so it continues to play a role in the character of the county and people’s enjoyment of it. It will recognise the role of heritage in regeneration projects and will also set out the steps required to produce a list of locally important heritage assets in Wiltshire.

**5.245** Applicants are expected to take account and adequately respond, where appropriate, to conservation area management plans and other guidance produced at a national and local level. The preparation of further conservation area management plans and other proactive strategies will be encouraged to support policy delivery.

**5.246** The council will continue to keep under review conservation areas and where appropriate, designate new areas. Appraisals of conservation areas will define the boundaries and analyse the special architectural and historic interest of the area. Local communities, including through neighbourhood planning are also encouraged to develop their own design assessments, guidance and locally specific heritage policy using appropriate expertise.

**5.247** The individual area strategies identify specific distinct heritage assets, conservation challenges, and where appropriate, specific opportunities and regeneration projects where heritage will play a key role.

## **Policy 99**

### **Ensuring the conservation and enhancement of the historic environment**

Development should conserve or enhance the historic environment.

Designated heritage assets and their settings will be conserved, and where appropriate enhanced in a manner appropriate to their significance, including:

- i. nationally significant archaeological remains;
- ii. world heritage sites within and adjacent to Wiltshire;
- iii. buildings and structures of special architectural or historic interest;
- iv. the special character or appearance of conservation areas;
- v. historic parks and gardens;
- vi. important landscapes, including registered battlefields and townscapes.

Any harm to the significance of designated heritage assets which will result from development proposals will be required to be justified and outweighed by public benefits (including heritage benefits) at a level appropriate to the significance of the asset and the harm caused.

Any harm to the significance of undesignated assets which will result from development proposals must be carefully balanced considering the significance of the asset and the harm caused.

Distinctive elements of Wiltshire's historic environment, including non-designated heritage assets, which contribute to a sense of local character and identity will be conserved, and where possible enhanced.

The potential contribution of heritage assets towards wider social, cultural, economic and environmental benefits will be utilised where this can be delivered in a sensitive and appropriate manner in accordance with Policy 98 (Ensuring high quality design and place shaping). The sensitive reuse of historic buildings and spaces will be supported and opportunities for the historic environment to inform and shape new development and regeneration projects will be encouraged. The adaptation of heritage assets in accordance with Policy 85 (Sustainable construction and low carbon energy) using appropriate materials and techniques which conserve their fabric and significance will be encouraged.

Proposals for change affecting the historic environment (which require planning permission or listed building consent) should be accompanied and informed by an assessment of heritage significance and the impact of the proposals on this significance, making reference to the information held in the Historic Environment Record. Where a proposal includes potential archaeological interest a desk based assessment, and if necessary, field evaluation should be carried out and submitted with the proposal.

Development proposals that improve the condition of heritage assets at risk will be supported.

## The Stonehenge, Avebury and associated sites World Heritage Site



- 5.248** The exceptional archaeological and cultural significance (Outstanding Universal Value) of the Stonehenge and Avebury World Heritage Site (WHS) will be protected, promoted, and conserved for current and future generations.
- 5.249** The WHS is internationally important for its complexes of outstanding prehistoric monuments. The two stone circles at Stonehenge and Avebury, together with inter-related monuments and their associated landscapes, demonstrate Neolithic and Bronze Age ceremonial and mortuary practices through 2,000 years of continuous use and monument building. The excellent survival of monuments provides evidence of the creative and technological achievements of the period. Their careful design in relation to astronomical alignments, topography and other monuments provides further insight, while their continuing prominence today underlines how this period of monument building shaped the landscape. The World Heritage Site is a landscape without parallel at a national and international level and one of Wiltshire's highest quality environments.
- 5.250** Accordingly, proposals which conserve and where possible enhance the attributes and components that comprise the Outstanding Universal Value (OUV) of the site, as identified in the OUV Statement, and in line with the Stonehenge and Avebury World Heritage Site Management Plan<sup>73</sup> (adopted by the council in 2015) will be supported.

<sup>73</sup> *Stonehenge, Avebury and Associated Sites World Heritage Site Management Plan*, UNESCO and WHS Coordination Unit (2015) Available at: [Stonehenge and Avebury WHS Management Plan 2015](#)

- 5.251** In accordance with the national planning policy framework, great weight will be given to the conservation of the OUV of the WHS, and any harm or loss to its significance will require clear and convincing justification. Development proposals that would lead to substantial harm to or loss of those attributes and components of the site will be unacceptable, unless it can be demonstrated that any such harm or loss is necessary to achieve substantial public benefit that outweigh that harm or loss. Such harm will be wholly exceptional. Where development proposals would lead to less than substantial harm to those attributes and components, such harm will be weighed against the public benefits of the proposals.
- 5.252** Consideration of impact will be made of proposals within, or potentially affecting, the WHS and its setting, including areas identified as being of special importance for the preservation of views to and/or from the site. Especial regard will be given to the design quality of the proposal (including scale, form, massing and light / light pollution), its relationship to context (including topography, built form, views, vistas and effect on the skyline) and the implications of the cumulative effect of changes. UNESCO has prepared guidance to assist with WHS impact assessment<sup>74</sup>.
- 5.253** By helping to sustain and enhance the significance of the WHS, the Stonehenge and Avebury Management Plan is a material consideration in assessing development proposals. Proposals relating to the WHS should seek to support the aims and objectives of the management plan.

## Policy 100

### The Stonehenge, Avebury and associated sites World Heritage Site

The Outstanding Universal Value (OUV) of the World Heritage Site (WHS) of Stonehenge, Avebury, associated sites and respective landscape settings will be protected and sustained by:

- i. giving precedence to the protection of the sites and their settings;
- ii. development, conversion and change of use not adversely affecting the WHS or its attributes of OUV, inclusive of views into or out of the WHS.

Opportunities to enhance the WHS in accordance with the management plan as part of new development or land-use change will be supported that:

- a. improves conservation and interpretation and respects the amenity of residents;
- b. reduces the impacts from traffic and visitor pressure through transport plans that incorporate inclusive access and dispersed parking and maintain a minimal net increase in vehicular spaces within the WHS.

## Air quality

<sup>74</sup> *Guidance and Toolkit for Impact Assessments*, UNESCO, ICCROM, ICOMOS, IUCN (2011) Available at: [World Heritage Centre - Guidance and Toolkit for Impact Assessments in a World Heritage Context \(unesco.org\)](https://whc.unesco.org/en/guidance-and-toolkit-for-impact-assessments-in-a-world-heritage-context)

- 5.254** Air quality in Wiltshire is predominantly good with the majority of the county having clean unpolluted air. However, there are a small number of locations where the combination of traffic, road layout and geography has resulted in exceedances of the annual average for nitrogen dioxide (NO<sub>2</sub>) and fine particulates (PM<sub>10</sub>). Air quality assessments of the impact of a development must be undertaken using the methodology set out by the council.
- 5.255** It is recognised that improving air quality in these specific locations is difficult due to the increased use of, and reliance on, private motor vehicles. This Plan aims to contribute to addressing this issue through a multifaceted approach which includes locating new development where there is a better range of transport choices, seeking to improve the self-containment of settlements to reduce commuter flows and through seeking to utilise the benefits from managed development and growth to take the opportunities to help address the areas where particular problems occur. This latter solution will be delivered through developer contributions.
- 5.256** In order to help developers and communities overcome this issue, the council has produced a suite of comprehensive air quality policy documents;
- An Air Quality Strategy for Wiltshire, which is a high-level guiding document to inform policy and direction across a range of council services with the aim to improve air quality across the whole of Wiltshire Council's area. The Air Quality Strategy is a key document which identifies the importance of good air quality for the economic vitality of Wiltshire and the good health and wellbeing of its residents.
  - An Air Quality Action Plan, which has been designed to achieve improvements in the 8 air quality management areas in Wiltshire that currently exceed the UK annual mean objective for nitrogen dioxide. The latest edition adopts a format that acknowledges the changes to the legal requirements imposed by the Environment Act 2021 in respect of air quality and looks to achieving compliance with the objective as soon as practicable. Developers have a key role to play in achieving the objectives as we carefully balance economic enhancement of Wiltshire's economy, and build new housings, whilst ensuring the need for cleaner air is met.
  - Guidance for developers on how to tackle air quality issues in the development process, be this by good building design, estate layout or infrastructure to support alternatives to fossil fuel use. This guidance will form a supplementary planning document.
- 5.257** Mitigation measures may include:
- landscaping, bunding or separation to increase distance from highways and junctions. Nitrogen dioxide drops rapidly with distance from kerbside;
  - avoiding canyon like street layouts on heavily trafficked roads;
  - the use of traffic management or highway improvements agreed with the relevant authorities;
  - abatement technology and incorporating site layouts/separation, design of buildings, and infrastructure that reduces the need to travel;
  - traffic routing, site management, site layout and phasing during and post-construction;
  - ensuring good site connectivity with public transport routes, provision or support for public transport;



- provision of facilities for active travel, including dedicated cycle routes and footpaths;
- infrastructure for ultra-low emission vehicles and other forms of low or zero emission transport.

**5.258** New standards and objectives were introduced by government in October 2022 in relation to PM2.5, which has been the cause of increasing concern in Wiltshire. It has been found to penetrate deep tissue and has been found in the brain tissue of dementia patients. PM2.5 has both natural and anthropogenic sources. It is anticipated that new regulatory requirements will likely set a maximum annual average and an exposure reduction target. As more information becomes available the suite of air quality documents will be updated.

**5.259** Development which could potentially impact upon Natura 2000 sites through contributions to aerial deposition e.g. industrial process within 10km of a Special Area of Conservation, will require an assessment of the likely impacts in accordance with published guidance. Where mitigation is required this may be delivered through a local emissions strategy.

## **Policy 101**

### **Air quality**

Development proposals, which by virtue of their scale, nature or location are likely to exacerbate existing areas of poor air quality, will need to demonstrate that measures can be taken to effectively mitigate emission levels where air quality is a concern in order to protect public health, environmental quality and amenity.

Mitigation measures should demonstrate how they will make a positive contribution to the aims of the Air Quality Strategy for Wiltshire and where relevant, the Wiltshire Air Quality Action Plan. The pollutants of particular concern that developers must have regard to are Nitrogen dioxide, fine particulates (PM10) and very fine particulates (PM2.5).





## Appendix A Schedule of policies

- A.1** This appendix presents a series of tables which set out how policies have been revised as part of the Local Plan Review.
- A.2** The first table (Table A.1) presents the Wiltshire Local Plan policies. Please note that Core Policies have either been deleted from the new Local Plan, updated and replaced, or subsumed into new policies. This is with the exception of Core Policy 47 Meeting the Needs of Gypsies and Travellers, which is being considered through a separate Gypsies and Travellers Development Plan Document.
- A.3** The following tables then present all existing policies from the Wiltshire Core Strategy (Table A.2) and saved policies from the former District Plans (Tables A.3 to A.8), including a summary of their purpose and the outcome of their review.
- A.4** Table A.3 presents a list of proposed new policies for the Plan that cover development management themes.

**Table A.1 Proposed Wiltshire Local Plan (WLP) Policies and relationship to Wiltshire Core Strategy Policies (WCS)**

Proposed Wiltshire Local Plan Policy	Relationship to Wiltshire Core Strategy Policy
Policy 1: Settlement Strategy	Core Policy 1 Settlement Strategy has been updated to include minor amendments.
Policy 2: Delivery Strategy	Core Policy 2 Delivery Strategy has been <b>updated</b> to reflect new housing numbers and employment land requirements. The policy is updated to reflect changes to national planning policy, to improve policy effectiveness and its relationship to policies within the plan.
Policy 3: Reserve sites and broad locations for growth	<b>New policy</b> added to address 'Reserve Sites' and 'Broad Locations for Growth'.
Policy 4: Addressing climate change	<b>New policy</b> added to provide a clear statement on how the Plan will seek to address climate change in line with legal obligations.
Policy 5: Securing infrastructure provision from new development	Core Policy 3 Infrastructure Requirements has been <b>updated</b> to include changes to infrastructure planning and the introduction of the Infrastructure Funding Statement.
<b>Chippenham Area Strategy</b>	
Policy 6: Chippenham Principal Settlement	Previously covered by Core Policy 9 (Chippenham Central Areas of Opportunity) and Core Policy 10 (Spatial Strategy: Chippenham Community Area)  <b>New policy</b> setting out how development at Chippenham is envisaged to take place over the plan period. This includes outlining the amount of growth provided at Chippenham.
Policy 7: Land South of Chippenham and East of Showell Farm	<b>New policy</b> allocating land south of Chippenham for mixed use development. The policy informs the type of development, infrastructure requirements and potential mitigation measures.

Policy 8: Chippenham Town Centre	<b>New policy</b> for the town centre that also carries forward long-standing committed allocations relating to retail as well as regeneration sites at the town (previously set out in Core Policy 9 Chippenham Central Area of Opportunity).
Policy 9: Calne Market Town	Previously covered by Core Policy 8 (Spatial Strategy: Calne Community Area)  <b>New policy</b> setting out how development at Calne is envisaged to take place over the Plan period. This includes outlining the amount of growth provided at Calne.
Policy 10: Land off Spitfire Road, Calne	<b>New policy</b> allocating 2.7ha land for employment uses.
Policy 11: Land to the North of Spitfire Road, Calne	<b>New policy</b> allocating land for housing and employment development. The policy informs the type of development, infrastructure requirements and potential mitigation measures.
Policy 12: Corsham Market Town	Previously covered by Core Policy 11 (Spatial Strategy: Corsham Community Area)  <b>New policy</b> setting out how development at Corsham is envisaged to take place over the Plan period. This includes outlining the amount of growth provided at Corsham.
Policy 13: Land South of Dicketts Road, Corsham	<b>New policy</b> allocating land for mixed use development to include approximately 105 dwellings. The policy informs the type of development, infrastructure requirements and potential mitigation measures.
Policy 14: Devizes Market Town	Previously covered by Core Policy 12 (Spatial Strategy: Devizes Community Area)  <b>New policy</b> setting out how development at Devizes is envisaged to take place over the Plan period. This includes outlining the amount of growth provided at Devizes.
Policy 15: Land at Devizes Wharf, Assize Court and Wadworth Brewery, Devizes	The Devizes Wharf area has been a regeneration project in both the old Kennet District Local Plan and WCS.  <b>New policy</b> allocating land at the Devizes Wharf, Assize Court and Wadworth Brewery for redevelopment for a mixed-use development to create three distinct wharf zones. The policy informs the type of development, infrastructure requirements and potential mitigation measures.
Policy 16: Malmesbury Market Town	Previously covered by Core Policy 13 (Spatial Strategy: Malmesbury Community Area)  <b>New policy</b> setting out how development at Malmesbury is envisaged to take place over the Plan period. This includes outlining the amount of growth provided at Malmesbury.

Policy 17: Melksham Market Town	<p>Previously covered by Core Policy 15 (Spatial Strategy: Melksham Community Area)</p> <p><b>New policy</b> setting out how development at Melksham is envisaged to take place over the Plan period. This includes outlining the amount of growth provided at Melksham.</p>
Policy 18: Land East of Melksham	<b>New policy</b> allocating land for mixed-use development of approximately 425 dwellings and 5ha employment land. The policy informs the type of development, infrastructure requirements and potential mitigation measures.
Policy 19: Land off Bath Road, Melksham	<b>New policy</b> allocating land for approximately 135 dwellings. The policy informs the type of development, infrastructure requirements and potential mitigation measures.
Policy 20: Land North of the A3102, Melksham	<b>New policy</b> allocating land for approximately 285 dwellings. The policy informs the type of development, infrastructure requirements and potential mitigation measures.
<b>Salisbury Area Strategy</b>	
Policy 21: Salisbury area new community	<b>New policy</b> establishing a broad area of search within which a new community will be sited and addressed in policy terms through the review of the Plan.
Policy 22: Salisbury Principal Settlement	<p>Previously covered by Core Policy 20 (Spatial Strategy: Salisbury Community Area)</p> <p><b>New policy</b> this policy primarily sets out how development at Salisbury is envisaged to take place over the Plan period. This includes outlining the amount of growth provided at Salisbury.</p>
Policy 23: Land North East of Old Sarum, Salisbury	<b>New policy</b> allocating land for the development of approximately 350 dwellings. The policy informs the type of development, infrastructure requirements and potential mitigation measures.
Policy 24: Land at Netherhampton Road Garden Centre, Salisbury	<b>New policy</b> allocating a brownfield site for approximately 60 dwellings. The policy informs the type of development, infrastructure requirements and potential mitigation measures.
Policy 25: Land North of the Beehive Park & Ride, Old Sarum	<b>New policy</b> allocating land for housing development of approximately 100 dwellings. The policy informs the type of development, infrastructure requirements and potential mitigation measures.
Policy 26: Land North of Downton Road, Salisbury	<b>New policy</b> allocating land for the development of approximately 220 dwellings. The policy informs the type of development, infrastructure requirements and potential mitigation measures.
Policy 27: Land South of Harnham, Salisbury	<b>New policy</b> allocating land for the development of approximately 265 dwellings. The policy informs the type of development, infrastructure requirements and potential mitigation measures.

Policy 28: Land West of Coombe Road, Salisbury	<b>New policy</b> allocating land for housing development of approximately 45 dwellings. The policy informs the type of development, infrastructure requirements and potential mitigation measures.
Policy 29: Suitable Alternative Natural Greenspace, South Salisbury	<b>New policy</b> supporting the provision of additional Suitable Alternative Natural Greenspace (SANG) to mitigate the adverse effects of recreations on the New Forest designated site.
Policy 30: Land East of Church Road, Laverstock	<b>New policy</b> allocating land for the development of approximately 50 dwellings. The policy informs the type of development, infrastructure requirements and potential mitigation measures.
Policy 31: Salisbury Central Area	Previously covered by Core Policy 20 (Spatial Strategy: Salisbury Community Area), Core Policy 21 (The Maltings / Central Car Park), and Core Policy 22 (Salisbury Skyline).  <b>New policy</b> builds on the commitments in the Salisbury Central Area Framework This policy primarily sets out how development at Salisbury Central Area is envisaged to take place over the Plan period. This includes outlining development opportunities in the area.
Policy 32: Salisbury skyline	Previously covered by Core Policy 22 (Salisbury Skyline). Minor amendments made.
Policy 33: The Maltings and Central Car Park	Core Policy 21(The Maltings/Central Car Park) has been <b>updated</b> . Some amendments made including incorporating a master-plan led design.
Policy 34: Churchfields Employment Area	<b>New policy</b> supporting the renewal and intensification of a large, existing employment site and linked to the delivery of an Estate Regeneration Plan and Accessibility Study.
Policy 35: Salisbury District Hospital Campus	<b>New policy</b> supports the redevelopment of a large, existing hospital site but also supports a 7ha eastwards extension onto undeveloped land. The policy provides a positive framework for decision making that aligns to the objectives of the Salisbury HEAT project.
Policy 36: Amesbury Market Town	Previously covered by Core Policy 4 (Spatial Strategy: Amesbury Community Area)  <b>New policy</b> setting out how development at Amesbury is envisaged to take place over the plan period. This includes outlining the strategy for growth at Amesbury.
Policy 37: Boscombe Down	Previously covered by Core Policy 20 (Spatial Strategy: Salisbury Community Area).  <b>New policy</b> to preserve the use of the airfield for military uses and to support complementary defence and aerospace employment related uses.

Policy 38: Porton Down	Core Policy 5 (Porton Down) has been <b>updated</b> . The policy continues to provide support for the principle of the continued development of the Porton Science Park for research and development purposes.
Policy 39: Tidworth and Ludgershall Market Town	Previously covered by Core Policy 26 (Spatial Strategy: Tidworth Community Area)  <b>New policy</b> setting out how development at Tidworth and Ludgershall is envisaged to take place over the plan period. This includes outlining the amount of growth provided at Tidworth and Ludgershall.
Policy 40: Land South East of Empress Way, Ludgershall	<b>New policy</b> allocation for the development of approximately 1,220 dwellings and 0.7ha employment land. The policy informs the type of development, infrastructure requirements and potential mitigation measures.
Policy 41: Land at Bulbridge Estate, Wilton	Policy 41 <b>updates</b> a 'saved' policy from the Salisbury District Local Plan 2011 and 'saved' as part of the Core Strategy. The policy allocates land for the development of approximately 45 dwellings.
Policy 42: Land at Dead Maid Quarry Employment Area, Mere	Policy 42 <b>updates</b> a 'saved' policy from the Salisbury District Local Plan 2011 and 'saved' as part of the Core Strategy. The policy allocates land for the development of approximately 1.5ha of employment land.
Policy 43: Land safeguarded for education at Tanner's Lane, Shrewton	Policy 43 <b>updates</b> a 'saved' policy from the Salisbury District Local Plan 2011 and 'saved' as part of the Core Strategy. The policy safeguards 0.1ha of land for school expansion. This is a reduced area than was previously safeguarded, to reflect the land area currently identified as necessary by the council's Education department.
<b>Swindon Area Strategy</b>	
Policy 44: Marlborough Market Town	Previously covered by Core Policy 14 (Spatial Strategy: Marlborough Community Area)  <b>New policy</b> setting out how development at Marlborough is envisaged to take place over the Plan period. This includes outlining the amount of growth provided at Marlborough.
Policy 45: Land at Chopping Knife Lane, Marlborough	<b>New policy</b> allocating land for housing development. The policy informs the type of development, infrastructure requirements and potential mitigation measures.
Policy 46: Land off Barton Dene, Marlborough	<b>New policy</b> allocating land for mixed-use development for approximately 30 dwellings and 1.8ha employment land. The policy informs the type of development, infrastructure requirements and potential mitigation measures.
Policy 47: Royal Wootton Bassett Market Town	Previously covered by Core Policy 19 (Spatial Strategy: Royal Wootton Bassett and Cricklade Community Area)



	<b>New policy</b> setting out how development at Royal Wootton Bassett is envisaged to take place over the Plan period. This includes outlining the amount of growth provided at Royal Wootton Bassett.
Policy 48: Land at Marsh Farm, Royal Wootton Bassett	<b>New policy</b> allocating land for residential development. The policy informs the type of development, infrastructure requirements and potential mitigation measures.
Policy 49: Land at Midge Hall Farm, Royal Wootton Bassett	<b>New policy</b> allocating land for mixed-use development for approximately 415 dwellings and 1.8ha of office development and land reserved for a primary school and local centre. The policy informs the type of development, infrastructure requirements and potential mitigation measures.
Policy 50: Land West of Maple Drive, Royal Wootton Bassett	<b>New policy</b> allocating land for development of approximately 70 dwellings. The policy informs the type of development, infrastructure requirements and potential mitigation measures.
Policy 51: Land at Woodshaw, Royal Wootton Bassett	<b>New policy</b> allocating land for mixed-use development for approximately 445 dwellings and land for a full day care nursery. The policy informs the type of development, infrastructure requirements and potential mitigation measures.
<b>Trowbridge Area Strategy</b>	
Policy 52: Trowbridge Principal Settlement	Previously covered by Core Policy 29 (Spatial Strategy: Trowbridge Community Area). In addition, Policy 52 references Policies: H2.1, H2.2, H2.3, H2.4, H2.5 and H2.6 of the Wiltshire Housing Site Allocations Plan (2020) (WHSAP).  <b>New policy</b> setting out how development at Trowbridge is envisaged to take place over the Plan period. This includes outlining the amount of growth provided at Trowbridge.
Policy 53: Land North-East of Hilperton, Trowbridge	<b>New policy</b> allocating land for the development of approximately 600 dwellings. The policy informs the type of development, infrastructure requirements and potential mitigation measures.
Policy 54: North Trowbridge Country Park	<b>New policy</b> to delivery of a strategic scale Suitable Alternative Natural Greenspace (SANG) by way of a 65ha country park for informal recreation.
Policy 55: Land at Innox Mills, Trowbridge	<b>New policy</b> allocating a brownfield site for redevelopment for approximately 175 dwellings, associated infrastructure, and mitigation measures.
Policy 56: Trowbridge Central Area	Previously covered by Core Policy 28 (Trowbridge Central Areas of Opportunity).  Policy 56 <b>updates</b> the provisions of Core Policy 28 in supporting the regeneration and repurposing of Trowbridge town centre. This will involve redevelopment of an existing built-up area, previously developed land (PDL) and re-use of existing buildings.

Policy 57: Bradford on Avon Market Town	<p>Previously covered by Core Policy 7 (Spatial Strategy: Bradford on Avon Community Area).</p> <p><b>New policy</b> setting out how development at Bradford on Avon is envisaged to take place over the plan period. This includes outlining the amount of growth provided at Bradford on Avon.</p>
Policy 58: Warminster Market Town	<p>Previously covered by Core Policy 31 (Spatial Strategy: Warminster Community Area).</p> <p><b>New policy</b> setting out how development at Warminster is envisaged to take place over the plan period. This includes outlining the amount of growth provided at Warminster.</p>
Policy 59: Land at Brook Street, Westbury	<b>New policy</b> provides land for mitigating potential adverse impacts on the River Avon SAC relating to phosphates.
Policy 60: Westbury Market Town	<p>Previously covered by Core Policy 32 (Spatial Strategy: Westbury Community Area).</p> <p><b>New policy</b> setting out how development at Westbury is envisaged to take place over the plan period. This includes outlining the amount of growth provided at Westbury.</p>
Policy 61: Land west of Mane Way, Westbury	<b>New policy</b> allocating land for development of approximately 220 dwellings that also carries forward the provisions of 'saved' policy of the West Wiltshire District Plan 1st Alteration 2004.
Policy 62: Land at Bratton Road, Westbury	<b>New policy</b> allocating the development of approximately 260 dwellings. The policy informs the type of development, infrastructure requirements and potential mitigation measures.
Policy 63: Westbury Country Park	<b>New policy</b> supporting the provision of additional Suitable Alternative Natural Greenspace (SANG) to mitigate the adverse effects of major development in the north of Westbury.
<b>Policies within the Economic section of Chapter 5</b>	
Policy 64: Additional employment land	<p>Core Policy 34 Additional Employment Land has been <b>updated</b></p> <p>The policy has been updated to reflect amended use classes and strengthen rural economic criteria. A new section has been added supporting national and regional logistics development adjacent to Junction 17 of the M4.</p>
Policy 65: Existing employment land	<p>Core Policy 35 Existing Employment Land has been <b>updated</b></p> <p>The policy has been updated to reflect amended use classes.</p>
Policy 66: Military establishments	<p>Core Policy 37 Military Establishments has been <b>updated</b></p> <p>This policy has had minor amendments.</p>

Policy 67: Sequential test and retail impact assessment	Core Policy 38 Retail and Leisure has been <b>updated</b> This policy has been updated to reflect amended use classes and national policy and to focus on the sequential test and retail impact assessment.
Policy 68: Managing town centres	<b>New policy 68</b> was partially covered by Core Policy 38 Retail and Leisure and saved policies from old district plans. The policy now also covers changes to use classes and national policy and hence has been updated.
Policy 69: Tourism and related development	Core Policy 39 Tourist Development and Core Policy 40 Hotels, Bed and Breakfasts, Guest Houses and Conference Facilities have been combined and <b>updated</b> .
Policy 70: Sustainable transport	Core Policy 60 Sustainable Transport has been combined with Core Policy 63 Transport Strategies and <b>updated</b> including to incorporate electric vehicle charging infrastructure.
Policy 71: Transport and new development	Core Policy 61 Transport and Development has been <b>updated</b> to distinguish between rural and urban locations.
Policy 72: Development impacts on the primary and major road networks	Core Policy 62 Development Impacts on the Transport network has been <b>updated</b> to focus on impacts on primary and major road networks.
Policy 73: Transport: demand management	Core Policy 64 Demand Management has been <b>updated</b> to include reference to electric charging infrastructure and active travel modes.
Policy 74: Movement of goods	Core Policy 65 has been <b>updated</b> to include criteria on town centre development requirements and provision of electric charging and alternative fuel facilities.
Policy 75: Strategic transport network	Core Policy 66 has been <b>updated</b> to reflect the latest strategic transport projects for Wiltshire.
<b>Policies within the Social section of Chapter 5</b>	
Policy 76: Providing affordable homes	Core Policy 43 Providing Affordable Homes has been <b>updated</b> to reflect changes to national policy and local evidence.
Policy 77: Rural exception sites	Core Policy 44 Rural Exception Sites has been <b>updated</b> to reflect changes to national policy and local evidence.
Policy 78: Meeting Wiltshire's housing needs	Core Policy 45 Meeting Wiltshire's Housing Needs has been <b>updated</b> to reflect changes to national policy and local evidence. This policy now also covers Core Policy 46 Meeting the Needs of Wiltshire's Vulnerable and Older People.
Policy 79: First Homes exception sites	<b>New policy</b> supporting First Homes exception sites.
Policy 80: Self and custom build housing	<b>New policy</b> requiring plots for self and custom build.
Policy 81: Community facilities	<b>New policy</b> incorporating elements of Core Policies 48 Supporting Rural Life and 49 Protection of Rural Services and Community Facilities.

Policy 82: Housing in the countryside	<b>New policy</b> that carries forward elements of Core Policy 48 Supporting Rural Life and reflects changes to national policy.
Policy 83: Health and wellbeing	<b>New policy</b> requiring proposals to demonstrate how development contributes to health and wellbeing.
Policy 84: Public open space and play facilities	<b>New policy</b> to replace previous public open space standards set within 'saved' policies of the old District Local Plans.
<b>Policies within the Environment section of Chapter 5</b>	
Policy 85: Sustainable construction and low carbon energy	Core Policy 41 Sustainable Construction and Low Carbon Energy has been substantially <b>updated</b> to reflect national policy and work towards achieving net zero carbon buildings. Core Policy 41 referred to the Code for Sustainable Homes which was scrapped in 2015 and this has been removed from the policy.
Policy 86: Renewable energy	Core Policy 42 Standalone Renewable Energy Installations has been <b>updated</b> to reflect national policy changes and local evidence. A criterion to consider the cumulative impact of renewable energy development has been added which has been informed by a Landscape Sensitivity Assessment.
Policy 87: Embodied carbon	<b>New policy</b> requiring an Embodied Carbon Assessment to reduce the carbon emissions associated with building materials used in construction.
Policy 88: Biodiversity and geodiversity	<b>New policy</b> incorporating elements of Core Policies 50 Biodiversity and Geodiversity and 69 Protection of the River Avon Special Area of Conservation.
Policy 89: Biodiversity net gain	<b>New policy</b> requiring development to achieve 20% net gain or higher also outlining how this should be delivered.
Policy 90: Woodland, hedgerows and trees	<b>New policy</b> requiring major development to make provision for the retention and enhancement of woodlands, hedgerows and trees.
Policy 91: Conserving and enhancing Wiltshire's landscapes	Core Policy 51 Landscape has been <b>updated</b> to reflect new local character areas and the emerging Wiltshire Landscape Strategy.
Policy 92: Conserving and enhancing dark skies	<b>New policy</b> conserving and enhancing dark skies and reducing light pollution, focusing upon International Dark Sky Reserves and Areas of Outstanding Natural Beauty
Policy 93: Green and blue infrastructure	Core Policy 52 Green Infrastructure has been <b>updated</b> to reflect national policy and local evidence.
Policy 94: Wiltshire's Canals and the boating community	Core Policies 16 Melksham Link Project and 53 Wiltshire's Canals have been <b>combined</b> and <b>updated</b> to include provisions for the boating community.
Policy 95: Flood risk	Core Policy 67 has been <b>updated</b> to reflect national policy. A sequential approach will be followed considering flood risk from all sources. Flood risk

	assessment, surface water drainage strategy and groundwater assessment will be required where necessary.
Policy 96: Water resources	Core Policy 68 Water Resources has been <b>updated</b> to detail Wiltshire's 'Water-Stressed' classification. Water consumption specifications for residential and non-household development are now included, as well as a requirement for all new development to incorporate water saving opportunities into their design.
Policy 97: Contaminated land	Core Policy 56 Contaminated Land has been <b>updated</b> and has minor amendments.
Policy 98: Ensuring high quality design and place shaping	Core Policy 57 Ensuring High Quality Design and Place Shaping has been <b>updated</b> in line with national policy and local evidence.
Policy 99: Ensuring the conservation and enhancement of the historic environment	Core Policy 58 Ensuring the Conservation of the Historic Environment has been <b>updated</b> in line with national policy.
Policy 100: The Stonehenge, Avebury and Associated Sites World Heritage Site	Core Policy 59 The Stonehenge, Avebury and Associated Sites World Heritage Site and its Setting and Core Policy 6 Stonehenge have been combined and <b>updated</b> with minor amendments.
Policy 101: Air quality	Core Policy 55 Air Quality has been <b>updated</b> with some minor amendments.

**Table A.2 Existing Wiltshire Core Strategy Policies**

Wiltshire Core Strategy (WCS)	
WCS Policy Reference	Policy Review Outcome and Wiltshire Local Plan (WLP) Position
Core Policy 1: Settlement Strategy	<b>Updated and Replaced by WLP Policy 1 Settlement Strategy.</b> This Plan is a review of the WCS and hence the Settlement Strategy has been retained and only updated to address minor details.
Core Policy 2: Delivery Strategy	<b>Updated and Replaced by WLP Policy 2 Delivery Strategy and WLP Policy 3 Housing Delivery.</b> This Plan is a review of the WCS and hence the Delivery Strategy has been updated to provide the housing requirement (additional dwellings) for the Plan period 2020 to 2038, to improve policy effectiveness and its relationship to policies in the Plan.  The Plan now includes <b>Policy 3</b> which sets out the role of Reserve Sites and Broad Locations of Growth in helping deliver the housing requirement for the Plan period.
Core Policy 3: Infrastructure Requirements	<b>Updated and Replaced by WLP Policy 5 Securing Infrastructure Provision from New Development.</b>

	<p>The policy seeks to ensure that all new development provides the necessary on-site and, where appropriate, off-site infrastructure requirements arising from the proposal.</p> <p>The policy benefits from minor updates to bring it up to date, for instance to reflect the fact that we now have mechanisms for charging CIL in place. Also, the subsequent changes to the CIL Regulations 2010 (as amended), including the replacement of the Regulation 123 List by the Infrastructure Funding Statement and that CIL is only one of the funding mechanisms that the Council will use to fund infrastructure.</p>
<b>Area Strategies</b>	
Core Policy 4: Spatial Strategy for the Amesbury Community Area	<p><b>Updated and Replaced by WLP Policy 36 within Salisbury Area Strategy.</b></p> <p>The policy presents the area strategy for the Amesbury Community Area, setting out how the area is expected to change by 2026, and how this change will be delivered.</p> <p>The WLP strategy for the Market Town of Amesbury is outlined within Policy 36 Amesbury within the Salisbury Area Strategy which also refers to settlements within the rural area including rural housing requirements.</p>
Core Policy 5: Porton Down	<p><b>Updated and Replaced with WLP Policy 38 in Salisbury Area Strategy.</b></p> <p>The policy supports the principle of a Science Campus at Porton Down. This has, in the interim, become a reality, with Phase One complete and Phase Two on the way with further potential.</p>
Core Policy 6: Stonehenge	<p><b>Deleted.</b> The provisions of the policy, along with Core Policy 59 and saved District Plan policies are to be unified within a single comprehensive World Heritage Site policy - WLP Policy 100 The Stonehenge, Avebury and Associated Sites World Heritage Site and its Setting. The policy wording is also updated to refer to the role of the WHS Management Plan and to set out the National Planning Policy Framework requirement for the provision of a Statement of Heritage Significance in support of development proposals within or related to the WHS.</p>
Core Policy 7: Spatial Strategy for the Bradford on Avon Community Area	<p><b>Updated and Replaced by WLP Policy 57 within Trowbridge Area Strategy</b> setting out how development at Bradford on Avon is envisaged to take place over the plan period. This includes outlining the amount of growth provided at Bradford on Avon. The Trowbridge Area Strategy also refers to settlements within the rural area.</p>
Core Policy 8: Spatial Strategy for the Calne Community Area	<p><b>Updated and Replaced by WLP Policies (9 to 11) within Chippenham Area Strategy</b> setting out how development at Calne is envisaged to take place over the plan period. This includes outlining the amount</p>

	of growth provided at Calne. The Chippenham Area Strategy also refers to settlements within the rural area including rural housing requirements.
Core Policy 9: Chippenham Central Areas of Opportunity	<b>Updated and Replaced by WLP Policy 8 in the Chippenham Area Strategy.</b> The policy sets out clear direction for the regeneration of key sites in the town centre that were previously covered by Core Policy 8 (Emery Gate, Bath Road and Bridge Centre). It also includes support for the regeneration of the Railway Station and Cocklebury Road areas.
Core Policy 10: Spatial Strategy for the Chippenham Community Area	<b>Updated and Replaced by WLP Policies (6 to 8) within Chippenham Area Strategy</b> setting out how development at Chippenham is envisaged to take place over the plan period. This includes outlining the amount of growth provided at Chippenham. The Chippenham Area Strategy also refers to settlements within the rural area including rural housing requirements.
Core Policy 11: Spatial Strategy for the Corsham Community Area	<b>Updated and Replaced by WLP Policies (12 to 13) within Chippenham Area Strategy</b> setting out how development at Corsham is envisaged to take place over the plan period. This includes outlining the amount of growth provided at Corsham. The Chippenham Area Strategy also refers to settlements within the rural area including rural housing requirements.
Core Policy 12: Spatial Strategy for the Devizes Community Area	<b>Updated and Replaced by WLP Policies (14 to 15) within Chippenham Area Strategy</b> setting out how development at Devizes is envisaged to take place over the plan period. This includes outlining the amount of growth provided at Devizes. The Chippenham Area Strategy also refers to settlements within the rural area including rural housing requirements.
Core Policy 13: Spatial Strategy for the Malmesbury Community Area	<b>Updated and Replaced by WLP Policy 16 within Chippenham Area Strategy</b> setting out how development at Malmesbury is envisaged to take place over the plan period. This includes outlining the amount of growth provided at Malmesbury. The Chippenham Area Strategy also refers to settlements within the rural area including rural housing requirements.
Core Policy 14: Spatial Strategy for the Marlborough Community Area	<b>Updated and Replaced by WLP Policies (44 to 46) within Swindon Area Strategy</b> setting out how development at Marlborough is envisaged to take place over the plan period. This includes outlining the amount of growth provided at Marlborough. The Swindon Area Strategy also refers to settlements within the rural area including rural housing requirements.
Core Policy 15: Spatial Strategy for the Melksham Community Area	<b>Updated and Replaced by WLP Policies (17 to 20) within Chippenham Area Strategy</b> setting out how development at Melksham is envisaged to take place over the plan period. This includes outlining the amount of growth provided at Melksham. The

	Chippenham Area Strategy also refers to settlements within the rural area including rural housing requirements.
Core Policy 16: Melksham Link Project	<b>Deleted.</b> Incorporated reference to the Melksham Link into a review of Core Policy 53 Wiltshire's Canals.
Core Policy 17: Spatial Strategy for the Mere Community Area	<b>Updated and Replaced by WLP Policy 42 in Salisbury Rural Area Strategy.</b> No strategic housing requirements to plan for new development in the Mere area. The Salisbury Area Strategy also refers to settlements within the rural area including rural housing requirements.
Core Policy 18: Spatial Strategy for the Pewsey Community Area	<b>Updated and Replaced by WLP supporting text within Swindon Area Strategy.</b> No strategic requirements to plan for new development in the Pewsey area. The Swindon Area Strategy also refers to settlements within the rural area including rural housing requirements.
Core Policy 19: Spatial Strategy for the Royal Wootton Bassett and Cricklade Community Area	<b>Updated and Replaced by WLP Policies (47 to 51) within Swindon Area Strategy</b> setting out how development at Royal Wootton Bassett is envisaged to take place over the plan period. This includes outlining the amount of growth provided at Royal Wootton Bassett. The Swindon Area Strategy also refers to settlements within the rural area including rural housing requirements.
Core Policy 20: Spatial Strategy for the Salisbury Community Area	<b>Updated and Replaced by WLP Policies (22 and 31) within Salisbury Area Strategy</b> setting out how development at Salisbury is envisaged to take place over the plan period. This includes outlining the amount of growth provided at Salisbury. The Salisbury Area Strategy also refers to settlements within the rural area including rural housing requirements.
Core Policy 21: The Maltings / Central Car Park	<b>Updated and Replaced by WLP Policy 33 within Salisbury Area Strategy.</b> Policy retained and updated to reflect changes in market conditions and residential rather than retail led development drawing on masterplan. To allow for mixed use redevelopment predominantly of dwellings, retail / leisure and library uses.
Core Policy 22: Salisbury Skyline	<b>Updated and Replaced by WLP Policy 32 within Salisbury Area Strategy.</b> Policy retained. New development is restricted to a height that does not exceed 12.2 m (40ft) above ground-level, although decorative features may exceed that, where appropriate, with no increase in floorspace.
Core Policy 23: Spatial Strategy for the Southern Wiltshire Community Area	<b>Updated and Replaced by WLP supporting text within Salisbury Rural Area Strategy.</b> No strategic requirements to plan for new development in the Southern Wiltshire area. The Salisbury Area Strategy also refers to settlements within the rural area including rural housing requirements.
Core Policy 24: New Forest National Park	<b>Deleted.</b>



	Policy deleted, but reference to multi-authority partnership work of New Forest protected sites retained in Chapter 5 of the Plan. The New Forest and other protected landscapes are also addressed within other policies of the Local Plan, such as Policy 88 (Biodiversity and geodiversity) and Policy 91 (Conserving and enhancing Wiltshire's landscapes).
Core Policy 25: Old Sarum Airfield	<b>Deleted.</b> The necessary protections for the site are already provided for through national and local planning policy including revised Policy 99, Ensuring the conservation and enhancement of the historic environment. As the land is not being allocated for residential development, a specific policy is not required.
Core Policy 26: Spatial Strategy for the Tidworth Community Area	<b>Updated and Replaced by WLP Policies (39 and 40) within Salisbury Area Strategy</b> setting out how development at Tidworth and Ludgershall is envisaged to take place over the Plan period. This includes outlining the amount of growth provided at Tidworth and Ludgershall. The Salisbury Area Strategy also refers to settlements within the rural area including rural housing requirements.
Core Policy 27: Spatial Strategy for the Tisbury Community Area	<b>Deleted.</b> No strategic requirements to plan for new development in the Tisbury area. Rural housing requirements presented for the purpose of neighbourhood planning. The Salisbury Area Strategy also refers to settlements within the rural area including rural housing requirements.
Core Policy 28: Trowbridge Central Areas of Opportunity	<b>Updated and Replaced by WLP Policy 56 within Trowbridge Area Strategy.</b> Being reviewed and updated to reflect the up-to-date position of areas identified previously and builds on this by allocating one site - Innox Mills for a residential led development - as part of the wider town centre. Protecting, improving and extending the local green infrastructure network and regenerating and repurposing the central area by focusing leisure and retail developments in order to safeguard the integrity of the town centre as a destination of choice.
Core Policy 29: Spatial Strategy for the Trowbridge Community Area	<b>Updated and Replaced by WLP Policies (52 to 56) within Trowbridge Area Strategy</b> setting out how development at Trowbridge is envisaged to take place over the plan period. This includes outlining the amount of growth provided at Trowbridge. The Trowbridge Area Strategy also refers to settlements within the rural area including rural housing requirements.
Core Policy 30: Trowbridge Low-Carbon, Renewable Energy Network	<b>Deleted.</b> This policy will be superseded by the overarching policy for climate change (Policy 4: Addressing climate change).
Core Policy 31: Spatial Strategy for the Warminster Community Area	<b>Updated and Replaced by WLP Policies (58 and 59) within Trowbridge Area Strategy</b> setting out how development at Warminster is envisaged to take place over the Plan period. This includes outlining

	<p>the amount of growth provided at Warminster. The Trowbridge Area Strategy also refers to settlements within the rural area including rural housing requirements.</p>
Core Policy 32: Spatial Strategy for the Westbury Community Area	<p><b>Updated and Replaced by WLP Policies (60 to 63) within Trowbridge Area Strategy</b> setting out how development at Westbury is envisaged to take place over the plan period. This includes outlining the amount of growth provided at Westbury. The Trowbridge Area Strategy also refers to settlements within the rural area including rural housing requirements.</p>
Core Policy 33: Spatial Strategy for the Wilton Community Area	<p><b>Updated and Replaced by WLP Policy 41 within Salisbury Rural Area Strategy.</b> The Salisbury Area Strategy also refers to settlements within the rural area including rural housing requirements.</p>
Core Policy 34: Additional Employment Land	<p><b>Updated and Replaced by WLP Policy 64 Additional Employment Land.</b>  The policy supports the delivery of opportunities for the provision of employment land that may come forward in the Principal Settlements, Market Towns and Local Service Centres of Wiltshire, in addition to the employment land which is allocated in the Core Strategy. The policy also includes an element of flexibility to allow new employment opportunities to come forward outside but adjacent to the Principal Settlements, Market Towns and Local Service Centres, and support the rural way of life through the promotion of modern agricultural practices or appropriate diversification of the rural economy. The broad policy objective continues to align with the National Planning Policy Framework; however, the policy has been updated to respond to national legislative updates, in particular the Town and Country Planning (Use Classes) (Amendment) regulations 2020, which improves its clarity.</p>
Core Policy 35: Existing Employment Land	<p><b>Updated and Replaced by WLP Policy 65 Existing Employment Land.</b>  The policy supports the retention, renewal and/ or intensification of Principal Employment Areas for employment purposes within use classes B1, B2 and B8.</p> <p>The broad policy objective continues to align with the National Planning Policy Framework; however, the policy has been updated to respond to national legislative updates, in particular the Town and Country Planning (Use Classes) (Amendment) regulations 2020, and to improve its clarity.</p>
Core Policy 36: Economic Regeneration	<p><b>Deleted.</b>  The policy supports the regeneration of brownfield sites in Principal Settlements, Market Towns and Local Service Centres and aims to maximise the re-use of previously developed land.</p>

	The policy objective is adequately covered by the National Planning Policy Framework and other WLP policies, in particular the settlement and delivery strategies, and town centre and retail policies.
Core Policy 37: Military Establishments	<b>Updated and Replaced by WLP Policy 66 Military Establishments.</b> The policy seeks to manage new developments at military (Ministry of Defence) sites. The policy objectives continue to be sound, however, the policy has been updated to strengthen its wording to provide further clarity and to improve its effectiveness during the implementation stage.
Core Policy 38: Retail and Leisure	<b>Retained - WLP Policy 67 Sequential Test and Retail Impact Assessment.</b> The policy requires a sequential test and retail impact assessment to be applied to new retail and leisure developments outside town centres (more than 200sqm gross floorspace). The policy remains in conformity with the National Planning Policy Framework and the locally set threshold of 200sqm for a Retail Impact Assessment remains appropriate for Wiltshire.
Core Policy 39: Tourist Development	<b>Replaced by WLP Policy 69 Tourism and Related Development.</b> The policy provides support for tourist attractions/developments subject to locational criteria being met and a sequential test where relevant.
Core Policy 40: Hotels, Bed and Breakfasts, Guest Houses and Conference Facilities	<b>Replaced by WLP Policy 69 Tourism and Related Development.</b> The policy provides support for new tourism and related development with an emphasis on appropriate siting of such facilities and key criteria to be considered through the development management process.
Core Policy 41: Sustainable Construction and Low Carbon Energy	<b>Updated and Replaced by WLP Policy 85 Sustainable Construction and Low Carbon Energy.</b> The policy identifies how sustainable construction and low-carbon energy will be integral to all new development in Wiltshire. The objectives of the policy remain relevant; however, it has been updated to reflect the changes in national policy that have come about since the Core Strategy was adopted. It also needs to better reflect both national and local aims of reaching Carbon zero.
Core Policy 42: Standalone Renewable Energy Installations	<b>Updated and Replaced by WLP Policy 86 Renewable Energy.</b> The policy identifies how standalone renewable energy installations, of all types, will be encouraged and supported. The objectives of the policy remain relevant; however, it is to be updated to provide further detail and the requirement to consider the cumulative impact of renewable energy developments.
Core Policy 43: Providing Affordable Homes	<b>Updated and Replaced by WLP Policy 76 Providing Affordable Homes.</b>

	<p>The policy outlines the amount and type of affordable housing that should be delivered as part of housing development proposals.</p> <p>The objectives of the policy remain relevant; however, it has been updated to reflect changes in national policy and new evidence set out in the Local Housing Needs Assessment. The LHNA identified a high level of affordable housing need. Proposed policy requirement is 40%, which will replace the current two-tier requirement of 30% or 40%.</p>
Core Policy 44: Rural Exceptions Sites	<p><b>Updated and Replaced by WLP Policy 77 Rural Exceptions Sites.</b> The policy allows for the allocation of, or granting of planning permission for, small sites comprising affordable housing only as an exception to normal policies.</p> <p>The policy has been updated to reflect changes in national policy and consultation feedback.</p>
Core Policy 45: Meeting Wiltshire's Housing Needs	<p><b>Updated and Replaced by WLP Policy 78 Meeting Wiltshire's Housing Needs.</b></p> <p>The policy provides the basis for considering dwelling type, density and mix of housing to be built.</p> <p>The objectives of the policy remain relevant; however, it has been updated to reflect changes in national policy and new evidence set out in the Local Housing Needs Assessment and other work. It includes a requirement for all housing to be built to M4(2) accessibility standard and 7% of housing to be built to M4(3) Wheelchair accessible standard. A requirement to meet Nationally Designed Space Standards is also proposed.</p>
Core Policy 46: Meeting the Needs of Wiltshire's Vulnerable and Older People	<p><b>Updated and Replaced by WLP Policy 78 Meeting the Needs of Wiltshire's Housing Needs.</b></p> <p>The policy seeks to address the issue of an ageing population, which is particularly important in Wiltshire, by ensuring that there is adequate provision of specialist accommodation, such as extra-care housing.</p> <p>The objectives of the policy remain relevant; however, it has been updated and to reflect changes in national policy and new evidence set out in the Local Housing Needs Assessment and other evidence including the Wiltshire Independent Living Strategy.</p>
Core Policy 47: Meeting the Needs of Gypsies and Travellers	<p>Policy is being reviewed through the separate Gypsies and Travellers Development Plan Document as set out in the Council's Local Development Scheme.</p>
Core Policy 48: Supporting Rural Life	<p><b>Updated and Replaced by WLP Policy 82 Housing in the Countryside.</b></p> <p>The policy is an exceptions policy that explains the approach to support development in the rural areas outside of the defined settlements boundaries.</p> <p>The policy is updated and reframed as a housing exceptions policy, rather than a general rural policy. Housing elements of the policy are updated considering changes to the National Planning Policy Framework, the GPDO and to improve legibility.</p>

	<p>Elements of the policy which relate to community facilities are moved to a new WLP Policy 81 Community Facilities.</p>
<p>Core Policy 49: Protection of rural services and community facilities</p>	<p><b>Updated and Replaced by WLP Policy 81 Community Facilities.</b></p> <p>The policy seeks to protect services and community facilities from changes of use in order to preserve their ongoing role in supporting communities.</p> <p>The policy text is updated to improve its clarity to aid its implementation; and is expanded to incorporate elements of the former WCS Core Policy 48 that related to community facilities.</p>
<p>Core Policy 50: Biodiversity and Geodiversity</p>	<p><b>Updated and Replaced by WLP Policy 88 Biodiversity and Geodiversity and by WLP Policy 89 Biodiversity Net Gain.</b></p> <p>Core Policy 50 seeks to ensure that development proposals protect features of nature conservation and geological value, incorporate appropriate measures to avoid and reduce disturbance of sensitive wildlife species and habitats, avoid direct and indirect impacts upon local sites, and seek opportunities to enhance biodiversity.</p> <p>This policy is updated to consider the changes introduced through the Environment Act, namely the need to deliver biodiversity net gain whilst strengthening adherence to the mitigation hierarchy and integration of features for biodiversity within the built environment. A separate new policy deals with biodiversity net gain.</p>
<p>Core Policy 51: Landscape</p>	<p><b>Updated and Replaced by WLP Policy 91 Conserve and Enhancing Wiltshire’s Landscape.</b></p> <p>Core Policy 51 specifies that development should protect, conserve and where possible enhance landscape character and must not have a harmful impact upon landscape character, while any negative impacts must be mitigated as far as possible through sensitive design and landscape measures.</p> <p>The policy has been revised to reflect the emerging Landscape Strategy and revised Landscape Character Assessments. The revised Landscape Character Assessments provide an up to date understanding of the key landscape characteristics and features that contribute to local distinctiveness and sense of place in Wiltshire. The Wiltshire Landscape Strategy will develop landscape strategies and guidelines to inform decision making within each landscape character area. The revised landscape character areas, supplemented by the guidelines within the Landscape Strategy will also replace the existing Special Landscape Areas and associated policies.</p>
<p>Core Policy 52: Green Infrastructure</p>	<p><b>Updated and Replaced by WLP Policy 93 Green and Blue Infrastructure.</b></p> <p>Core Policy 52 supports the delivery of green infrastructure projects and initiatives and seeks to ensure the retention and enhancement of Wiltshire’s</p>

	<p>green infrastructure network as part of development proposals. It also ensures development makes provision for open space.</p> <p>This policy has been updated to reflect the adoption of the GBI strategy, the emerging GBI settlement frameworks and to optimise the delivery of GBI. A separate policy has been prepared that deals with open space standards.</p>
Core Policy 53: Wiltshire's Canals	<p><b>Updated and Replaced by WLP Policy 94 Wiltshire's Canals and the Boating Community.</b></p> <p>Core Policy 53 supports the restoration and improvement of the historic canal network in Wiltshire, which provides considerable opportunities to enhance green and blue infrastructure in the area.</p> <p>Policy changes are primarily aimed at refining the policy wording to ensure the intentions of previously 'saved' district local plan policies are incorporated into the policy whilst also incorporating relevant parts of Core Policy 16 (Melksham Link) which is to be deleted. The policy also seeks to address the needs of Wiltshire's boating community.</p>
Core Policy 54: Cotswold Water Park	<p><b>Deleted.</b></p> <p>The policy serves no strategic purpose. As the Cotswold Water Park area is now protected as a SSSI reference to the Cotswold Water Park is incorporated within the biodiversity and geodiversity policy. Development proposals for leisure and recreation at the Cotswold Water Park will be addressed through other policies of the Plan.</p>
Core Policy 55: Air Quality	<p><b>Retained and updated by WLP Policy 101 Air Quality.</b></p> <p>The policy requires development proposals to come forward, which were likely to exacerbate existing areas of poor air quality, by virtue of their scale, nature or location. Any proposals will need to demonstrate that measures can be taken to mitigate emission levels to protect public health, environmental quality and amenity, in order to overcome any barriers to development.</p>
Core Policy 56: Contaminated Land	<p><b>Retained by WLP Policy 97 Contaminated Land.</b></p> <p>The policy requires development proposals which are likely to be on or adjacent to land which may have been subject to contamination, to demonstrate that measures can be taken to effectively mitigate the impacts of land contamination on public health, environmental quality, the built environment and amenity. The policy remains in conformity with the National Planning Policy Framework and is retained.</p>
Core Policy 57: Ensuring High Quality Design and Place Shaping	<p><b>Updated and Replaced by WLP Policy 98 Ensuring High Quality Design and Place Shaping.</b></p> <p>The policy seeks to secure a high standard of design in all new developments.</p>

	<p>The policy is updated to respond to all new provisions within the National Planning Policy Framework, to improve its clarity and understanding, and to take account of some provisions within the saved policies of the District Plan to enable them to be deleted. The emerging Wiltshire Design Guide, a supplementary planning document, will also expand on the requirements of Core Policy 57 by including supplementary locally relevant background and instruction.</p>
<p>Core Policy 58: Ensuring the Conservation of the Historic Environment</p>	<p><b>Updated and Replaced by WLP Policy 98 Ensuring High Quality Design and Place Shaping and WLP Policy 99 Ensuring the Conservation of the Historic Environment.</b></p> <p>The policy aims to ensure Wiltshire’s heritage is conserved and where possible enhanced to ensure the important contribution it makes to Wiltshire’s environment and quality of life is maintained.</p> <p>The broad policy objective aligns with the National Planning Policy Framework which requires Plans to set out a positive strategy for the conservation and enjoyment of the historic environment. However, the policy is strengthened to provide support for the reuse of historic buildings and encouragement for the integration of the historic environment in new development and regeneration projects.</p>
<p>Core Policy 59: The Stonehenge, Avebury and Associated Sites World Heritage Site and its Setting</p>	<p><b>Updated and Replaced by WLP Policy 100 The Stonehenge, Avebury and Associated Sites World Heritage Site and its Setting.</b></p> <p>The policy provides for the protection and preservation of the World Heritage Site (WHS) of Stonehenge and Avebury (and associated features). The policy is linked to Core Policy 6 which refers to the objective of Core Policy 59 but outlines the criteria for considering new visitor facilities near Stonehenge.</p> <p>The provisions of the policy, along with Core Policy 6 and saved District Plan policies have been unified within a single comprehensive WHS policy. The policy wording is also updated to refer to the role of the WHS Management Plan and to set out the National Planning Policy Framework requirement for the provision of a Statement of Heritage Significance in support of development proposals within or related to the WHS</p>
<p>Core Policy 60: Sustainable Transport</p>	<p><b>Updated and Replaced by WLP Policy 70 Sustainable Transport.</b></p> <p>The policy combines and updates the provisions of Core Policy 60 Sustainable Transport and Core Policy 63 Transport Strategies. It seeks to develop, maintain and improve a sustainable transport system for Wiltshire.</p> <p>The policy is updated to recognise the increased importance of the carbon agenda, as set out, for example, in the DfT’s Transport Decarbonisation Plan and Wiltshire Council’s Climate Strategy, by specifying there is a need to limit the need to travel to reduce transport carbon emissions.</p>

Core Policy 61: Transport and Development	<p><b>Updated and Replaced by WLP Policy 71 Transport and New Development.</b></p> <p>The policy seeks to ensure that new development is located and designed to reduce the need to travel particularly by private car and encourages the use of sustainable transport alternative.</p> <p>The policy is updated to reflect the rural nature of the Wiltshire Council area, to update the movement hierarchy to reflect all the relevant transport modes including those outlined in the DfT's Future of Mobility document, and to outline the requirement for electric vehicle infrastructure in new developments.</p>
Core Policy 62: Development Impacts on the Transport network	<p><b>Updated and Replaced by WLP Policy 72 Development Impacts on the Primary and Major Road Networks.</b></p> <p>The policy seeks to prevent new development being accessed directly from the national primary route network.</p> <p>The policy is updated to refer to the major road network and to move the requirement for new development to provide appropriate mitigating measures to offset any adverse impacts on the transport network at both the construction and operational stages to the Transport and New Development policy.</p>
Core Policy 63: Transport Strategies	<p><b>Deleted.</b></p> <p>Since 2015, transport strategies for Chippenham, Salisbury and Trowbridge have been developed as part of the Core Strategy process. In addition, strategies have also been published for Devizes and Calne. The policy requirement for transport strategies to support growth areas has been incorporated into the Sustainable transport policy; it is therefore no longer deemed wholly necessary to have this as a separate policy. □</p>
Core Policy 64: Demand Management	<p><b>Updated and Replaced by WLP Policy 73 Transport: Demand Management.</b></p> <p>The policy seeks to promote the use of demand management measures where appropriate to reduce reliance on the car and to encourage the use of sustainable transport alternatives.</p> <p>The policy is simplified (to reflect the fact that the details on implementing the policy are contained in the Local Transport Plan) and amended to reflect the increased emphasis on active travel modes (as set out, for example, in the Transport Decarbonisation Plan and Gear Change).</p>
Core Policy 65: Movement of Goods	<p><b>Updated and Replaced by WLP Policy 74 Movement of Goods.</b></p> <p>The policy outlines that the council and its partners will seek to achieve a sustainable freight distribution system which makes the most efficient use of road, rail and water networks.</p> <p>The policy is updated to set out that the preferred location for development that is likely to generate significant freight movements, should be on the</p>



	<p>outskirts of major towns, with good access to the strategic transport network, where access to the rail network is not feasible. Cycle deliveries/last mile deliveries are also included within the policy along with the need to consider lorry parking, to be in line with national policies.</p>
<p>Core Policy 66: Strategic Transport Network</p>	<p><b>Updated and Replaced by WLP Policy 75 Strategic Transport Network.</b></p> <p>The policy outlines that work will be undertaken in conjunction with the Highways Agency, Network Rail, transport operators, neighbouring authorities and other agencies, that will seek to develop and improve the strategic transport network to support the objectives and policies in the Core Strategy and Local Transport Plan.</p> <p>The policy is updated to reflect the Western Gateway Sub-national Transport Body's identified strategic corridors and to support development growth in Salisbury, it is considered that the A36 corridor needs to be specifically referenced in the policy. In addition, appropriate text has been added to the supporting text in acknowledgement that elements of the strategic transport network along the A350 and A36 corridors are not managed by the Council (acting in its highway and passenger transport roles).</p>
<p>Core Policy 67: Flood Risk</p>	<p><b>Updated and Replaced by WLP Policy 95 Flood Risk.</b></p> <p>The policy requires development proposals in Flood Zones 2 and 3 to be supported by evidence of a sequential test to site selection in line with the requirements of national policy and established best practice. The policy also requires a sustainable approach to surface water drainage.</p> <p>The policy is updated to clarify that a sequential approach to flood risk management, with the aim of locating development on land with the lowest risk of flooding, will be followed and that the impact of a development proposal on all sources of flood risk will need to be considered.</p> <p>All major development should achieve a 20% betterment on greenfield runoff rates whereby runoff is managed as close to the source as possible in line with the surface water discharge hierarchy and align the policy with the Green and Blue Infrastructure Strategy, the council's Climate Change Adaption Plan and the Wiltshire Design Guide to incorporate multi-beneficial approaches, including guidance on SuDS.</p>
<p>Core Policy 68: Water Resources</p>	<p><b>Updated and Replaced by WLP Policy 96 Water Resources.</b></p> <p>The policy seeks to ensure that new development does not prejudice the delivery of the actions and targets of the relevant River Basin or Catchment Management Plan and must assess the risk to groundwater resources and groundwater quality if within a Source Protection Zones, Safeguard Zone, or Water Protection Zone. The policy also requires non-residential development to incorporate water efficiency measures.</p>

	<p>The policy is updated to ensure that new development is supported by adequate foul drainage, sewerage and sewage treatment facilities and to resist new development within safeguarded areas or buffer zones around Sewerage Treatment Works.</p> <p>A new water efficiency standard of 85 litres per person per day (relating to residential development) has been inserted to address Wiltshire’s “Water-Stressed” designation. As well as a requirement for non-household development to achieve a score of three credits within the water (Wat 01 Water Consumption) issue category for the BREEAM New Construction Standard, achieving a 40% reduction compared to baseline standards and for all new development to incorporate water saving opportunities into their design.</p> <p>The supporting text has been amended in relation to water efficiency and requires developers to think innovatively in this regard, using a combination of features and fittings and encouraging early discussion with the council.</p>
Core Policy 69: Protection of the River Avon SAC	<p><b>Deleted.</b> The protection of the River Avon SAC is now incorporated within Policy 88 Biodiversity and geodiversity.</p>

**Table A.3 Proposed New (Development Management) Wiltshire Local Plan Policies**

New Wiltshire Local Plan Policies	
New Wiltshire Local Plan Policies	Reason
Policy 4: Addressing climate change	This new policy provides an overarching strategic approach to helping tackle the effects of climate change in accordance with primary legislation and national planning policy.
Policy 68: Managing town centres	This new policy identifies a town centre hierarchy. It also identifies town centre boundaries and primary shopping areas which will be shown for all settlements in that hierarchy on the Policies Map. It reflects the new use class order. It replaces a number of saved district Local Plan policies that applied to retail and town centres.
Policy 79: First Homes exceptions Sites	This new policy is required to set out Wiltshire Council’s approach to the implementation of the Government’s First Homes policy, in particular the criteria to assess First Homes exception sites.
Policy 80: Self and custom build housing	This new policy seeks to address legislative and national planning policy requirements to meet the needs of people seeking to build self and custom build housing.

Policy 81: Community facilities	This new policy serves to limit the circumstances where viable and valued community facilities can be lost to redevelopment of alternative (non-community) uses; and to provide a framework against which proposals for new community facilities can be assessed.
Policy 82: Housing in the countryside	This new policy sets out a clear framework setting out the limited circumstances whereby policy support may be offered to proposals for development of housing in the open countryside, which are not otherwise appropriate to be considered under one of the rural exceptions policies.
Policy 83: Health and wellbeing	The importance of health and wellbeing has risen in recent years, due in part to its relationship with land use planning becoming better understood and the impact of the COVID-19 pandemic. This new policy requires a Health Impact Assessment (HIA) to be submitted for major developments at the planning application stage. It also encourages new residential developments to either have, or be accessible to green infrastructure, including community gardens and/or allotments.
Policy 84: Open space and play facilities	National planning policy emphasises the importance of providing access to good quality open spaces. This includes opportunities for sport and recreation and protecting public rights of way to promoting the health and well-being of communities and facilitating social interaction and inclusion. The importance of open space has also been elevated given our experiences of lockdown during the Covid 19 pandemic. This new open space policy places a requirement on all development to protect and improve the quantity, quality, and accessibility of and to open space. It specifies what must be included within the open space assessment that must be submitted alongside a planning application. The policy is supported by the Wiltshire Open Space Assessment, which identifies a single set of open space provision standards across Wiltshire. This replaces the four different sets of standards covering the former district council areas.

**Table A.4 Kennet District Local Plan Policies**

Kennet District Local Plan - Saved Policies	
Policy Reference	Policy Review Outcome and Wiltshire Local Plan (WLP) Position
HC2 Housing allocations	<b>Deleted.</b> The original policy allocated ten sites to meet the strategic housing requirements of the district. The policy as saved (to sit alongside the policies of the WCS) includes three allocations which are the subject of policies HC16, HC18 and HC19 (see below). The

	WLP Area Strategies provide up-to-date details of the strategic housing requirement up until 2038 including allocations.
HC16 Garden Centre, Granby Gardens, Ludgershall	<b>Deleted.</b> The saved policy allocates 5.5ha of land for approximately 130 dwellings. Planning permission has been secured for the site and the development built out.
HC18 Broomcroft Road/ Avonside area, Pewsey	<b>Deleted.</b> The saved policy allocates 1.2ha of land for approximately 30 dwellings. Planning permission has been secured for the site and the development built out.
HC19 North East Quadrant, Tidworth	<b>Deleted.</b> The saved policy allocates land for approximately 150 dwellings. Planning permission has been secured for the site with Phase 1 completed and Phase 2 well under construction / substantially completed.
HC25 Replacement of existing dwellings	<b>Deleted.</b> The saved policy provides support for replacement dwellings in the countryside subject to appropriate siting and scale. The policy is similar to WWDP policy H20 and SDLP policy H30. The Spatial Strategy sets out in principle support for development within settlement boundaries, and a new Policy 82 Housing in the countryside sets out the circumstances where policy support is given for replacement dwellings in the countryside. Other policies relating to securing high quality design and protecting and enhancing the character of the historic and natural environment provide a basis for assessing the detail of such proposals.
HC34 Recreation provision on large housing sites	<b>Deleted and Replaced by a new policy: Policy 84 Open spaces and play facilities.</b> The policy requires, and outlines the standards for, recreation provision on large housing sites. The Local Plan has an up-to-date Wiltshire-wide strategic open space policy, using up-to-date Wiltshire-wide standards / open space audit standards, that will set out the requirement for developer contributions and recommended thresholds for on-site provision.
HC35 Recreation provision on small housing sites	<b>Deleted and Replaced by a new policy: Policy 84 Open spaces and play facilities.</b> The policy requires, and outlines the standards for, recreation provision on small housing sites. The Local Plan is supported by an up-to-date Wiltshire-wide strategic open space policy, using up-to-date Wiltshire-wide standards / open space audit standards, that sets out the requirement for developer contributions and recommended thresholds for on-site provision.
HC37 Demand for Education	<b>Deleted and Replaced by a revised policy: WLP Policy 5 Securing infrastructure provision from new development.</b>

	<p>The policy requires a contribution towards improvement of the existing school infrastructure from residential developments of 25 or more dwellings or 1ha of land.</p> <p>The saved policy responded to localised issues and was therefore not replaced by Core Policy 3 'Infrastructure Requirements' of the WCS. However, an update to Core Policy 3 and settlement strategies to address contributions and local issues, respectively, would carry forward the objectives of this policy. The Infrastructure Delivery Plan and where relevant, updated Supplementary Planning Documents, including those relating to planning obligations would be able to support the delivery of this approach.</p>
ED3 Nursted Road, Devizes	<p><b>Deleted.</b></p> <p>The saved policy allocates approximately 1.5ha of land for employment uses north of Nursted Road, Devizes.</p> <p>The site benefits from planning permission to change its use from an agricultural field to a car and lorry park and lorry crane testing area. As of February 2022, this has been implemented, if not fully delivered.</p>
ED5 Marlborough Road, Pewsey	<p><b>Deleted.</b></p> <p>The saved policy allocates approximately 1.66ha of land for employment purposes to the south of Marlborough Road, Pewsey. The Employment Land Review Update recommends the site continue to be retained for employment purposes. The Pewsey Neighbourhood Plan (Policy 2B) allocates the site for a mixed use development, in combination with the delivery of 1.5ha employment land on a further site at Salisbury Road. The former policy ED5 is therefore superseded.</p>
ED18 Prime shopping areas	<p><b>Deleted and Replaced by a new policy: Policy 68 Managing town centres.</b></p> <p>The saved policy seeks to manage uses within the Prime Shopping Areas defined for Devizes and Marlborough to ensure they function primarily as retailing areas.</p> <p>This policy is replaced by the new Wiltshire-wide managing town centres policy, which identifies a town centre hierarchy. It also identifies town centre boundaries and primary shopping areas which are shown for all settlements in the hierarchy on the policies map.</p>
ED19 Devizes and Marlborough Town Centres	<p><b>Deleted and Replaced by a new policy: Policy 68 Managing town centres.</b></p> <p>The saved policy seeks to manage uses within the defined Town Centres for Devizes and Marlborough to protect and enhance their viability and vitality.</p> <p>The policy is area specific and is replaced by the new Wiltshire-wide managing town centres policy, which identifies a town centre hierarchy. It also identifies</p>

	town centre boundaries and primary shopping areas which are shown for all settlements in the hierarchy on the policies map.
ED20 Retail Development in Devizes Town Centre	<p><b>Deleted and Replaced by a new policy: Policy 68 Managing town centres.</b></p> <p>The saved policy seeks to manage new retail uses within the defined Town Centre for Devizes and provides support to improve the type and range of retail opportunities within the town.</p> <p>The policy is area specific and is replaced by the new Wiltshire-wide managing town centres policy, which identifies a town centre hierarchy. It also identifies town centre boundaries and primary shopping areas which are shown for all settlements in the hierarchy on the policies map.</p>
ED21 The North gate, The Wharf and Devizes Hospital	<p><b>Deleted and Replaced by a new policy: Policy 15 Land at Devizes Wharf, Assize Court and Wadworth Brewery, Devizes</b></p> <p>The saved policy relates to three distinct but related development areas (The North Gate, The Wharf and Devizes Hospital) within Devizes town centre and promotes a mix used development to secure a cohesive extension to the facilities and opportunities in the town centre. The Devizes Hospital element of the policy has been delivered.</p>
ED22 Lower Wharf, Devizes	<p><b>Deleted and Replaced by a new policy: Policy 15 Land at Devizes Wharf, Assize Court and Wadworth Brewery, Devizes</b></p> <p>The policy relates to the area known as Lower Wharf within Devizes town centre and promotes new tourism and leisure opportunities presented by its location.</p>
ED24 New development in service centres	<p><b>Deleted and Replaced by a new policy: Policy 68 Managing town centres.</b></p> <p>The policy is area specific and is replaced by the new Wiltshire-wide managing town centres policy, which identifies a town centre hierarchy. It also identifies town centre boundaries and primary shopping areas which are shown for all settlements in the hierarchy on the policies map.</p>
AT24 Riverside walks in Marlborough and Pewsey	<p><b>Deleted.</b></p> <p>The policy outlines that the former District Council proposed the establishment of a riverside walk in Marlborough and Pewsey. The policy is area specific, and its objective is covered by the Local Plan's Green and Blue Infrastructure Policy 93 which makes provision for the retention and enhancement of the green and blue infrastructure network, this includes green corridors (rivers and canals including their banks, road and rail corridors, cycling routes, pedestrian paths, and rights of way).</p>
AT25 A342 –A3026 Western Link Road	<p><b>Deleted.</b></p> <p>The policy protects a line for the construction of a road to link the A342 and the A3026 to the west of Ludgershall. The link road has not been delivered and a series of vehicle weight limits have</p>

	been implemented in and around Ludgershall and Tidworth to mitigate against the traffic issue which has significantly reduced the need for the link road.
HH10 Areas of minimum change	<b>Deleted.</b> The policy outlines that within 'Areas of Minimum Change' planning permission will not be granted for development which would materially damage the character of the area. The Local Plan design, landscape and historic environment policies are sufficient to guide or prevent inappropriate development throughout the Wiltshire area.
TR2 Facilities for boat users on the Kennet and Avon Canal	<b>Deleted and Replaced by updated Policy 94 Wiltshire's canals and boating community.</b> The policy seeks to restrict facilities for boat users to the redevelopment, improvement or modest extension of existing canal-side infrastructure at identified locations. The policy relates to the Kennet and Avon Canal only. Its intention has been incorporated into the updated Wiltshire-wide strategic Wiltshire's canals policy.
TR6 Tourist facilities in the Avebury World Heritage Site	<b>Deleted and Replaced by updated Policy 100 The Stonehenge, Avebury and Associated Sites World Heritage Site.</b> The policy outlines the criteria that proposals for new tourist facilities in the World Heritage Site will need to meet. The policy relates to the Avebury World Heritage Site only, but its broad objective has been incorporated into the updated Wiltshire-wide strategic Stonehenge, Avebury and Associated Sites World Heritage Site policy.
TR7 Facilities for visitors to Avebury	<b>Deleted and Replaced by updated Policy 100 The Stonehenge, Avebury and Associated Sites World Heritage Site.</b> The policy outlines the criteria that new proposals for new facilities for visitors in the World Heritage Site will need to meet. The policy relates to the Avebury World Heritage Site only, but its broad objective has been incorporated into the updated Wiltshire-wide strategic Stonehenge, Avebury and Associated Sites World Heritage Site policy.
TR8 Visitor accommodation in the Avebury World Heritage Site	<b>Deleted and Replaced by an updated Policy 100 The Stonehenge, Avebury and Associated Sites World Heritage Site.</b> The policy outlines the criteria that new proposals, for new visitor accommodation, via a change of use or conversion of existing buildings, in the World Heritage Site will need to meet. The policy relates to the Avebury World Heritage Site only, but its broad objective has been incorporated into the updated Wiltshire-wide Policy100 - Stonehenge, Avebury and Associated Sites World Heritage Site.
TR9 Car parking in Avebury World Heritage Site	<b>Deleted and Replaced by an updated Policy 100 The Stonehenge, Avebury and Associated Sites World Heritage Site.</b>

	<p>The policy outlines the criteria that new proposals for new car parking facilities in the World Heritage Site will need to meet.</p> <p>The policy relates to the Avebury World Heritage Site only, but its broad objective has been incorporated into the updated Wiltshire-wide strategic Stonehenge, Avebury and Associated Sites World Heritage Site policy.</p>
TR17 Existing Outdoor Sport and Recreation Facilities	<p><b>Deleted and Replaced by a new policy: Policy 84 Open spaces and play facilities.</b></p> <p>The policy seeks to guard against the loss of existing outdoor sport and recreation facilities and outlines certain exceptions where the loss of a site may be justified. The policy relates to the area of the former District Plan, however, its objective has been reflected within a new Wiltshire-wide strategic open space policy.</p>
TR20 Protection of allotments	<p><b>Deleted.</b></p> <p>The policy seeks to guard against the loss of allotments unless alternative sites of equal quality are made available. The policy relates to the area of the former District Plan, however, the merits of any proposal for the loss of, or new allotments can adequately be assessed under existing Wiltshire-wide policies in relation to green infrastructure and open space.</p>

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**Table A.5 North Wiltshire Local Plan Policies**

North Wiltshire Local Plan – Saved Policies	
Policy Reference	Policy Review Outcome and Wiltshire Local Plan (WLP) Position
NE12 Woodland	<p><b>Deleted and Replaced by a new Policy 90 Woodlands, hedgerows, and trees.</b></p> <p>The policy provides support for the creation, conservation, enhancement and positive management of woodlands. The policy also outlines that the retention of the visual amenity and nature conservation value will be sought in four particular areas.</p> <p>Whilst Local Plan policies in relation to conserving and enhancing biodiversity, landscape and, green and blue infrastructure provide some basis for assessing proposals for the management of woodlands or development affecting them, a new woodland, hedgerow, and tree policy provides further guidance for decision making with regards the retention, enhancement, and management of these assets. This new policy also encompasses topics such as tree planting targets of Wiltshire Council’s Climate Strategy and Woodland, Hedgerow, and Tree Strategy, street tree planting alongside sustainable management of on site planting.</p>
NE14 Trees and the control of new development	<p><b>Deleted.</b></p> <p>The policy seeks to prevent proposals that would result, or be likely to result, in the loss of trees, hedges, lakes/ponds or other important landscape or ecological features that could be successfully and appropriately incorporated into the design of a development.</p> <p>Whilst Local Plan policies in relation to conserving and enhancing biodiversity, landscape and, green and blue infrastructure provide some basis for assessing proposals for the protection of trees/hedges/lakes etc. or development affecting them, a new woodland, hedgerow, and tree policy provides further guidance for decision making with regards the retention, enhancement, and management of these assets. This new policy also encompasses topics such as tree planting targets of Wiltshire Council’s Climate Strategy and Woodland, Hedgerow, and Tree Strategy, street tree planting alongside sustainable management of on-site planting.</p>
NE18 Noise and pollution	<p><b>Deleted.</b></p> <p>The policy specifies that development will only be permitted where it would not generate, or itself be subject to, harm upon public health or cause pollution to the environment by the emission of excessive noise, light intrusion, smoke, fumes, other forms of air pollution, heat, radiation, effluent or vibration. The</p>

	Local Plan policies in relation to securing good design and protecting public health and safety adequately cover the objective of the policy.
T5 Safeguarding	<p><b>Deleted and Replaced by Policy 75 Strategic transport network and Policy 94 Wiltshire canals and the boating community.</b> The policy seeks to ensure new development does not adversely impact existing public rights of way and cycle and pedestrian routes. The policy also safeguards land for transport proposals.</p> <p>The transport proposals identified within the policy have either been delivered or are no longer deemed necessary or deliverable with the exception of the following listed, which are carried forward within the existing core policies listed below:</p> <ul style="list-style-type: none"> <li>• Corsham Railway Station (included in updated Core Policy 66)</li> <li>• Royal Wootton Bassett Railway Station (included in updated Core Policy 66)</li> <li>• Thames and Severn Canal (included in updated Core Policy 53)</li> <li>• Wilts and Berks Canal (included in updated Core Policy 53)</li> </ul> <p>Policy T5 to be deleted but the transport proposals identified, and associated land safeguarded be incorporated into the updated policies as detailed above.</p>
H2 Allocated residential sites	<p><b>Deleted.</b></p> <p>The original policy allocated twenty-two sites to meet the strategic housing requirements of the District. The policy as saved (to sit alongside the policies of the WCS) includes ten allocations:</p> <ul style="list-style-type: none"> <li>• Quemerford House and Land, Calne: partly developed</li> <li>• Lower Quemerford Mill, Calne: partly developed</li> <li>• Works, Cocklebury Road, Chippenham: partly developed</li> <li>• Foundary Lane, Chippenham: outline planning permission secured</li> <li>• Land at Preston Lane, Lyneham: development built out</li> <li>• AB Carter Haulage Contractors, 14 Happy Land, Ashton Keynes: full planning permission secured</li> <li>• Brook Farm, Great Somerford: development built out</li> <li>• Chicken Factory, Sutton Benger: development built out</li> <li>• Rugby Club, Stoneover Lane, Royal Wootton Bassett</li> <li>• Station Road, Calne: development built out</li> </ul>

	Policy H2 to be deleted. The WLP Area Strategies provide up-to-date details of the strategic housing requirement up until 2038 including allocations.
H4 Residential development in the open countryside	<p><b>Deleted and Replaced by a new Policy 82 Housing in the countryside.</b></p> <p>The policy prohibits new dwellings in the countryside unless 'i' they are in connection with the essential needs of a rural based enterprise, and 'ii' a replacement dwelling. The merits of any proposal for the provision of new residential development in the open countryside can be assessed against the new housing in the countryside policy, supported by national planning policy (National Planning Policy Framework para 80). Other policies relating to securing high quality design and protecting and enhancing the character of the historic and natural environment provide a basis for assessing the detail of such proposals.</p>
BD1 Employment land	<p><b>Deleted and Replaced by Policies 9 Calne Market Town, 16 Malmesbury Market Town and 47 Royal Wootton Bassett Market Town.</b></p> <p>The saved policy allocates approximately 22ha of land for business development over 5 sites as part of the District Plan:-</p> <ul style="list-style-type: none"> <li>• East of Beversbrook Farm and Porte Marsh Industrial Estate, Calne (4.4 ha)</li> <li>• Garden Centre, Malmesbury (3.9 ha)</li> <li>• Land to the North of Tetbury Hill, Malmesbury (1 ha)</li> <li>• The Brickworks, Purton (3.1 ha)</li> <li>• Templars Way, Wootton Bassett (3.44 ha)</li> </ul> <p>The sites now benefit from planning permissions for a variety of developments, and some have been developed in part. The only site to have been fully developed is The Brickworks, Purton site and the Employment Land Review Update recommends that all other sites continue to be retained for employment purposes.</p>
R1 Town centre primary frontage areas	<p><b>Deleted and Replaced by Policy 68 Managing town centres.</b></p> <p>The saved policy seeks to manage uses within the defined town centre primary frontage areas of Chippenham, Calne, Royal Wootton Bassett, Corsham, Malmesbury and Cricklade to protect and enhance their viability and vitality.</p> <p>The saved policy is area specific and is replaced by the new Wiltshire-wide managing town centres policy, which identifies a town centre hierarchy. It also identifies town centre boundaries and primary shopping areas which are shown for all settlements in the hierarchy on the policies map.</p>
R2 Town centre secondary frontage areas	<p><b>Deleted and Replaced by Policy 68 Managing town centres.</b></p>

	<p>The policy seeks to manage uses within the defined town centre secondary frontages of Chippenham, Calne, Royal Wootton Bassett, Corsham, Malmesbury and Cricklade to protect and enhance their viability and vitality.</p> <p>The saved policy is area specific and is replaced by the new Wiltshire-wide managing town centres policy, which identifies a town centre hierarchy. It also identifies town centre boundaries and primary shopping areas which are shown for all settlements in the hierarchy on the policies map.</p>
R7 Upper floors in town centres	<p><b>Deleted and Replaced by Policy 68 Managing town centres.</b> The policy seeks to manage the use of upper floors within town and local shopping centres. The saved policy is area specific and is replaced by the new Wiltshire-wide managing town centres policy, which identifies a town centre hierarchy. It also identifies town centre boundaries and primary shopping areas which are shown for all settlements in the hierarchy on the policies map.</p>
CF1 Local community and education facilities	<p><b>Deleted.</b></p> <p>The former District Plan policy was partly saved. The policy provided support for the provision of local community and education facilities, however, the only element saved was the safeguarding of land for community and education facilities at:-</p> <ul style="list-style-type: none"> <li>• Land off Blackwell Hams, Pewsham Way, Chippenham (proposed community hall)</li> <li>• Stoneover Lane, Royal Wootton Bassett (proposed school)</li> <li>• Barn at Derriads Farm, Chippenham (proposed community use)</li> </ul> <p>There are no current proposals to utilise the allocated/ safeguarded land for the provision of the specified uses, and there is no ongoing evidence to support the ongoing safeguarded status of the land.</p>
CF2 Leisure facilities and open space	<p><b>Deleted and Replaced by Policy 84 Open spaces and play facilities.</b></p> <p>The policy provides support for new leisure facilities and open space and outlines a criterion to assess proposals for the redevelopment, replacement or improvement of existing leisure facilities or open spaces.</p> <p>The policy relates to the area of the former District Plan only, however, its objective is reflected within a new Wiltshire-wide strategic open space policy.</p>
CF3 Provisions of open space	<p><b>Deleted and Replaced by Policy 84 Open spaces and play facilities.</b></p> <p>The policy requires and outlines the standards for the provision of open space that new housing development need to provide on-site.</p> <p>The policy relates to the area of the former District Plan only, however, its objective is reflected within a new Wiltshire-wide strategic open space policy.</p>

TM3 Swindon and Cricklade Railway Line	<b>Deleted.</b> The policy proposed restoration of the route from Tadpole Lane, Swindon to Cricklade, subject to available evidence on mitigating harm to areas of nature conservation interest along its route. The policy is too area specific to be included in the Plan.
TM4 The Thames Path National Trail	<b>Deleted.</b> The policy established and enhanced the Thames Path, including protection through assessment of adverse effects on the amenities and open landscape along the river and route itself. The Thames Path makes use of public rights of way next to the river, as well as small sections via residential areas, which are well established. The policy is too area specific to be included as a new Wiltshire-wide policy, but the purpose of the saved policy will be reflected within the Local Plan's landscape and green and blue infrastructure policies.

**Table A.6 West Wiltshire District Plan Policies**

<b>West Wiltshire District Plan 1st Alteration 2004</b>	
<b>Policy Reference</b>	<b>Policy Review Outcome and Wiltshire Local Plan (WLP) Position</b>
C3 Special Landscape Areas	<b>Deleted.</b> The policy identifies the need to conserve and enhance the character of Special Landscape areas, as defined on the Proposal Maps. Development is not permitted where considered detrimental to the high quality of these landscapes. The policy relates to the former District Council Special Landscape Areas and is replaced by the new Landscape Character Assessments and the Wiltshire Landscape Strategy, that provides planning guidance for decision making. This is in line with the approach in the National Planning Policy Framework.
C39 Environmental Enhancement	<b>Deleted.</b> The policy outlines that the former District Council would undertake a programme of environmental enhancement including tree planting and support improvement proposals to be undertaken by other agencies, groups and businesses. While the environmental improvement schemes have not been carried forward the objective of the policy to secure environmental enhancement through both hard and soft landscaping is reflected within the Local Plan's design and landscape policies.
C40 Tree Planting	<b>Deleted and replaced by Policy 90 Woodlands, hedgerows, and trees.</b> The policy states that to conserve the character and appearance of an area, trees of visual amenity value will be retained, particularly within conservation areas.

	<p>Whilst Local Plan policies in relation to conserving and enhancing biodiversity, landscape and, green and blue infrastructure provide some basis for assessing proposals for the protection of trees or development affecting them, a new woodland, hedgerow, and tree policy provides further guidance for decision making with regards the retention, enhancement, and management of these assets. This new policy also encompasses topics such as the tree planting targets of Wiltshire Council's Climate Strategy and Woodland, Hedgerow, and Tree Strategy alongside street tree planting alongside sustainable management of on-site planting.</p>
C41 Areas of Opportunity	<p><b>Deleted.</b> This policy related to site specific proposals that have been built out. The policy is therefore deleted. The policy was partly saved to continue to provide support for the redevelopment and/or rehabilitation of specified areas to improve the local environment, namely:</p> <ul style="list-style-type: none"> <li>• Land East of Edward Street, Westbury (Proposed Uses: Shopping, residential or office uses)</li> <li>• Vivash Park, Westbury (Proposed Uses: Light industrial, recreation and community facilities)</li> <li>• Land at the Midlands, Holt (Proposed Uses: Light industrial, workshops, offices, and residential).</li> </ul>
R7 Trowbridge Cricket Ground	<p><b>Deleted.</b> The policy outlines that the Trowbridge Cricket Ground area, as defined on the Proposals Map (now Policies Map), is allocated specifically for cricket and associated recreational use unless an appropriate alternative provision is to be made in the locality. The policy relates to the area of the former District Plan only and is site specific but its general objective of protecting a recreational facility is reflected within a new Wiltshire-wide strategic Open Spaces policy.</p>
R10 Poulton Field Bradford on Avon	<p><b>Deleted.</b> The policy provides support for more effective use of Poulton Field, Bradford on Avon for recreational purposes. It also encourages recreational use and the improvement of on-site facilities and the dual use of adjacent school fields for wider community use. The policy relates to the area of the former District Plan only and is site specific, but its objective is reflected within a new Wiltshire-wide strategic Open Spaces policy.</p>
R12 Allotments	<p><b>Deleted.</b> The policy states that development proposals which involve the loss of existing allotment sites will not be permitted unless appropriate alternative provision is made elsewhere, or it can be demonstrated that there is no longer demand for such a use locally.</p>

	The policy relates to the area of the former District Plan only and the Local Plan's policies in relation to green infrastructure and open spaces provides an adequate basis to assess any proposal for the loss of, or new, allotments on their own merits.
R13 Sailing Lakes	<b>Deleted.</b> The policy seeks to safeguard the recreational use of sailing lakes and provides support for new sailing lakes and associated facilities. The policy relates to the area of the former District Plan only, however, the merits of any proposal for the loss of, or new, sailing lakes can adequately be assessed under the Local Plan's Wiltshire-wide policies in relation to green and blue infrastructure, as well as open spaces.
R15 Development at Golf Courses	<b>Deleted.</b> The policy seeks to ensure that proposals for golf courses and ancillary development essential to golfing are located and designed to ensure harmony with the surrounding countryside, and proposals within Areas of Outstanding Natural Beauty are subject to particular scrutiny as anticipated by national planning policy. The policy is area specific and solely relates to new golf course developments. It is considered that the social, environmental, and economic impacts associated with any recreation development can be adequately assessed by other policies of the Local Plan.
H3 Urban Brownfield Allocations	<b>Deleted.</b> The original policy allocated seventeen sites to meet the strategic housing requirements of the District. The policy as saved (to sit alongside the policies of the WCS) includes six sites, namely:- <ul style="list-style-type: none"> <li>• Holbrook Lane, Trowbridge: development built out</li> <li>• Station Road, Westbury: established business on site</li> <li>• Land off Oldfield Road, Westbury: partly built out</li> <li>• Land at West Street, Warminster: partly built out</li> <li>• Rear of Westbury Road, Warminster: partly built out</li> <li>• Station Road, Warminster: no development intent known</li> </ul> The WLP Area Strategies provide up-to-date details of the strategic housing requirement up until 2038 including allocations.
H4 Urban Mixed Use Brownfield Allocations	<b>Deleted.</b> The original policy allocated nine sites to meet the strategic housing requirements of the District. The policy as saved (to sit alongside the policies of the WCS) includes one allocation at Court Street, Trowbridge. The site is partly developed with no known further development intent.
H8b Blue Hills, Devizes Road, Trowbridge	<b>Deleted.</b> The saved policy allocated land for 35 dwellings. The site is now built out.

H8c Land North of Green Lane, Trowbridge	<b>Deleted.</b> The saved policy allocated land for 160 dwellings. The site is now built out.
H11 Land South of Paxcroft Mead, Trowbridge	<b>Deleted.</b> The saved policy allocated land for 550 dwellings. The site is now built out.
H13a Land Adjacent to Westbury Hospital	<b>Deleted.</b> The saved policy allocated land for 25 dwellings. The site is now built out.
H16 Flat Conversions	<b>Deleted.</b> The policy seeks to manage the conversion of properties into flats to ensure they are of a high standard of design with associated amenity space and without detriment to the amenity of neighbouring residents, the transport network, or present a flood risk. The policy relates to the area of the former District Plan, however, the merits of any proposal for flat conversions can adequately be assessed under the Local Plan's Wiltshire-wide policies in relation to design, historic environment, transport, flooding etc., and the principle of development under the settlement and delivery strategy policies.
H18 Areas of Minimum Change	<b>Deleted.</b> The policy states that within Areas of Minimum Change within villages, as identified on the proposals map, planning permission will not be granted for new housing development. The Local Plan's design, landscape and historic environment policies are sufficient to guide or prevent inappropriate development throughout the Wiltshire area.
H20 Replacement Dwellings	<b>Deleted.</b> The saved policy provides support for replacement dwellings in the countryside subject to appropriate siting and scale. The policy is similar to KDLP policy HC25 and SDLP policy H30. The Spatial Strategy sets out in principle support for development within settlement boundaries, and a new Policy 82 Housing in the countryside sets out the circumstances where policy support is given for replacement dwellings in the countryside. Other policies relating to securing high quality design and protecting and enhancing the character of the historic and natural environment provide a basis for assessing the detail of such proposals.
E1A New Employment Land Allocation: West Ashton Road, Trowbridge (12.1 ha)	<b>Deleted and Replaced by Policy 52 Trowbridge Principal Settlement</b> The policy allocates 12.1ha of land for employment purposes north of West Ashton Road, Trowbridge. The Employment Land Review Update recommends the site continue to be retained for employment purposes.
E1B New Employment Land Allocation: south and west of Bowerhill industrial estate, Melksham (34.5 ha)	<b>Deleted.</b>



	The policy allocates 34.5ha of land for employment purposes south and west of the existing Bowerhill industrial estate, Melksham. The site has been granted planning permission to be developed and the development implemented.
E1D New Employment Land Allocation: Northacre/ Brook Lane Trading Estate, Westbury (13 ha)	<b>Deleted and Replaced by Policy 60 Westbury Market Town</b> The policy allocates 13ha of land for employment purposes adjacent to Northacre/Brook Lane Trading Estate, Westbury. The Employment Land Review Update recommends the residual, unbuilt element of the site should continue to be retained for employment purposes.
E10 Horse Related Development	<b>Deleted.</b> The policy relates specifically to the development of equestrian facilities. The existing local plan policies in relation to securing high quality design, protecting the landscape, and protecting and enhancing the character of the historic and natural environment are sufficient to assess any proposal for equestrian development on their own merits.
T4 New Distributor Roads	<b>Deleted.</b> The policy identifies new distributor roads to be constructed with new developments, at the following locations:  A. Paxcroft Mead, Trowbridge B. West Ashton Road, Trowbridge C. Land to the east and south of Paxcroft Mead D. Land to the east of Melksham E. Land west of Bowerhill F. Land south of Westbury and north of Westbury Leigh with connection to Oldfield Road and Leigh Road/Laverton Road  All the roads listed, other than scheme F, land south of Westbury and north of Westbury Leigh with connection to Oldfield Road and Leigh Road/Laverton Road, have been delivered. Scheme F is incorporated into the area strategy for Westbury as part of WLP Policy 61 Land West of Mane Way.
T5 New Link Roads	<b>Deleted.</b> The policy safeguards land for an essential new link road at Paxcroft Mead and Hammond Way, Trowbridge. The site has been granted planning permission to be developed and the link road delivered.
T7 Westbury – Swindon Railway Services	<b>Deleted and Replaced by Policy 75 Strategic transport network.</b> The policy provides support for the retention and further enhancement of the rail link between Westbury and Swindon via Melksham and for development proposals that enhance the rail services and facilities

	along the route. The objective of the policy remains relevant, however, its objective will continue via WLP Policy 75 Strategic transport network.
T8 Melksham Railway Station	<b>Deleted and Replaced by Policy 75 Strategic transport network.</b> The policy safeguards land for the future enhancement of rail services from Melksham Rail Station. The objective of the policy remains relevant, however, its objective will continue via WLP Policy 75 Strategic transport network.
T8a Rail Freight Facility	<b>Deleted.</b> The policy safeguards land for the development of a multi-user rail freight facility. There is not a current established need and justification to support the continued objective of the policy and Network Rail currently use the site as a rail recycling centre. Furthermore, the Local Plan policy on the movement of goods provides support for new sustainable freight facilities.
SP1 Town Centre Shopping	<b>Deleted and Replaced by Policy 68 Managing town centres.</b> The policy seeks to manage retail development within central commercial areas of the West Wiltshire towns, which has been replaced by the Wiltshire-wide managing town centres policy. Policy 68 identifies a town centre hierarchy. It also identifies town centre boundaries and primary shopping areas which are shown for all settlements in the hierarchy on the policies map.
SP2 Land at Court Street/Castle Street, Trowbridge	<b>Deleted and Replaced by Policy 56 Trowbridge Central Area.</b> The policy relates to land at Court Street / Castle Street, Trowbridge which is allocated for further town centre retail provision. The land in question will remain an opportunity site in the central area policy for Trowbridge.
SP4 Primary Retail Frontages	<b>Deleted and Replaced by Policy 68 Managing town centres.</b> The policy seeks to manage uses within the defined primary retail frontages to protect and enhance the viability and vitality of town centres. The saved policy is area specific and has been replaced by the new Wiltshire-wide managing town centres policy. That policy identifies a town centre hierarchy. It also identifies town centre boundaries and primary shopping areas which are shown for all settlements in the hierarchy on the Policies Map.
SP5 Secondary Retail Frontages	<b>Deleted and Replaced by Policy 68 Managing town centres.</b> The policy seeks to manage uses within town centre commercial areas outside primary retail frontages to maintain the primary commercial function of the centres. The saved policy is area specific and is to be replaced by the new Wiltshire-wide managing town centres policy. That policy identifies a town centre hierarchy, town centre boundaries and primary

	shopping areas, which are shown for all settlements in the hierarchy on the Policies Map. Secondary frontages no longer defined.
SP6 Local Shopping in Towns and Villages	<b>Deleted.</b> The saved part of the policy identifies land for local shopping in new housing developments. New local centres will be addressed by site allocation policies.
LE2 St Stephens Place, Trowbridge	<b>Deleted.</b> The policy allocates land at St Stephens Place, Trowbridge for further town centre uses. The site has been developed.
TC1 Upper Floor Uses in Town Centres	<b>Deleted and Replaced by Policy 68 Managing town centres.</b> The policy seeks to promote the use of upper floors within town centre commercial areas to maintain vibrant town centres. The saved policy is area specific and is to be replaced by the new Wiltshire-wide managing town centres policy. That policy identifies a town centre hierarchy. It also identifies town centre boundaries and primary shopping areas which are shown for all settlements in the hierarchy on the Policies Map.
TC2 Traffic management and pedestrian Priority	<b>Deleted.</b> The policy outlines that the former District Council would co-operate with the County Council as highway authority in investigating ways in which traffic management, pedestrian priority and environmental enhancement measures could improve the shopping environment, air quality and promote pedestrian safety in 5 identified towns. The objective of the policy is covered by local plan policies which seek to secure transport strategies, improve air quality, secure good design, and promote pedestrian priority and good accessibility.
S2 Primary Schools	<b>Deleted.</b> The policy allocates land for new or extensions to existing primary schools at Melksham and Trowbridge. The policy has served its purpose of ensuring that the needs arising from new housing development has been met within the district via the delivery of new education infrastructure.
CF7 Bowerhill	<b>Deleted.</b> The policy allocates land to the east of Halifax Road, Bowerhill, for a community hall and educational use. The place specific saved policies <b>CF7</b> , CF8, CF9 and CF10 respond to a need that was specified at the time of preparing the WWDP and the policies have either served their purpose with the community facilities having been delivered, are no longer required because there are no known further proposals to utilise the allocated/safeguarded land for the provision of the specified uses, and there is no ongoing evidence to support the ongoing safeguarded status of the land.
CF8 Community Health	<b>Deleted.</b>

	<p>The policy allocates land adjacent to and including the Melksham and Trowbridge Hospitals for the development of community health care facilities.</p> <p>The place specific saved policies CF7, <b>CF8</b>, CF9 and CF10 respond to a need that was specified at the time of preparing the WWDP and the policies have either served their purpose with the community facilities having been delivered, are no longer required because there are no known further proposals to utilise the allocated land for the provision of the specified uses, there is no ongoing evidence to support the ongoing safeguarded status of the land.</p>
CF9 Bradford on Avon Police Station	<p><b>Deleted.</b></p> <p>The policy safeguards land to the west of the fire station in Bradford on Avon for a police station.</p> <p>The place specific saved policies CF7, CF8, <b>CF9</b> and CF10 respond to a need that was specified at the time of preparing the WWDP and the policies have either served their purpose with the community facilities having been delivered, are no longer required because there are no known further proposals to utilise the allocated land for the provision of the specified uses, there is no ongoing evidence to support the ongoing safeguarded status of the land.</p>
CF10 Cemeteries	<p><b>Deleted.</b></p> <p>The policy identified need for new cemeteries at both Bradford on Avon and Melksham albeit no specific locations were safeguarded for the use. Specific needs can be addressed through Infrastructure policies.</p>
U1a Foul Water Disposal	<p><b>Deleted and Replaced by Policy 96 Water resources.</b></p> <p>This policy seeks to ensure that development will only be permitted where adequate foul drainage, sewerage and sewage treatment facilities are available or where suitable arrangements are made for their provision.</p> <p>The policy is area specific and is to be replaced by an up-to-date Wiltshire-wide water resources policy.</p>
U4a Sewage Treatment Works	<p><b>Deleted.</b></p> <p>This policy safeguards land adjacent to Bowerhill Sewage Treatment Works (STW) from development and seeks to prevent development on the safeguarded land if it is likely to prejudice the future extension of the STW. The policy has served its purpose and any further development within the safeguarded land around the Sewage Treatment Works would require consultation with Wessex Water.</p>
U5 Sewage Treatment Works Buffer Zones	<p><b>Deleted.</b></p> <p>This policy seeks to prevent development which is sensitive to odour pollution within the Bowerhill Sewage Treatment Works buffer zone. The policy has served its purpose and any further development within the safeguarded land around the Sewage Treatment Works would require consultation with Wessex Water.</p>
U6 Telecommunications	<p><b>Deleted.</b></p>

	The policy provides the criterion to assess new telecommunications proposals. The merits of any proposal for the provision of new telecommunications equipment can be adequately assessed against national planning policy (National Planning Policy Framework chapter 10) and existing Local Plan policies in relation to securing good quality design, protecting landscape character, protecting the historic environment, and protecting residential amenity.
I2 The Arts	<b>Deleted.</b> The policy seeks to secure a percentage of the overall cost of a development to further an artistic objective. The objective of the policy is covered by the Local Plan's policies on infrastructure requirements and securing good design.
I3 Access for Everyone	<b>Deleted.</b> The policy seeks to ensure new development, which is used by the public, is designed to enable access for everyone. The objective of the policy is covered by local plan policies in relation to securing high quality design which requires developments to provide good access and to take account of, and plan for, diversity and adaptability.

**Table A.7 West Wiltshire Leisure and Recreation Development Plan Document Policies**

<b>West Wiltshire Leisure and Recreation Development Plan Document Policies</b>	
<b>Policy Reference</b>	<b>Policy Review Outcome and Wiltshire Local Plan (WLP) Position</b>
LP1 Protection and enhancement of existing open space or sport and recreation provision	<b>Deleted and Replaced by Policy 84: Open spaces and play facilities.</b> The policy provides support for the protection and enhancement of existing open space or sport and recreation facilities. The policy relates to the area of the former District Plan, however, its objective is reflected within a new Wiltshire-wide strategic open space policy.
LP2 Proposals that involve the loss of open space or sport and recreation provision	<b>Deleted and Replaced by Policy 84: Open spaces and play facilities.</b> This policy permits development that may result in a loss of open space or sport and recreation facilities if it does not cause significant harm to nature conservation interests, and subject to other landscape and countryside policies of the Plan. The policy relates to the area of the former District Plan, however, its objective is reflected within a new Wiltshire-wide strategic open space policy.
LP3 Review of low value sites	<b>Deleted and Replaced by Policy 84: Open spaces and play facilities.</b> The policy has served its purposes and is now superseded by the Wiltshire-wide Playing Pitch Strategy and Wiltshire Open Space Study. The

	appropriate level of protection to leisure and recreation facilities can be determined via the application of the new Wiltshire-wide strategic open space policy.
LP4 Providing recreation facilities in new developments	<b>Deleted and Replaced by Policies: 4 - Addressing Climate Change; 84 - Open spaces and play facilities; 93 - Green and Blue Infrastructure; 94 - Wiltshire's Canals and Boating Community; and 98 - Ensuring High Quality Design and Place Shaping.</b> This policy provides support for recreation facilities in new development. The policy relates to the area of the former District Plan, however, its objective is reflected within a new Wiltshire-wide strategic open space policy.
LP5 New sport and recreation facilities	<b>Deleted and Replaced by Policy 84: Open spaces and play facilities.</b> This policy provides support for new sport and recreation facilities, subject to an up to date needs assessment. The policy relates to the area of the former District Plan, however, its objective is reflected within a new Wiltshire-wide strategic open space policy.
OS1 New artificial turf pitch provision	<b>Deleted and Replaced by Policy 84: Open space and play facilities</b> This policy provides support for new artificial turf pitch provision on school sites. The policy relates to the area of the former District Plan, however, its objective is reflected within a new Wiltshire-wide strategic Open Space policy.
OS2 New grass pitch Provision	<b>Deleted and Replaced by Policy 84: Open spaces and play facilities.</b> This policy provides support for new grass pitch provision. The policy relates to the area of the former District Plan, however, its objective is reflected within a new Wiltshire-wide strategic open space policy.
CR1 Footpaths and rights of way	<b>Deleted and Replaced by Policies: 4 - Addressing Climate Change; and 84 - Open spaces and play facilities; 93 - Green and Blue Infrastructure.</b> The objective of the policy is reflected within other local plan policies in relation to green infrastructure and sustainable transport.
CR2 Country Parks	<b>Deleted and Replaced by Policies: 84 - Open spaces and play facilities; and 93 - Green and Blue Infrastructure.</b> The objective of the policy is reflected in the local plan's green infrastructure policy which makes provision for the retention and enhancement of the green infrastructure network, this includes parks and gardens (urban and country parks, formal gardens).
CR3 Greenspace Network	<b>Deleted and Replaced by Policies: 4 - Addressing Climate Change; 84 - Open spaces and play facilities; 93 - Green and Blue Infrastructure; and 98 - Ensuring High Quality Design and Place Shaping.</b>

	The objective of the policy is reflected in the local plan's green infrastructure policy which provides support for the delivery of green infrastructure projects and initiatives.
GM1 Maintenance of existing open space	<b>Deleted and Replaced by Policy 84: Open spaces and play facilities.</b> This policy provides support for the maintenance of existing open space. The policy relates to the area of the former District Plan, however, its objective is reflected within a new Wiltshire-wide strategic open space policy that requires maintenance and management of all new or enhanced open space provision resulting from development.
GM2 Management and maintenance of new or enhanced open space	<b>Deleted and Replaced by Policy 84: Open spaces and play facilities.</b> This policy provides support for the management and maintenance of new or enhanced open space. The policy relates to the area of the former District Plan, however, its objective is reflected within a new Wiltshire-wide strategic open space policy that requires maintenance and management of all new or enhanced open space provision resulting from development.
GM3 Future management partnerships	<b>Deleted.</b> It is not considered necessary to have a policy that refers to the need to identify the most appropriate route for future management and maintenance of areas of public open space. The best approach is established as part of the application process, in order to satisfy the new Wiltshire-wide strategic Open space policy, that requires maintenance and management of all new or enhanced open space provision resulting from development.
IS1 Indoor Leisure Centres	<b>Deleted.</b> It is not considered necessary to have a strategic land use policy that refers to a programme for the refurbishment and/or replacement of Council owned leisure centres.
IS2 Joint indoor leisure centres	<b>Deleted.</b> It is not considered necessary to have a strategic land use policy that refers to the need to investigate the potential for joint facility developments.
YP 1 Children's play area	<b>Deleted and Replaced by Policy 84: Open spaces and play facilities.</b> This policy provides supports for the provision of children's play areas. The policy relates to the area of the former District Plan, however, its objective is reflected within a new Wiltshire-wide strategic open space policy which provides broad support for all types of new recreation facilities.
YP 2 Provision for teenagers	<b>Deleted and Replaced by Policy 84: Open spaces and play facilities.</b> This policy provides support for the development of appropriate facilities for teenagers and youth groups. The policy relates to the area of the former

	District Plan, however, its objective is reflected within a new Wiltshire-wide strategic open space policy which provides broad support for all types of new recreation facilities.
WR1 River based recreation	<b>Deleted.</b> The objective of the policy is reflected the local plan's green infrastructure policy which provides support for the delivery of green infrastructure projects and initiatives.
WR2 Kennet and Avon Canal	<b>Deleted and Replaced by Policies: 93 - Green and Blue Infrastructure; and 94 - Wiltshire's Canals and Boating Community.</b> The policy provides support for the development of recreational and tourist development on the Kennet and Avon Canal subject to other landscape and countryside policies of the plan. The policy relates to the Kennet and Avon Canal only, but its objective is incorporated into the updated Wiltshire-wide strategic Wiltshire's canals policy.
SC1 Dual-use of school facilities	<b>Deleted.</b> It is not considered necessary to have a strategic land use policy that solely provides in principle support for dual use facilities.



**Table A.8 Salisbury District Local Plan Policies**

Salisbury District Local Plan – Saved Policies	
Policy Reference	Policy Review Outcome and Wiltshire Local Plan (WLP) Position
G7 The water environment (Development Restraint Areas)	<p><b>Deleted and Replaced by Policy 96 Water resources.</b></p> <p>The policy designates an area of Development Restraint around each of the sewerage treatment works and seeks to prevent development within these areas that is likely to result in the regular occupation of premises.</p> <p>The policy relates to the former area of the District Plan, however, its objective of managing new development around sewerage treatment works is incorporated into the Wiltshire-wide policy on water resources.</p>
G10 Enabling Development	<p><b>Deleted.</b></p> <p>The policy provides criteria to facilitate enabling development for historic buildings or heritage assets. The policy objective remains relevant, however, it duplicates guidance within the National Planning Policy Framework (para. 208) and is no longer required.</p>
D4 Salisbury Townscape (Chequers)	<p><b>Deleted.</b></p> <p>The policy seeks to ensure new development is suitably designed to respond to a specific area of townscape - the Chequers. The policy is set at too specific level for being general Wiltshire Local Plan policy and the Local Plan's policies in relation to access and design are sufficiently detailed to consider any proposal on its own merits.</p>
D5 Salisbury Townscape (Open Space)	<p><b>Deleted.</b></p> <p>The policy seeks to ensure new development is suitably designed to respond to a specific area of townscape - the Chequers and describes the characteristics of other areas including urban open spaces and green open spaces. The policy is at a too specific level for being general Wiltshire Local Plan policy and the Local Plan's policies in relation to access and design are sufficiently detailed to consider any proposal on its own merit.</p>
D8 Public Art	<p><b>Deleted.</b></p> <p>The policy seeks to secure the provision of public art in appropriate development schemes. The policy relates to the former area of the District Plan, however, its objective of securing public art is covered by the Local Plan's policies in relation to infrastructure requirements and securing good design.</p>
H2 D Housing (Salisbury Old Sarum)	<p><b>Deleted.</b></p> <p>The saved policy allocated land for a mixed-use development. The residential part of the allocation is now built out. See Policy E1.</p>

H2 E Housing (Salisbury District Hospital)	<b>Deleted and replaced by Policy 35 Salisbury District Hospital campus.</b> The saved policy allocated land for 45 units of accommodation for key workers but has not materialised.
H3 Housing (Old Manor Hospital)	<b>Deleted.</b> The policy identifies the site (the extent of which was not finalised) as suitable for residential development and potential for office development. The site has received multiple permissions to be developed in phases. The permissions have been implemented.
H4 Housing (Eastern Chequers)	<b>Deleted.</b> The policy outlines that The Eastern Chequers are mainly residential in character and the gradual re-introduction of appropriately scaled and designed housing into the area would serve conservation objectives. The area is not, however, specifically allocated, because the pace of redevelopment could not be predicted easily. The Local Plan's settlement and delivery strategies policies, alongside other policies which seek to secure good design etc., are considered adequate to assess any proposals on their own merits.
H5 Housing (Salt Lane car park)	<b>Deleted.</b> The policy provides support for the redevelopment of the car park site with residential development, subject to the implementation of a park and ride facility, although the site is not specifically allocated because the pace of redevelopment could not be easily predicted.
H6 Housing (Brown Street Car Park)	<b>Deleted.</b> The policy provides support for the redevelopment of the car park site with a mixed-use development involving residential use at first floor level, subject to the implementation of a park and ride facility, although the site is not specifically allocated because the pace of redevelopment could not be easily predicted.
H7 Housing (Salisbury Central Area)	<b>Deleted.</b> The policy refers to the need to balance residential development within the Salisbury Central Area against the recognition of the importance local businesses make to the vitality of the city centre. The policy objective remains relevant, however, it duplicates guidance within the National Planning Policy Framework (para. 86) which provides support for residential development within town centres, but proposals would have to be weighed against the retail and employment policies of the Local Plan, see Policy E1.
H8 Housing (Salisbury HPB)	<b>Deleted.</b> The policy permits residential development within the housing policy boundary (drawn around the built-up area of Salisbury to indicate the area within which new residential development will generally be permitted)

	<p>and says the size of proposals will not be restricted and instead each application will be determined on its own merits.</p> <p>The policy objective has now been superseded by the settlement strategy, delivery strategy, and design policies of the Local Plan.</p>
H10 Housing (RAF Baverstock, Dinton)	<p><b>Deleted.</b></p> <p>The policy allocated the site for 30 dwellings as part of a larger mixed-use development including employment land which is also a saved allocation (Policy E10). Planning permission has not been secured and there is no known development intent.</p>
H14 Housing (Weaveland Road, Tisbury)	<p><b>Deleted.</b></p> <p>The saved policy allocated land for residential development alongside community and employment uses. The site is now built out.</p>
H15 Housing (Bulbridge Estate)	<p><b>Replaced by Policy 41 Land at Bulbridge Estate, Wilton.</b></p> <p>The saved policy allocated 2.7ha land for residential development. It is understood that there is still a willing developer with intention to build out the site, and therefore the allocation is brought forward into the Local Plan.</p>
H17 Important Open Spaces within Housing Policy Boundaries	<p><b>Deleted.</b></p> <p>The policy seeks to guard against the loss of important open spaces within settlements that would erode the visual quality of the area. The policy relates to the former area of the District Plan, however, a new Wiltshire-wide policy is not considered necessary because Local Plan policies in relation to design, landscape protection, and green and blue infrastructure are sufficiently detailed to consider any proposal that may impact on important open spaces and the visual quality of an area on their own merits.</p>
H18 Amenity open space within Housing Policy Boundaries	<p><b>Deleted.</b></p> <p>The policy seeks to guard against the loss of formally laid out amenity open space within housing estates due to the contribution they make to the character of the estate. The policy relates to the former area of the District Plan, however, a new Wiltshire-wide policy is not considered necessary because Local Plan policies in relation to design, landscape protection, and green and blue infrastructure are sufficiently detailed to consider any proposal that may impact on amenity open spaces and the visual quality of an area on their own merits.</p>
H28 Temporary Housing for Rural Workers	<p><b>Deleted.</b></p> <p>The policy mentions that planning permission may be granted for a mobile home or caravan on a temporary basis for the first three years of a new rural enterprise and its longer-term future is uncertain. The policy objective remains relevant and is addressed via a new Policy 82 housing in the countryside. It covers similar guidance as within the National Planning</p>

	Policy Framework (para. 80) and associated Planning Practice Guidance on Rural Housing and the Use of Planning Conditions.
H29 Removal of Conditions regarding Housing for Rural Workers	<b>Deleted.</b> The policy advises that rural dwelling occupancy conditions should not be removed unless it can be demonstrated there is no longer a need for such a dwelling. The policy objective remains relevant however it duplicates guidance within the National Planning Policy Framework (para 56).
H30 Replacement Dwellings in the Countryside	<b>Deleted.</b> The saved policy provides support for replacement dwellings in the countryside subject to appropriate siting and scale. The policy is similar to KDLP policy HC25 and WWDP Policy H20. A new Policy 82 Housing in the countryside provides support in principle for replacement dwellings in the countryside, and other policies (in relation to securing high quality design and protecting and enhancing the character of the historic and natural environment) will provide an adequate basis for assessing detailed proposals.
H31 Extensions to Dwellings in the Countryside	<b>Deleted.</b> The policy seeks to ensure extension to rural dwellings are of an appropriate scale and design to prevent the creation of, in effect, large new houses in the countryside. The Local Plan policies which seek to secure high quality design, protect landscape character and heritage assets are considered sufficient to assess any proposal to extend dwellings in the countryside.
H32 Mobile Homes	<b>Deleted.</b> The policy outlines that mobile homes require similar services to permanent housing and are, therefore, subject to the same considerations. However, owing to their design, form and materials, mobile homes will not necessarily be appropriate on land where housing development is acceptable. In addition the policy allows for permission to be granted on a temporary basis where the site is within the curtilage of the dwelling concerned if required for a dependent person, or to enable the restoration of a dwelling. The housing policies of the Local Plan and / or 'permitted development rights' are considered sufficient to assess any proposal for temporary or permanent mobile homes.
H33 Accommodation for Dependent Persons	<b>Deleted.</b> The policy refers to 'granny annexes' and describes how consideration will be given to the provision of additional accommodation, either in the form of an extension to the dwelling, or as a conversion of an existing building within the curtilage of the main dwelling, subject to specific criteria. The Local Plan policies which seek to secure high quality design, protect landscape character and heritage assets are considered sufficient to assess any proposal for dependent persons, in the form of an extension, or annexe.

E1 Employment (Land at Old Sarum)	<p><b>Deleted and Replaced by Policy 22 Salisbury Principal Settlement.</b></p> <p>The policy allocates land at Old Sarum for mixed use development including housing, employment, retail, and educational, recreational and community facilities. The development of the site will be phased with development limited to 6ha of employment land and 550 houses during the lifetime of the District Plan. The wider site has been developed for residential. The Land Employment Land Review recognises that part of the employment land is still available for development and should be retained for employment purposes.</p>
E3 Employment (Central Salisbury)	<p><b>Deleted.</b></p> <p>The policy provides support for the development of modest office schemes within the city centre. The guidance within the National Planning Policy Framework in relation to town centres and achieving well-designed places, along with the Local Plan policies which cover these matters, are considered sufficient to assess any proposal for new office developments within city/town centres.</p>
E4 Employment (Salisbury Chequers)	<p><b>Deleted.</b></p> <p>The policy lays down maximum plot ratios for office development within the Eastern Chequers area of the city centre. The guidance within the National Planning Policy Framework in relation to town centres and achieving well-designed places, along with the local plan policies which cover these matters, are considered sufficient to assess any proposal for new office developments within city/town centres.</p>
E5 Employment (Salisbury Brown Street)	<p><b>Deleted.</b></p> <p>The policy provides support for Office development on Brown Street Car Park as part of a mixed development subject to the implementation of a park and ride facility. The policy is area specific and therefore a new policy is not considered to be necessary but there will be a new bespoke town centre policy within the Local Plan for each main settlement.</p>
E6 Employment (Salisbury Old Manor)	<p><b>Deleted.</b></p> <p>The policy relates to a site that may have been released for redevelopment during the District Plan period and provides details of the types of developments that would be appropriate for different parts of the site. The policy is area specific and has now been partly built out and lies within the limits of development therefore a new bespoke policy for the site within the Local Plan is not considered necessary.</p>
E7 Employment (Salisbury Southampton Road)	<p><b>Deleted.</b></p> <p>The policy prohibits the further expansion of employment activity at Southampton Road because of environmental, landscape and drainage constraints. The updated Employment Land Review recommends that this area, or part thereof, be considered for</p>

	employment. However, the constraints that justify this policy can be considered through the application of other policies in the Plan.
E8B Land at Boscombe and Porton Down	<b>Deleted and Replaced by Policy 37 Boscombe Down and Policy 38 Porton Down</b> The policy provides support for the development of approximately 12ha of land for science-based industry and research uses to facilitate the implementation of the Salisbury Research Triangle (SRT) initiative at Boscombe Down (7ha) and Porton Down (5ha). The updated Employment Land Review recommends that Porton Down continue to be retained for employment purposes. Revised Policy 37 Boscombe Down provides an appropriate policy framework for this site, reflecting its use as an MOD airfield and with potential for complementary employment uses.
E10 Employment- Dinton	<b>Deleted.</b> The policy provides support for the redevelopment of the former RAF Baverstock site for employment purposes, alongside residential development supported under Policy H10. The policy is area specific but there is no longer a requirement for a bespoke policy for this site due to an established employment use.
E12 Land at Mere	<b>Deleted and Replaced by Policy 42 Land at Dead Maid Quarry Employment Area, Mere</b> The policy allocates 3ha of land for employment use to the west of the existing Dead Maid Quarry industrial estate at Mere, which has been partially implemented. The updated Employment Land Review recommends that this site continue to be retained for employment purposes.
E14A Land at Hindon Lane	<b>Deleted.</b> The policy provides support for employment development on approximately 1.4ha of land immediately west of the housing allocation between Hindon Lane and Weaveland Road. The policy is area specific but there is no longer a requirement for a bespoke policy because the site has been redeveloped.
E14B Tisbury	<b>Deleted.</b> The policy provides support for the conversion of parts of residential properties to small-scale employment uses, within the settlement's central area, provided that a residential element is retained. The Local Plan policies in relation to employment, town centres and design are sufficient to assess any proposal for the conversion of parts of residential properties to small-scale employment uses on their own merit.
E19 Employment in the countryside (existing sites)	<b>Deleted.</b> The policy provides support for the enlargement or development of premises within existing site boundaries and onto adjacent land (if it will improve local employment opportunities or the operational efficiency of the business) on existing employment sites in the countryside. The policy is

	now more restrictive than the National Planning Policy Framework and Local Plan policies which provide support for the growth and expansion of all types of businesses in rural areas.
CN17 Trees	<p><b>Deleted and Replaced with Policy 90 Woodlands, hedgerows, and trees</b></p> <p>The policy outlines the former District Council's approach to the protection of trees and the planting of new trees as part of its environmental enhancement programme. Whilst Local Plan policies in relation to conserving and enhancing biodiversity, landscape and, green and blue infrastructure provide some basis for assessing proposals for the protection of trees, hedges, woodland etc. or development affecting them, a new woodland, hedgerow, and tree policy will provide further guidance for decision making with regards the retention, enhancement, and management of these assets. This new policy also encompasses topics such as tree planting targets of Wiltshire Council's Climate Strategy and Woodland, Hedgerow, and Tree Strategy, street tree planting alongside sustainable management of on-site planting.</p>
C6 Special Landscape Area	<p><b>Deleted.</b></p> <p>The policy identifies a Special Landscape Area and outlines that only development which is essential to the rural economy or desirable for the enjoyment of its amenities will be permitted, and the location, scale and nature of such development will be carefully controlled in order to conserve the character of the Special Landscape. The policy relates to the former District Council area only and the identified Special Landscape Area. Special Landscape Areas are superseded and replaced by the new Landscape Character Assessments and the Wiltshire Landscape Strategy that provide planning guidance for decision making in each landscape character area. This is in line with the approach in the National Planning Policy Framework.</p>
C9 Loss of woodland	<p><b>Deleted and Replaced with Policy 90 Woodlands, hedgerows, and trees</b></p> <p>The policy seeks to encourage tree planting and resist development that would be damaging to woodlands, especially ancient semi-natural woodlands. Whilst Local Plan policies in relation to conserving and enhancing biodiversity, landscape and, green and blue infrastructure provide some basis for assessing proposals for the protection of trees, hedges, woodland etc. or development affecting them, a new woodland, hedgerow, and tree policy will provide further guidance for decision making with regards the retention, enhancement, and management of these assets. This new policy also encompasses topics such as tree planting targets of Wiltshire Council's Climate Strategy and Woodland, Hedgerow, and Tree Strategy, street tree planting alongside sustainable management of on site planting.</p>
C18 Development affecting rivers and river valleys	<b>Deleted.</b>

	<p>The policy seeks to resist the culverting of watercourses, as part of development proposals and encourages the potential for enhancement measures. The policy relates to the former area of the District Plan, however, the objective of the policy will be carried forward within a Wiltshire-wide policy on managing flood risk</p>
C21 Farm diversification	<p><b>Deleted and Replaced By Policy 64 Additional Employment Land.</b></p> <p>The policy sets a criteria-based approach to the consideration of proposals for farm diversification to other employment generating uses. The policy objective remains relevant, however, it is covered by guidance within the National Planning Policy Framework (paras. 84 - 85) which provide broad support for rural business development. In addition Policy 64 Additional employment land includes policy on the diversification of rural businesses.</p>
C23 Change of use of large houses in the countryside	<p><b>Deleted.</b></p> <p>The policy is an exception policy which allows alternative uses for former country houses to be considered.</p> <p>The range of uses suggested by the policy are covered by existing local plan policies which are sufficient to consider the principle of any proposal for a change of use, alongside other general policies in relation to design and the protection of heritage assets etc.</p>
C24 Extensions to buildings in the countryside	<p><b>Deleted.</b></p> <p>The policy outlines that in order to conserve the intrinsic character of the countryside, extensions to buildings, will only be permitted if they are sympathetic in scale and character with the existing building and surroundings.</p> <p>The Local Plan policies which seek to secure high quality design, protect landscape character and heritage assets, are considered sufficient to assess any proposal to extend buildings in the countryside, on their own merits.</p>
S1 Primary Shopping Frontages in Salisbury and Amesbury	<p><b>Deleted and Replaced by Policy 68 Managing town centres.</b></p> <p>The policy seeks to manage uses within the primary frontages identified at Amesbury and Salisbury, to maintain these areas as the retail centres. The saved policy is area specific and is to be replaced by the Wiltshire-wide managing town centres policy. The policy identifies a town centre hierarchy, as well as town centre boundaries and primary shopping areas which are shown for all settlements in the hierarchy on the Policies Map.</p>
S2 Secondary Shopping Areas in Salisbury and Amesbury	<p><b>Deleted and Replaced by Policy 68 Managing town centres.</b></p> <p>The policy seeks to manage uses within the defined secondary shopping area, to protect and enhance their viability and vitality.</p>



	<p>The saved policy is area specific and is to be replaced by the Wiltshire-wide managing town centres policy. That policy identifies a town centre hierarchy. It also identifies town centre boundaries and primary shopping areas which are shown for all settlements in the hierarchy on the Policies Map.</p>
S3 Location of Retail Development	<p><b>Deleted and Replaced by Policy 68 Managing town centres.</b></p> <p>The policy outlines a sequential approach for new retail and leisure development proposals within the city town centre sites being the preferred locations. The saved policy is area specific and is to be replaced by the Wiltshire-wide managing town centres policy. The policy identifies a town centre hierarchy, as well as town centre boundaries and primary shopping areas which are shown for all settlements in the hierarchy on the policies map. Core Policy 38 is updated and covers the sequential approach set out in the National Planning Policy Framework.</p>
S5 Shopping (Brown Street Car Park)	<p><b>Deleted.</b></p> <p>The policy outlines that the best use of the site is a mix of development which should incorporate a retail element. The saved policy is area specific and wider planning issues and will be covered within the WLP policy for Salisbury and associated policies.</p>
S10 Shopfronts	<p><b>Deleted.</b></p> <p>The policy seeks to retain old shopfronts which contribute towards the character of the street scene (as described within the policy) and new shopfront, including alterations to existing ones, should respond to the needs of the disabled. The policy relates to the area of the former District Plan, however, the updated Wiltshire-wide design policy refers to shop fronts, alongside the existing reference to advertisements and signage.</p>
R1A Sports and Leisure	<p><b>Deleted and Replaced by Policy 84 Open spaces and play facilities and Policy 81 Community facilities.</b></p> <p>The policy provides support for new sports and leisure facilities subject to other landscape and countryside policies of the plan. The policy relates to the area of the former District Plan, however, its objective is reflected within a new Wiltshire-wide strategic open space policy.</p>
R1C Outdoor Recreation	<p><b>Deleted and Replaced by Policy 84 Open spaces and play facilities.</b></p> <p>The policy provides support for recreation development in the countryside, but they will be restricted to uses and facilities which do not detract from the nature conservation value, landscape quality, agricultural quality, archaeological value, or rural character of the area. The policy relates to the area of the former District Plan, however, its objective is reflected within a new Wiltshire-wide strategic open space policy.</p>

R2 Open Space Provision	<p><b>Deleted and Replaced by Policy 84 Open spaces and play facilities.</b></p> <p>The policy requires and outlines the standards for the provision of new outdoor sport and recreation facilities that new housing development need to provide on-site. The policy relates to the area of the former District Plan, however, its objective is reflected within a new Wiltshire-wide strategic open space policy.</p>
R3 Open Space Provision	<p><b>Deleted and Replaced by Policy 84 Open spaces and play facilities.</b></p> <p>The policy requires and outlines the standards for the provision of new outdoor sport and recreation facilities that new housing development for the elderly need to provide on-site. The policy relates to the area of the former District Plan, however, its objective is reflected within a new Wiltshire-wide strategic openspace policy.</p>
R4 Indoor Community and Leisure Provision	<p><b>Deleted and Replaced by Policy 84 Open spaces and play facilities and Policy 81 Community facilities.</b></p> <p>The policy outlines the requirement for new development to make appropriate provision for social and community facilities where relevant. The policy relates to the area of the former District Plan, however, its objective for new development to make appropriate provision for social and community facilities is captured by the local plan's policy on infrastructure provision.</p>
R5 Protection of Outdoor Facilities	<p><b>Deleted and Replaced by Policy 84 Open spaces and play facilities.</b></p> <p>The policy seeks to guard against the loss of existing public outdoor recreation spaces, and private outdoor recreation spaces as they may contribute to meeting the shortfall in existing provision for use by the general public. The policy relates to the area of the former District Plan, however, its objective is reflected within a new Wiltshire-wide strategic open space policy.</p>
R6 Urban Parks	<p><b>Deleted and Replaced by Policy 84 Open spaces and play facilities.</b></p> <p>The policy seeks to guard against the loss of urban parks for their recreational and aesthetic value. The policy relates to the area of the former District Plan, however, its objective is reflected within a new Wiltshire-wide strategic Open Space policy.</p>
R7 Dual use of educational Facilities	<p><b>Deleted.</b></p> <p>The policy recognises that the use of school recreational facilities out of hours by the general public can be valuable and can assist in satisfying demand. The policy therefore provides support for new joint use buildings adjoining recreation areas, subject to there being no adverse landscape impact. The Local Plan policies in relation to the provision of infrastructure, community and recreation facilities, and landscape protection, are considered sufficient to assess any proposal for new joint use education and community / recreation facilities.</p>

R8 New Sports and Recreation Provision (Stockport Road, Amesbury)	<b>Deleted.</b> The policy allocates land for public open space at Amesbury, which is linked to Policy PS10 which allocates land for a cemetery, on land adjacent to the associated new housing development. The policy is site specific and since the adoption of the former District Plan the site in question has gained planning permission and is substantially built out.
R9 New Sports and Recreation Provision (Wick Lane, Downton)	<b>Deleted.</b> The policy allocates land for recreational, and allotment uses at Downton opposite the associated new housing development. The policy is site specific and since the adoption of the former District Plan the site in question has gained planning permission and is substantially built out.
R10 New Sports and Recreation Provision (Netheravon Road, Durrington)	<b>Deleted.</b> The policy allocates land for public open space at Durrington as part of the allocated site for new housing development. The policy is site specific and since the adoption of the former District Plan the site in question has gained planning permission and is substantially built out.
R11 New Sports and Recreation Provision (The Street, West Knoyle)	<b>Deleted.</b> The policy allocates land for a new recreation ground for the village of West Knoyle. The policy is site specific and since the adoption of the former District Plan the site in question has gained planning permission for the change of use of agricultural land to recreational use.
R12 New Sports and Recreation Provision (The Avenue, Wilton)	<b>Deleted.</b> The policy allocates land for recreation use to provide a buffer between the park and ride site and housing development allocated in the plan. The policy is site specific and since the adoption of the former District Plan there is no longer a need to retain the land allocation for recreational use.
R13 New Sports and Recreation Provision (Middleton, Winterslow)	<b>Deleted.</b> The policy allocates land to extend the existing recreation ground in Winterslow. The policy is site specific and while the existing recreation ground has yet to be extended the local community are considering this recreation site as part of the neighbourhood plan.
R15 Golf courses	<b>Deleted.</b> The policy seeks to resist the development of new golf courses in the Salisbury River Avon SAC or SSSI due to the ecological sensitivity of these sites and elsewhere where there would be a harmful social or harmful impact, in particular landscape harm. The policy is area specific and solely relates to new golf course developments. It is considered that the social, environmental, and economic impacts associated with any recreation development can be adequately assessed by other policies of the development plan.

R16 Developments With River Frontages And Public Access	<p><b>Deleted.</b></p> <p>The policy seeks to improve public access to river valleys and encourage new developments opposite a river to provide public access to the river. The policy relates to the area of the former District Plan, however, it does not identify any specific areas or rivers. It is considered that the objective of the policy would be better served through a neighbourhood plan allocation or through a masterplanning exercise on a site-by-site basis.</p>
R20 Allotments	<p><b>Deleted and Replaced by Policy 84 Open spaces and play facilities.</b> The policy seeks to guard against the loss of allotments unless alternative sites of equal quality are made available, or it can be demonstrated that the demand for allotments no longer exists in the local area.</p> <p>The policy relates to the area of the former District Plan, however, the merits of any proposal for the loss of, or new, allotments can adequately be assessed under existing Wiltshire-wide policies in relation to green infrastructure and open space.</p>
TR20 A350 Shaftesbury Eastern Bypass	<p><b>Deleted but Replaced by Policy 75 Strategic transport network.</b> The policy specifies that the Shaftesbury Eastern Bypass is part of a planned strategic upgrading of the A350 and as a result a route corridor is safeguarded. The objective of the policy will be reflected within Policy 74 Strategic transport network which outlines that work will be undertaken in conjunction with National Highways, Network Rail, transport operators, neighbouring authorities and other agencies, that will seek to develop and improve the strategic transport network.</p>
PS1 Community Facilities	<p><b>Deleted.</b></p> <p>The policy takes a strategic approach by setting a district-wide permissive approach to the development of community facilities (health facilities and veterinary surgeries) within villages. The merits of any proposal for the provision of new community facilities can be adequately assessed against national planning policy (National Planning Policy Framework para. 93) and Local Plan policies, in particular the settlement and delivery strategies; alongside the new Policy 81 Community facilities.</p>
PS4 New school sites at Landford and Shrewton	<p><b>Deleted.</b></p> <p>The policy safeguards land at Landford and Shrewton for new schools. The protection of sites at Landford and Shrewton for new schools by policy PS4 has not resulted in new facilities coming forward. The site at Landford now falls outside of the Wiltshire Local Authority administrative boundary and this element of the policy is therefore no longer enforceable. Land at Tanner's Lane in Shrewton will continue to be safeguarded through Policy 43 of the Local Plan; albeit a smaller area of land is safeguarded to reflect a reduced level of identified need.</p>

PS5 New education facilities	<p><b>Deleted and Replaced by Policy 5 Securing infrastructure provision from new development, Policy 81 Community facilities, and place-based Area Strategy Policies (including site allocations).</b></p> <p>This policy sets out where new educational development required by the Local Education Authority will be permitted. It states that ‘New education facilities required by the Local Education Authority will be permitted on suitable sites either within or adjoining the settlements. These will be expected to be of a permanent construction.’ The infrastructure and Community facilities policies carry forward the objectives of this policy.</p>
PS6 Playgroups, childminding facilities and day nurseries	<p><b>Deleted.</b></p> <p>The policy relates to proposals for new early years education provision and outlines criteria for new development of playgroups, day nurseries and childminding facilities. The infrastructure and Community facilities policies carry forward the objectives of this policy.</p>
PS7 Telecommunications	<p><b>Deleted.</b></p> <p>The policy provides the criterion to assess new telecommunications proposals. The merits of any proposal for the provision of new telecommunications equipment can be adequately assessed against national planning policy (National Planning Policy Framework chapter 10) and existing Local Plan policies in relation to securing good quality design, protecting landscape character, protecting the historic environment, and protecting residential amenity.</p>



# Appendix B The settlement boundary review methodology

**B.1** The settlement boundaries define the built form of the settlement by, where practicable, following but not including clearly defined physical features, such as walls, fences, hedgerows, roads and water courses.

**B.2 Areas which have been included are:**

- Built and commenced residential and community facilities development such as religious buildings, schools and community halls, that is physically related to the settlement
- Built and commenced employment development in principal settlements, market towns and local service centres that is physically related to the settlement
- The curtilage of a property that relates more closely to the built environment (e.g. a garden) or has limited capacity to extend the built form of the settlement in terms of scale and location
- Recreational or amenity space at the edge of a settlement that relates more closely to the built environment

**B.3 Areas which have been excluded are:**

- Farm buildings and farmyards, at the edge of large villages
- Isolated development that is physically detached from the settlement (including farm buildings or agricultural buildings and renewable energy installations)
- The extended curtilage of a property that relates more closely to the open countryside (e.g. a field or a paddock) or has the capacity to substantially extend the built form of the settlement in terms of scale and location
- Recreational or amenity space at the edge of the settlement that relates more closely to the open countryside
- All types of unimplemented planning permission
- Site allocations



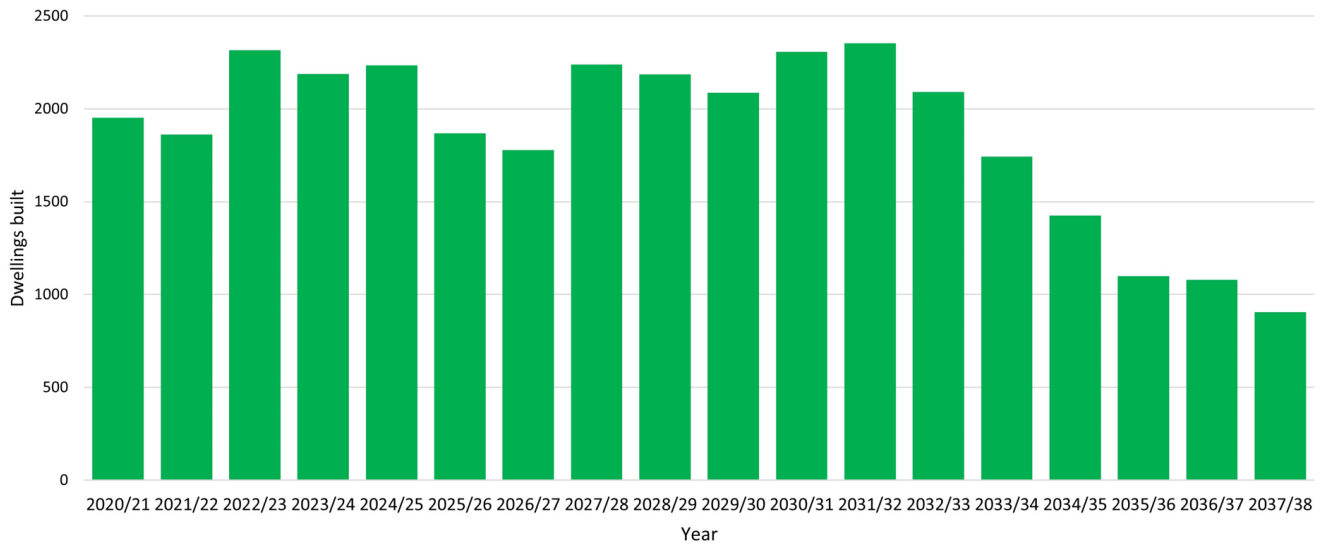




# Appendix C Housing trajectory

**C.1** Figure C.1 shows forecast completions (number of dwellings built) each year over the plan period. The forecast includes all sites with planning permission as well as allocations in this and other plans (including neighbourhood plans). The forecast aggregates assessments of start dates and rates of house building site by site.

**Figure C.1 Housing Trajectory**







## Appendix D Wiltshire Core Strategy allocations

**D.1** The following table sets out the existing allocations within the Wiltshire Core Strategy which have been included within the policies for the main settlements as appropriate. They continue to form part of the strategy for the settlement, contributing towards the delivery of the overall scales of housing and employment growth. For some allocations, there are development templates, as set out in Appendix A to the Wiltshire Core Strategy, guiding their development. In some instances, delivery of these sites is well advanced and there is limited development left to be brought forward.

**Table D.1 Wiltshire Core Strategy Allocations**

Allocation	Settlement	Site area (ha)	Housing (units)	Employment (ha)
Kings Gate	Amesbury	68.52	1,300	0
Land East of Beversbrook Farm and Porte Marsh Industrial Estate	Calne	4.4	0	4.4
Land at Horton Road	Devizes	8.4	0	8.4
Garden Centre	Malmesbury	3.9	0	3.9
Land North of Tetbury Hill	Malmesbury	1.0	0	1.0
Hampton Business Park	Melksham	6.0	0	6.0
Fugglestone Red	Salisbury	85.97	1,250	8.0
UK Land Forces Headquarters	Wilton	12.97	450	3.0
Longhedge, Old Sarum	Salisbury	24.73	450	8.0
Land at Drummon Park (MSA) Depot	Ludgershall	13.49	475	0
Castledown Business Park, Empress Way	Tidworth	12.0	0	12.0
Land at Salisbury Road	Marlborough	6.50	220	0
Templars Way	Royal Wootton Bassett	3.44	0	3.44
Ashton Park Urban Extension	Trowbridge	152.29	2,600	15
West Ashton Road	Trowbridge	10.0	0	10.0
West Warminster Urban Extension <sup>75</sup>	Warminster	114.2	900	6.0
Land at Mill Lane, Hawkeridge	Westbury	14.70	0	14.70

<sup>75</sup> Approved Masterplan for site with provision for higher level of new homes.

North Acre Industrial Estate	Westbury	3.8	0	3.8
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## Appendix E Town centre and primary shopping area boundary maps

- E.1** This Appendix presents a series of maps which set out how policies related to town centres, commercial and shopping areas are being revised as part of the Local Plan Review.
- E.2** For each Principal Settlement, Market Town and Local Service Centre (listed below), one map shows the existing saved district Local Plan policies applicable at that settlement, and the corresponding map shows the proposed extent of town centre/primary shopping areas as set out in Policy 68 of the Local Plan Review.

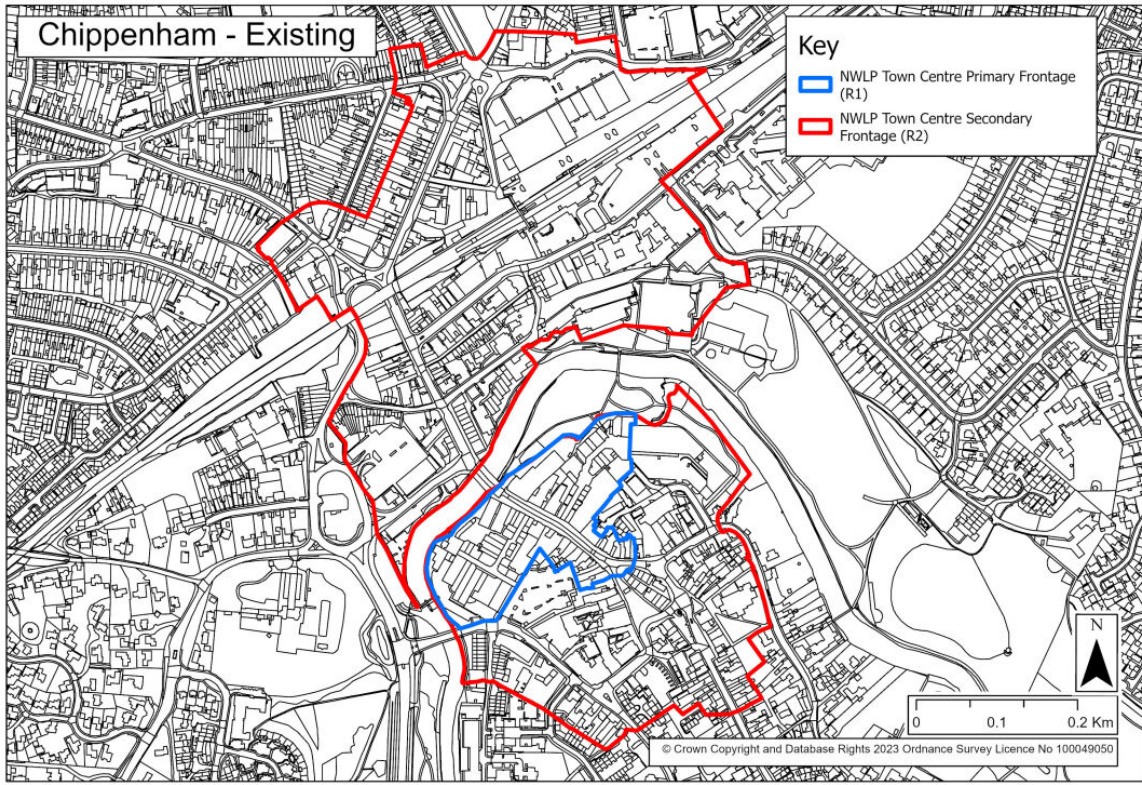
**Table E.1 Settlement Strategy Hierarchy**

Settlement	Settlement Strategy Hierarchy
<b>Chippenham HMA</b>	
Chippenham	Principal Settlement
Calne	Market Town
Corsham	Market Town
Devizes	Market Town
Malmesbury	Market Town
Melksham	Market Town
Market Lavington	Local Service Centre
<b>Salisbury HMA</b>	
Salisbury	Principal Settlement
Amesbury	Market Town
Tidworth and Ludgershall	Market Town
Downton	Local Service Centre
Mere	Local Service Centre
Tisbury	Local Service Centre
Wilton	Local Service Centre
<b>Swindon HMA</b>	
Marlborough	Market Town
Royal Wootton Bassett	Market Town
Cricklade	Local Service Centre
Pewsey	Local Service Centre
<b>Trowbridge HMA</b>	
Trowbridge	Principal Settlement
Bradford-on-Avon	Market Town

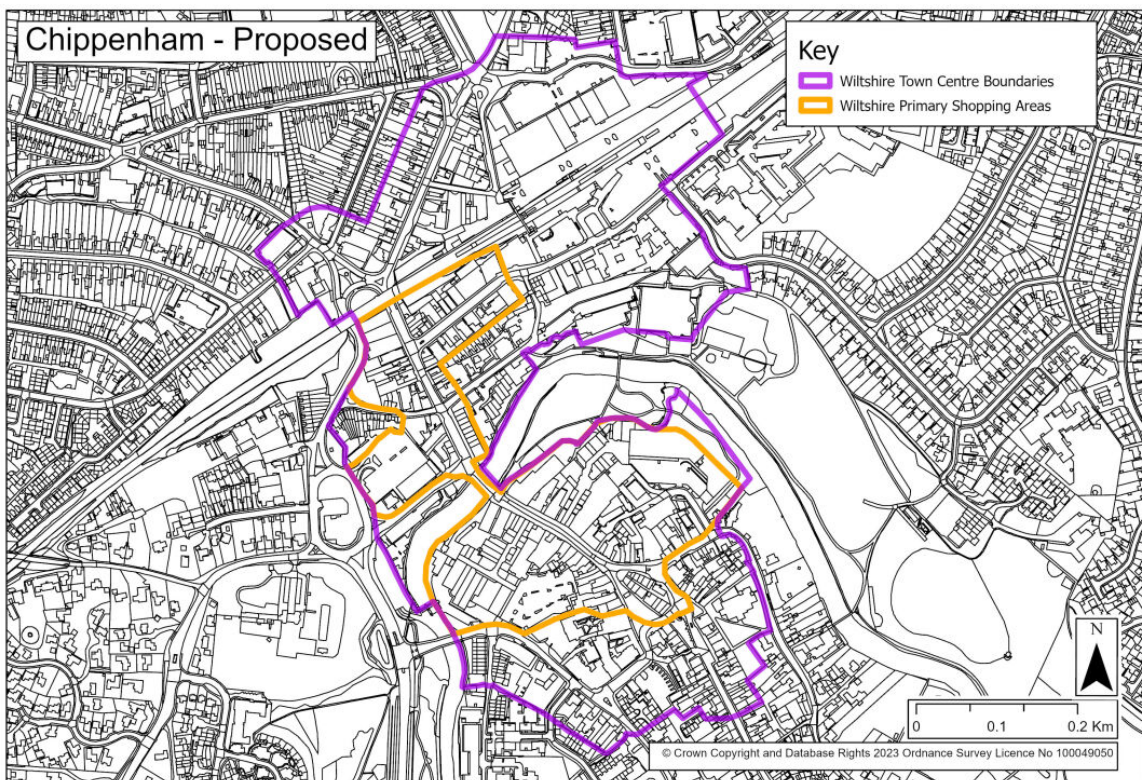


Warminster	Market Town
Westbury	Market Town

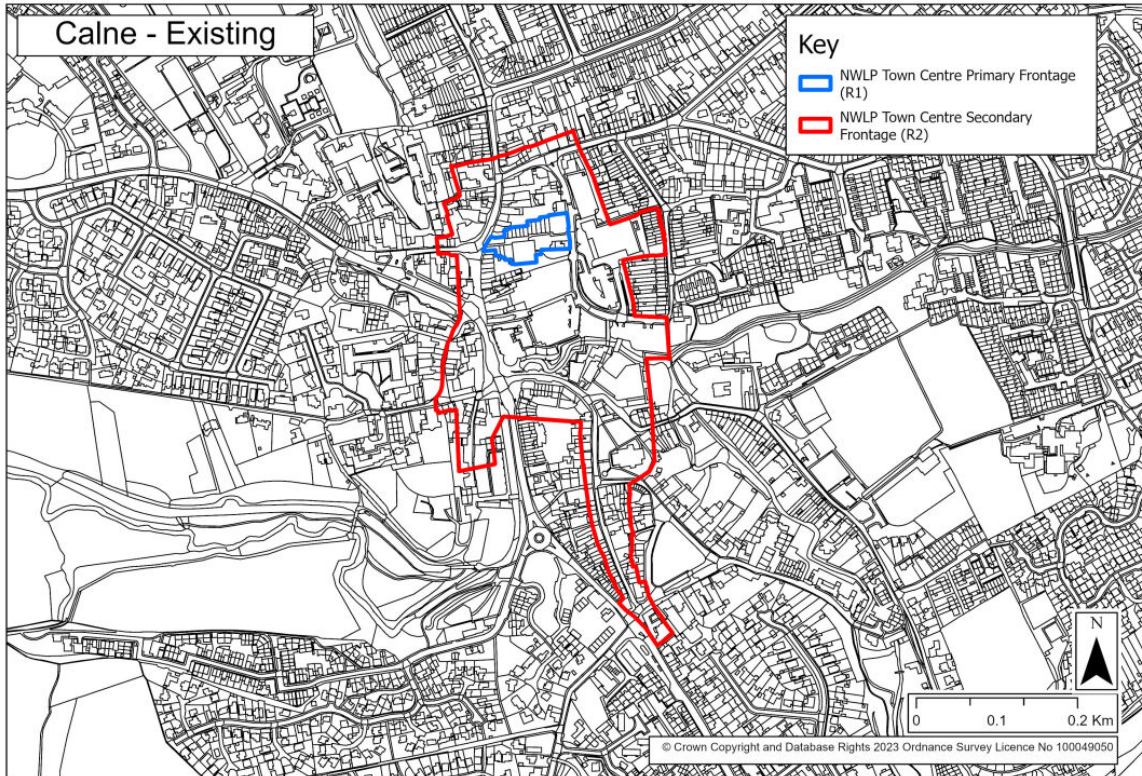
**Figure E.1 Chippenham Existing Town Centre Boundary**



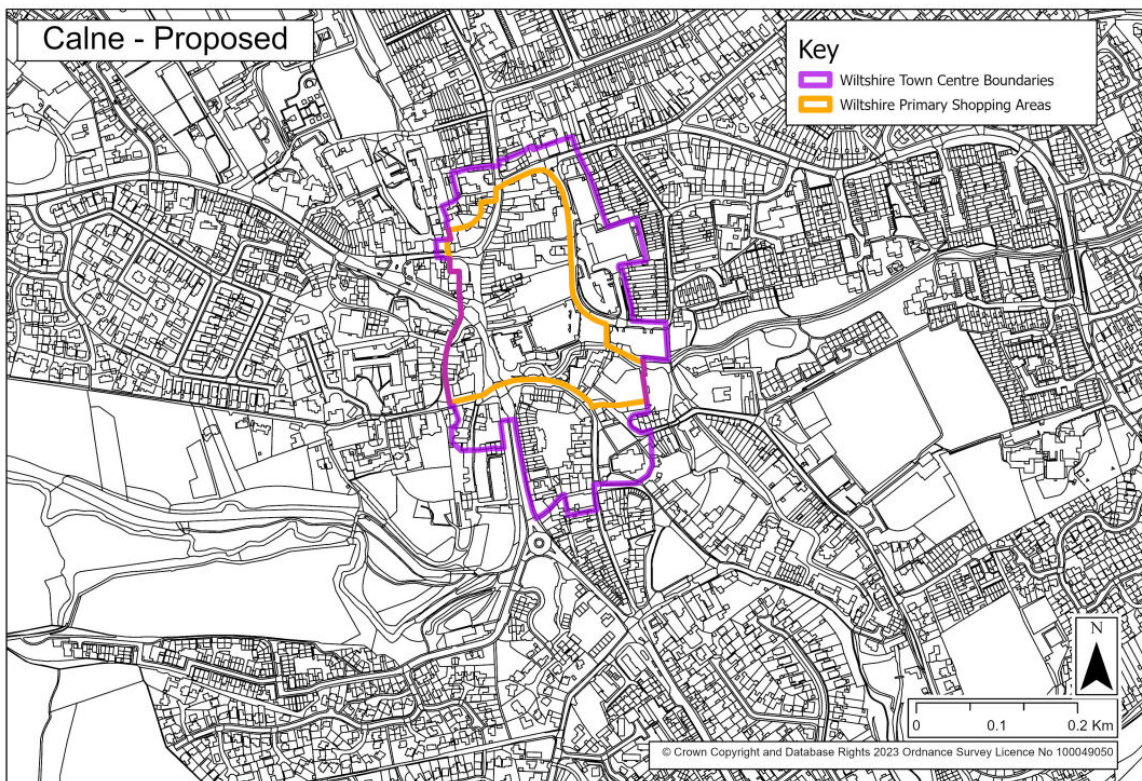
**Figure E.2 Chippenham Proposed Town Centre Boundary**



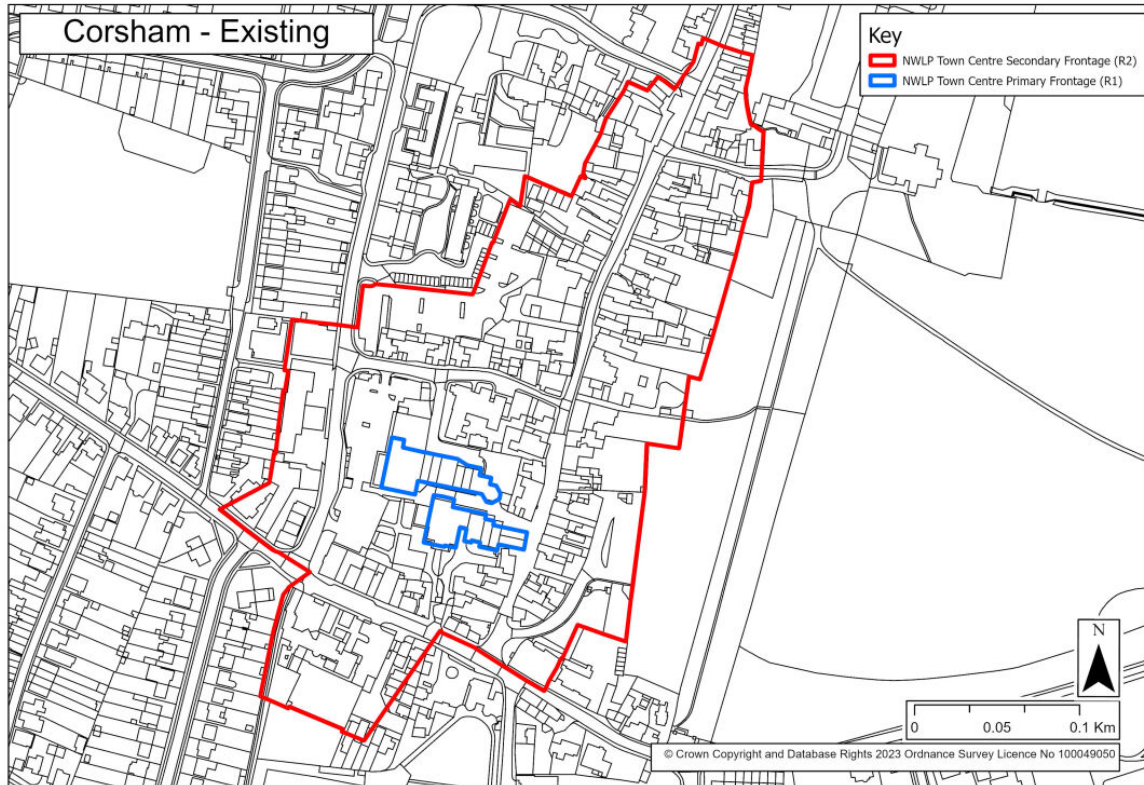
**Figure E.3 Calne Existing Town Centre Boundary**



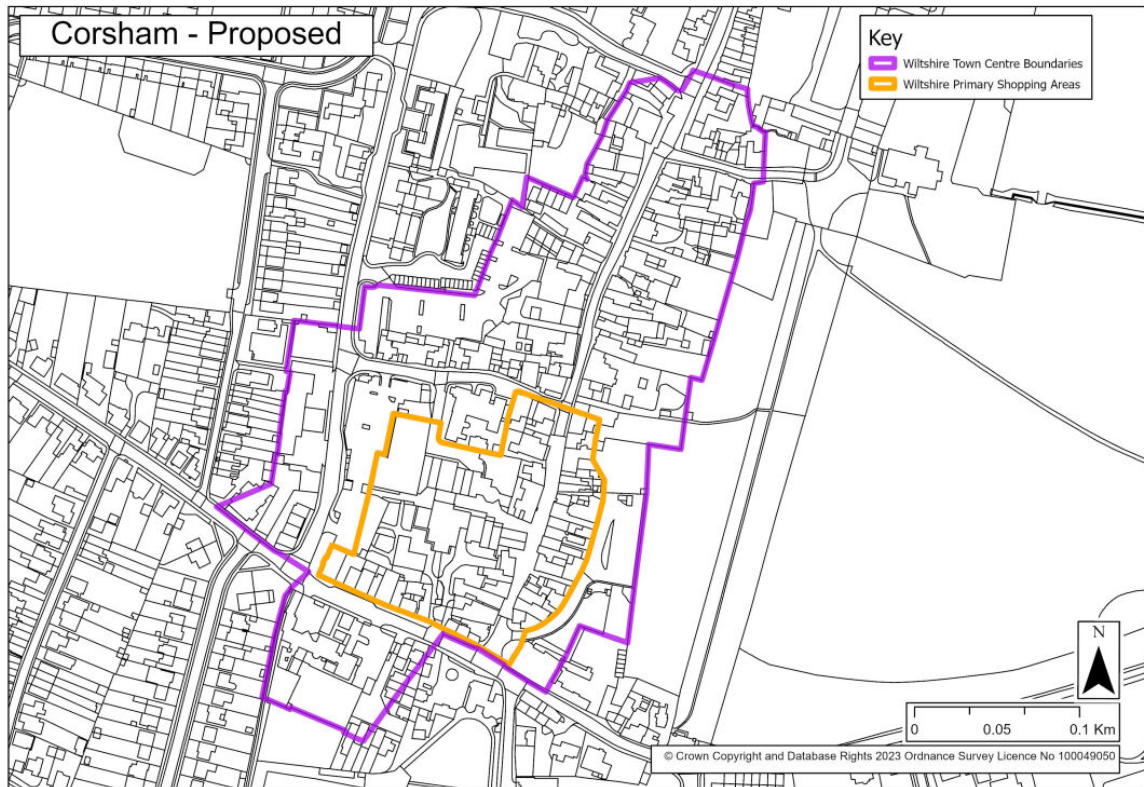
**Figure E.4 Calne Proposed Town Centre Boundary**



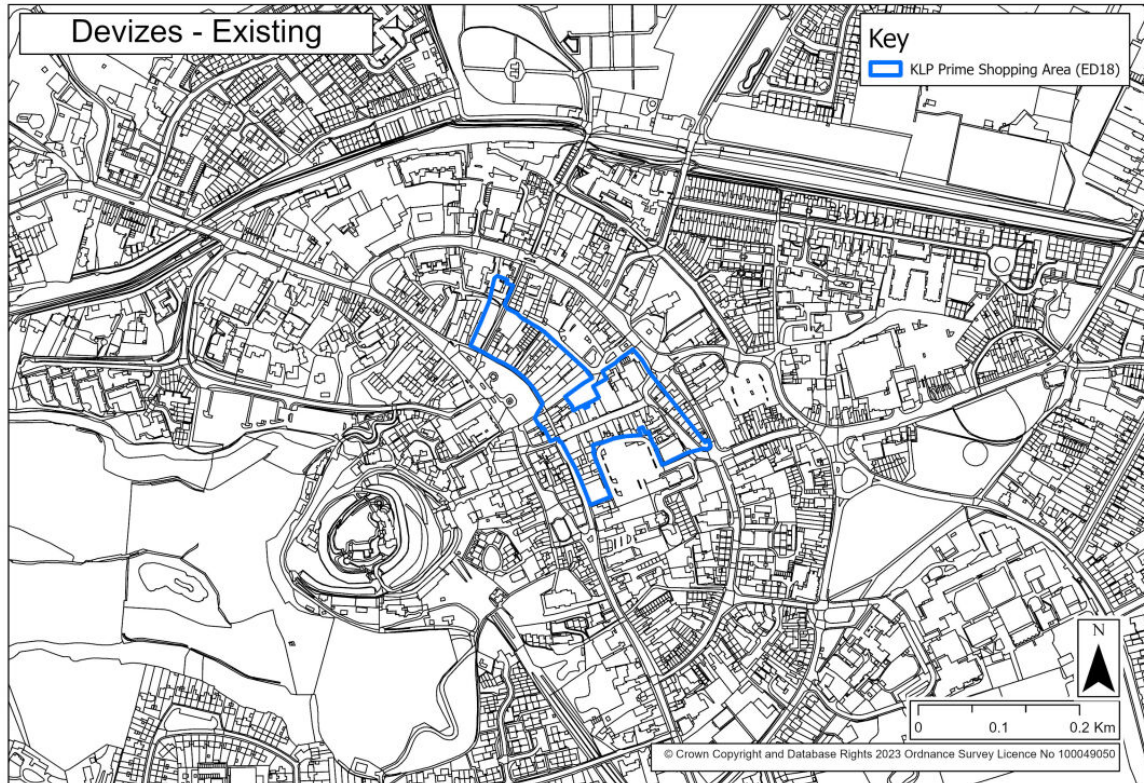
**Figure E.5 Corsham Existing Town Centre Boundary**



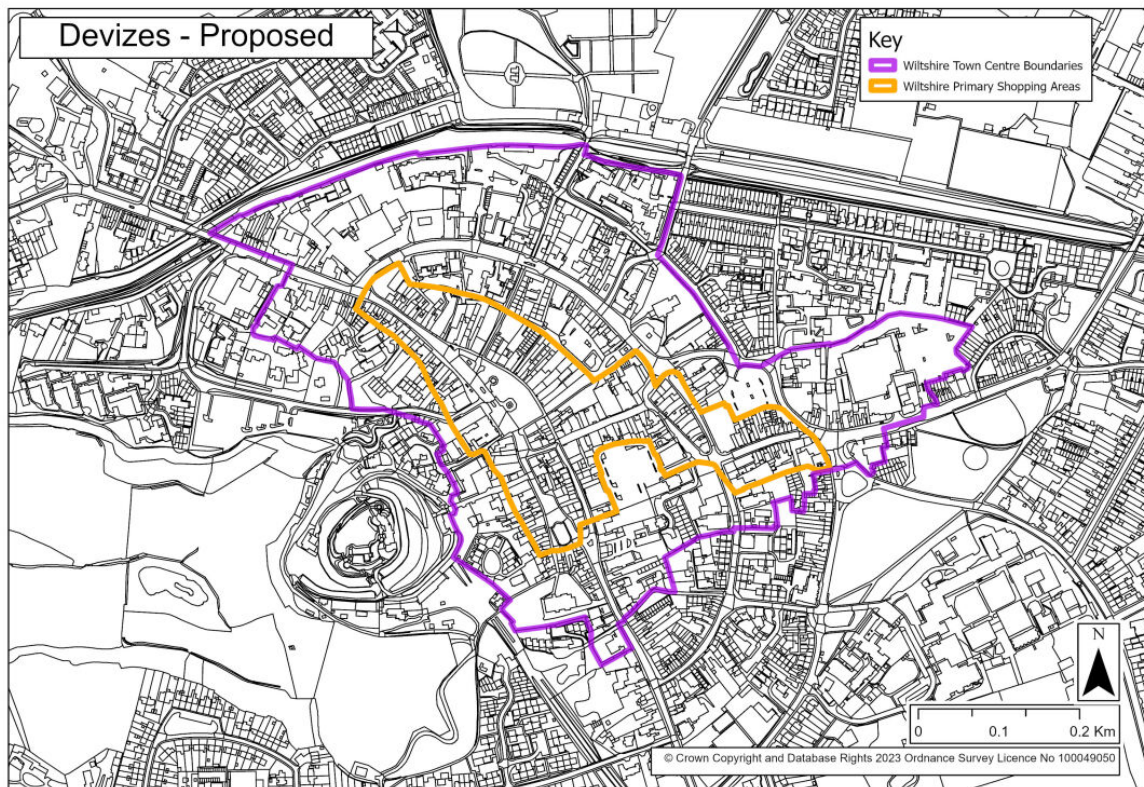
**Figure E.6 Corsham Proposed Town Centre Boundary**



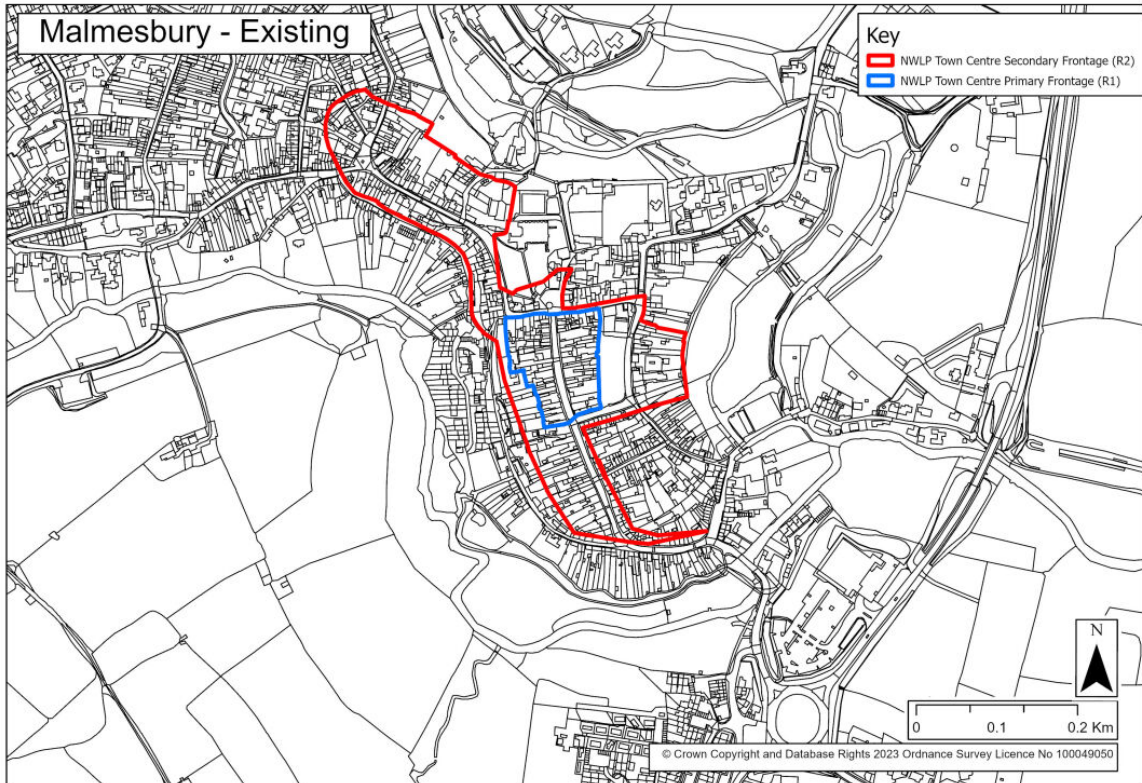
**Figure E.7 Devizes Existing Town Centre Boundary**



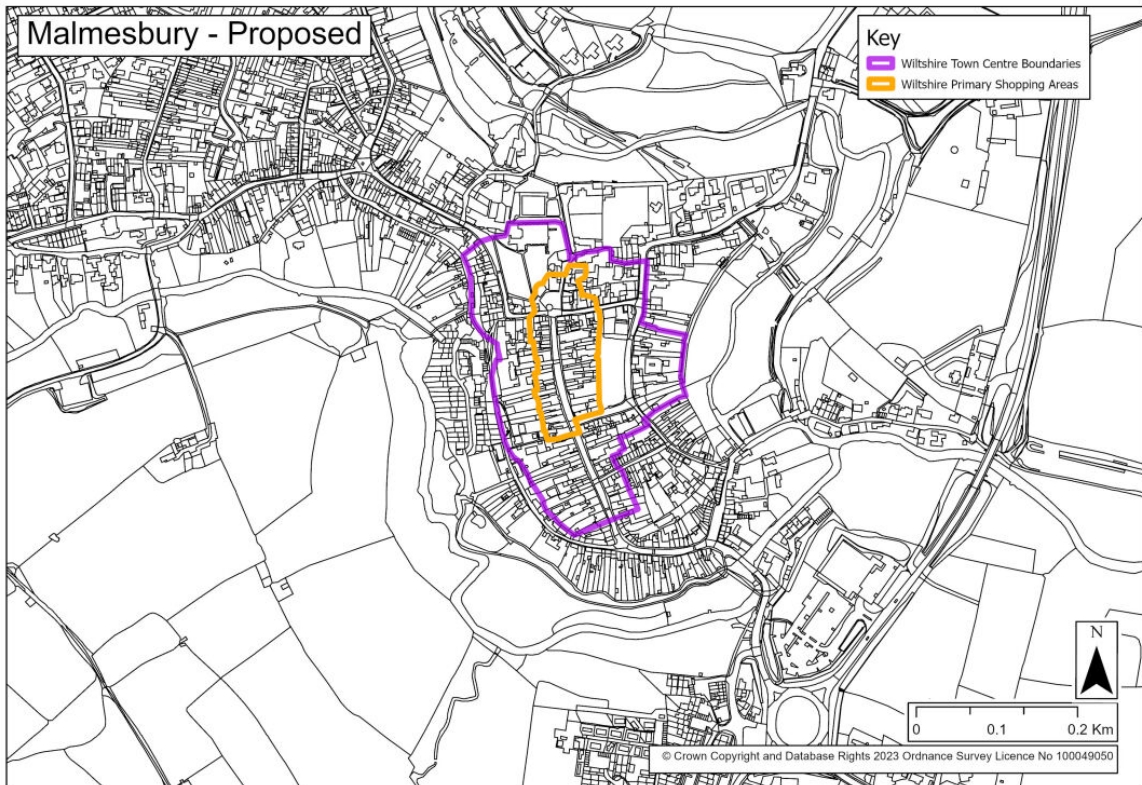
**Figure E.8 Devizes Proposed Town Centre Boundary**



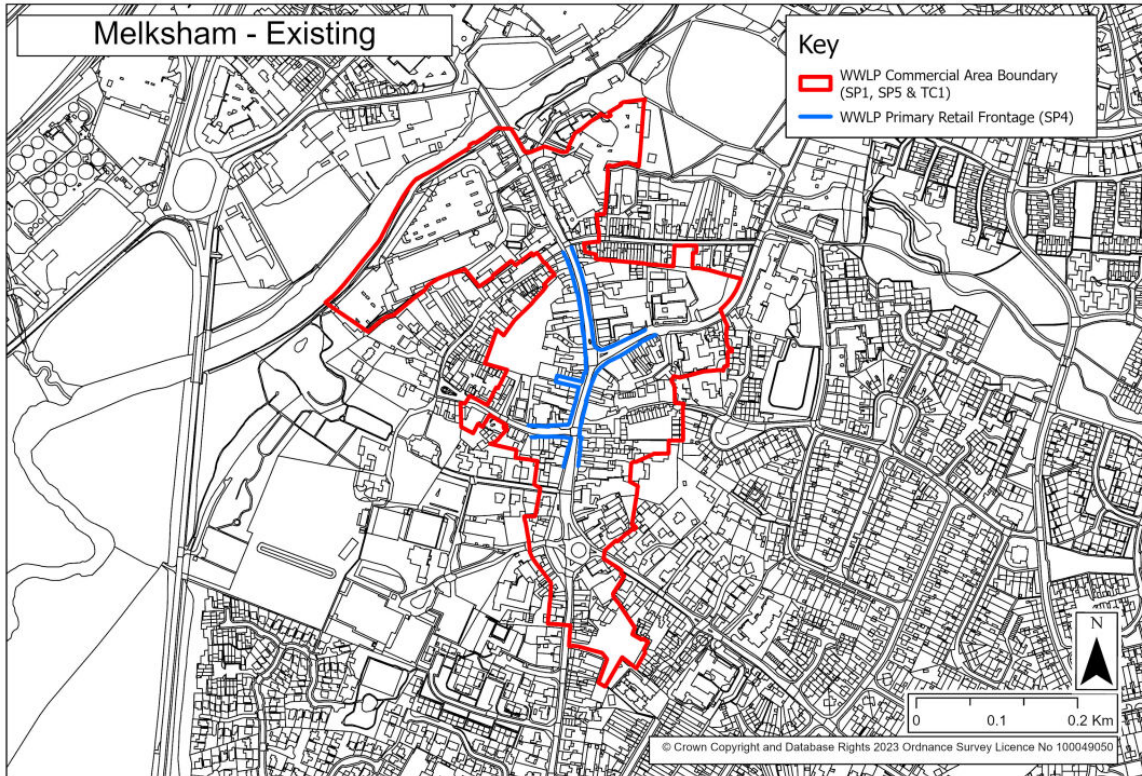
**Figure E.9 Malmesbury Existing Town Centre Boundary**



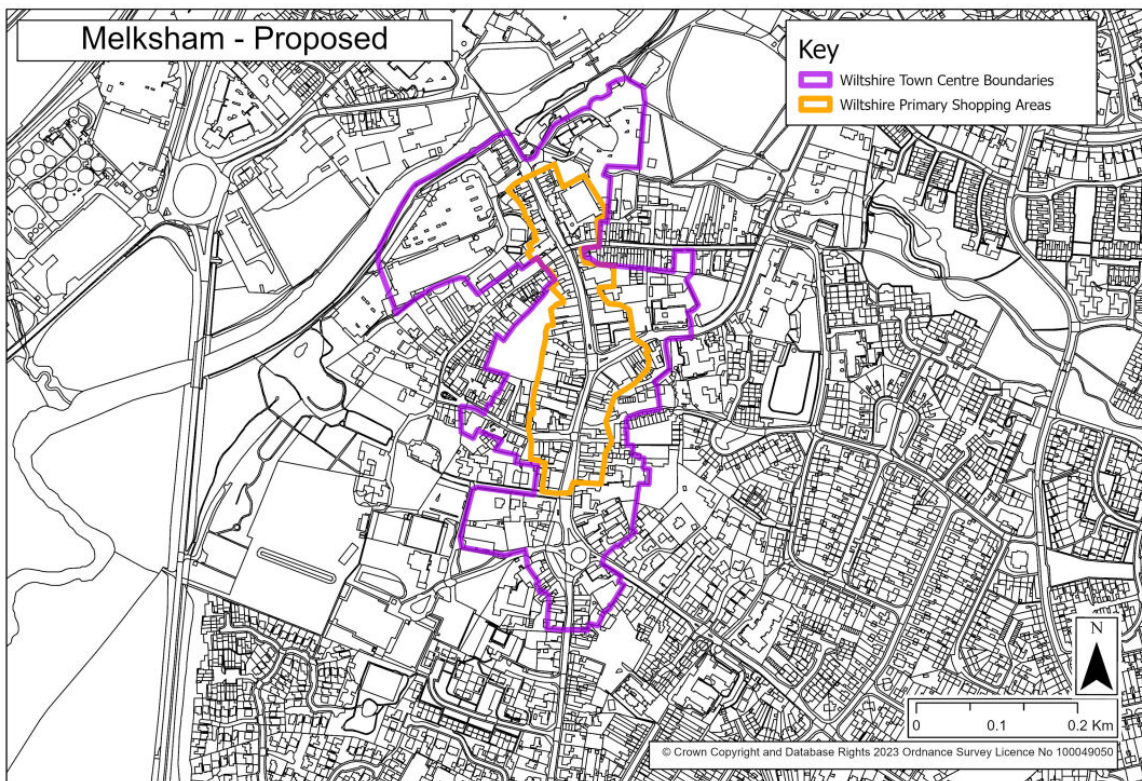
**Figure E.10 Malmesbury Proposed Town Centre Boundary**



**Figure E.11 Melksham Existing Town Centre Boundary**



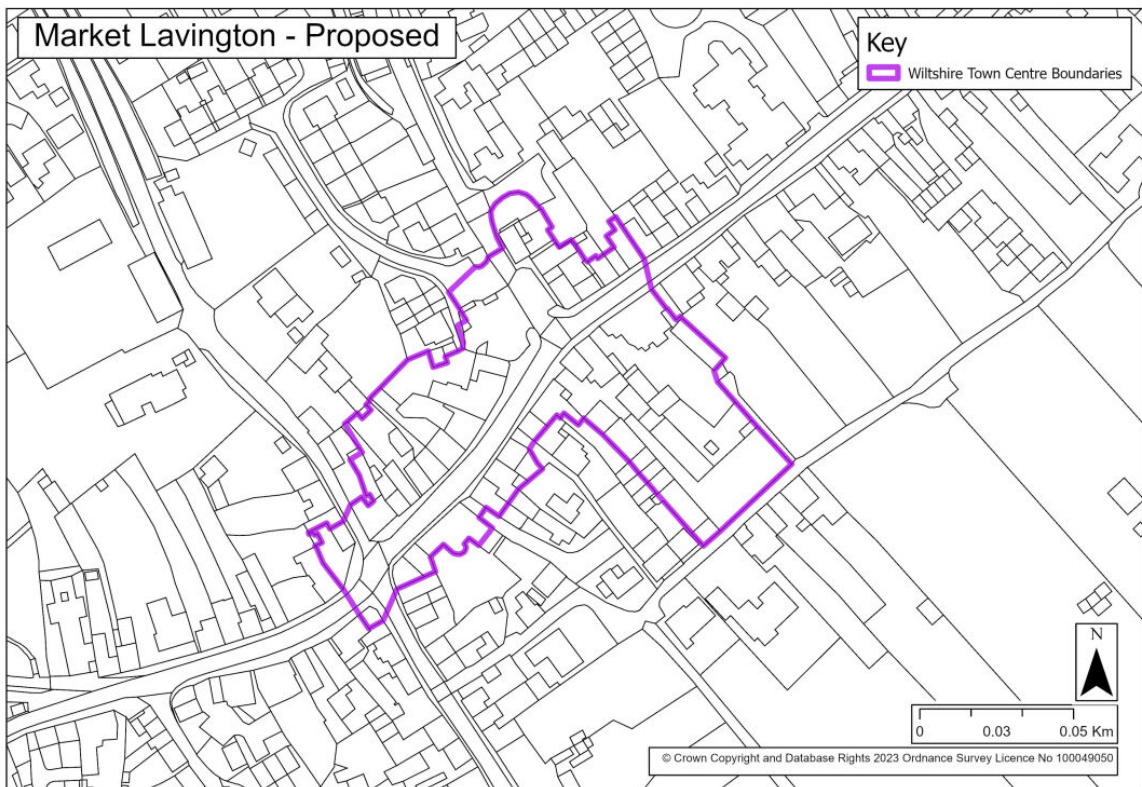
**Figure E.12 Melksham Proposed Town Centre Boundary**



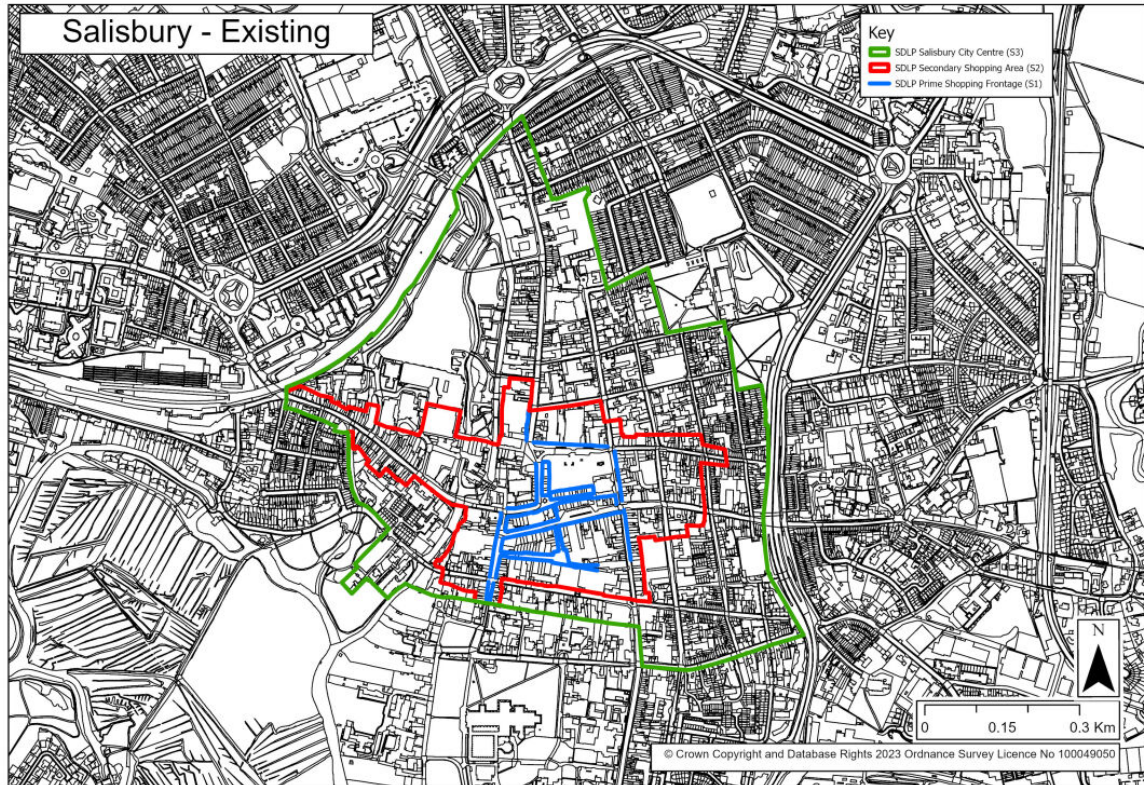
**Figure E.13 Market Lavington Existing Town Centre Boundary**



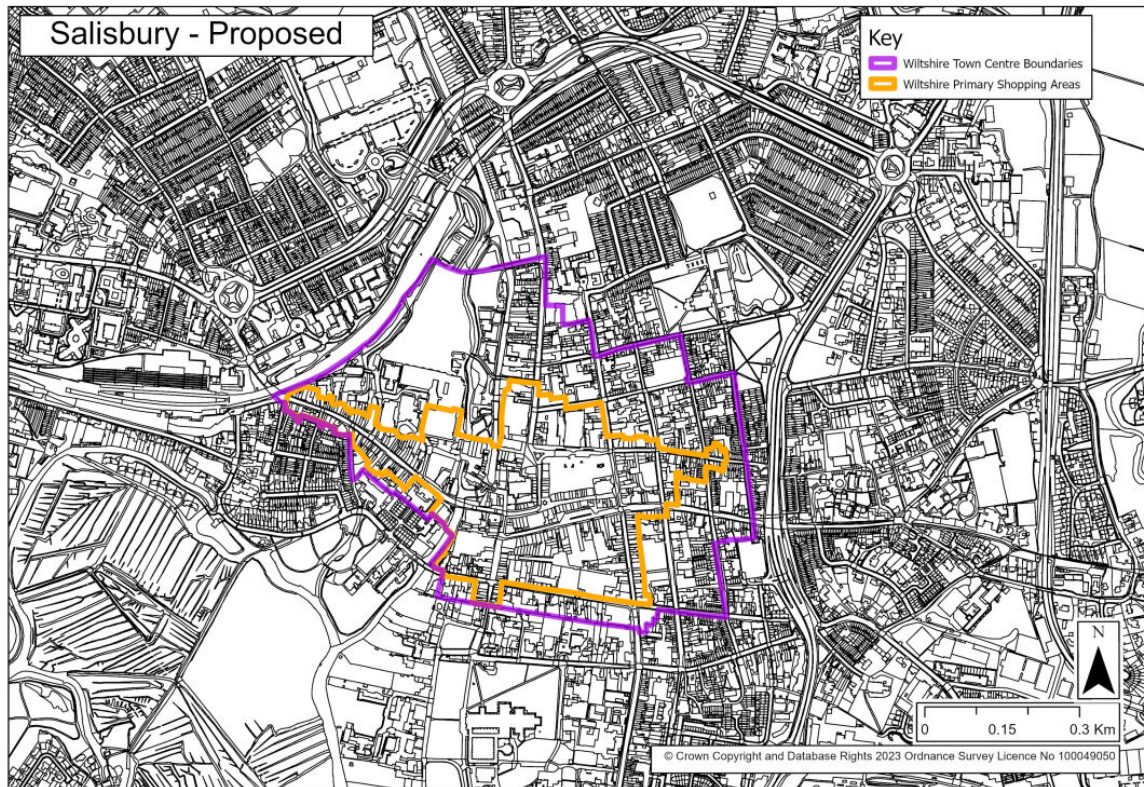
**Figure E.14 Market Lavington Proposed Town Centre Boundary**



**Figure E.15 Salisbury Existing Town Centre Boundary**

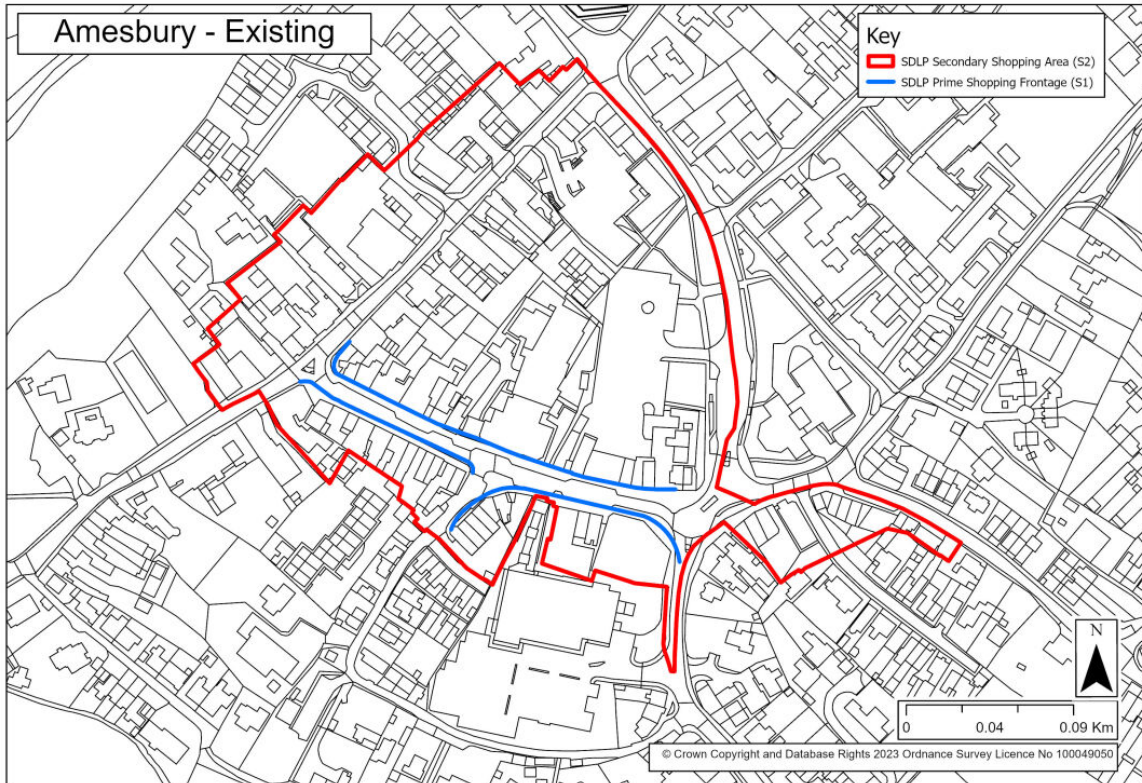


**Figure E.16 Salisbury Proposed Town Centre Boundary**

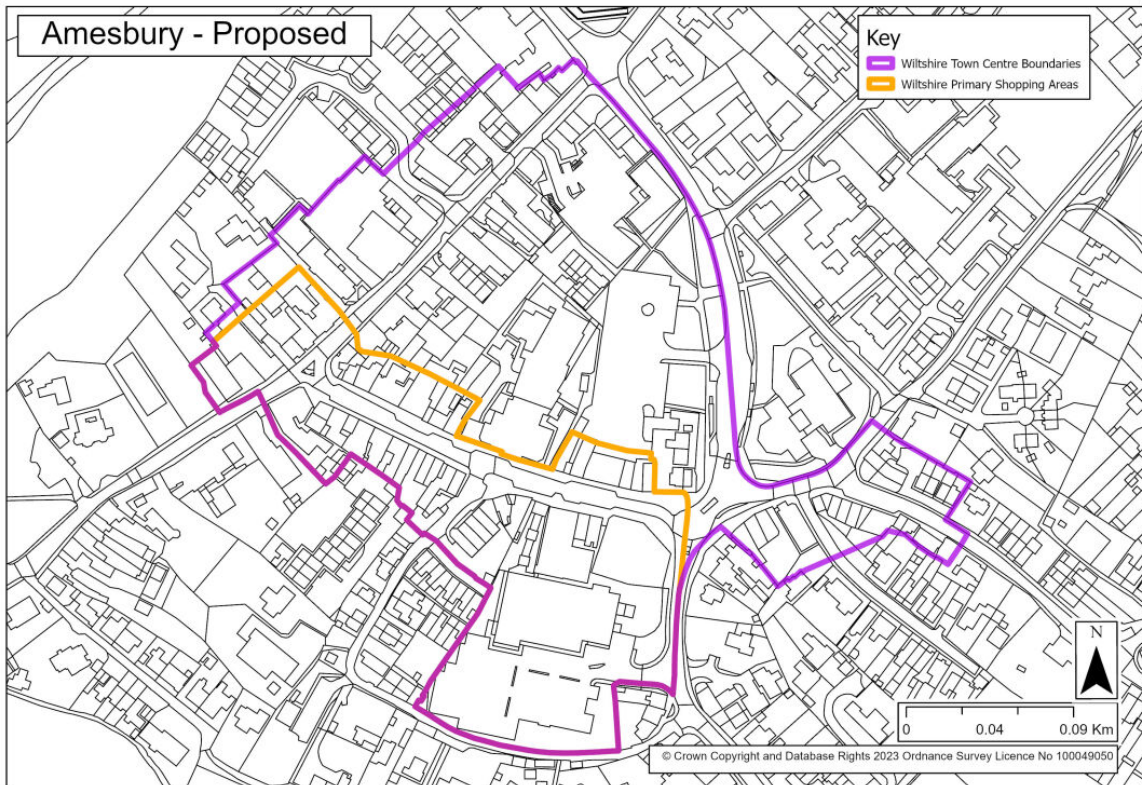




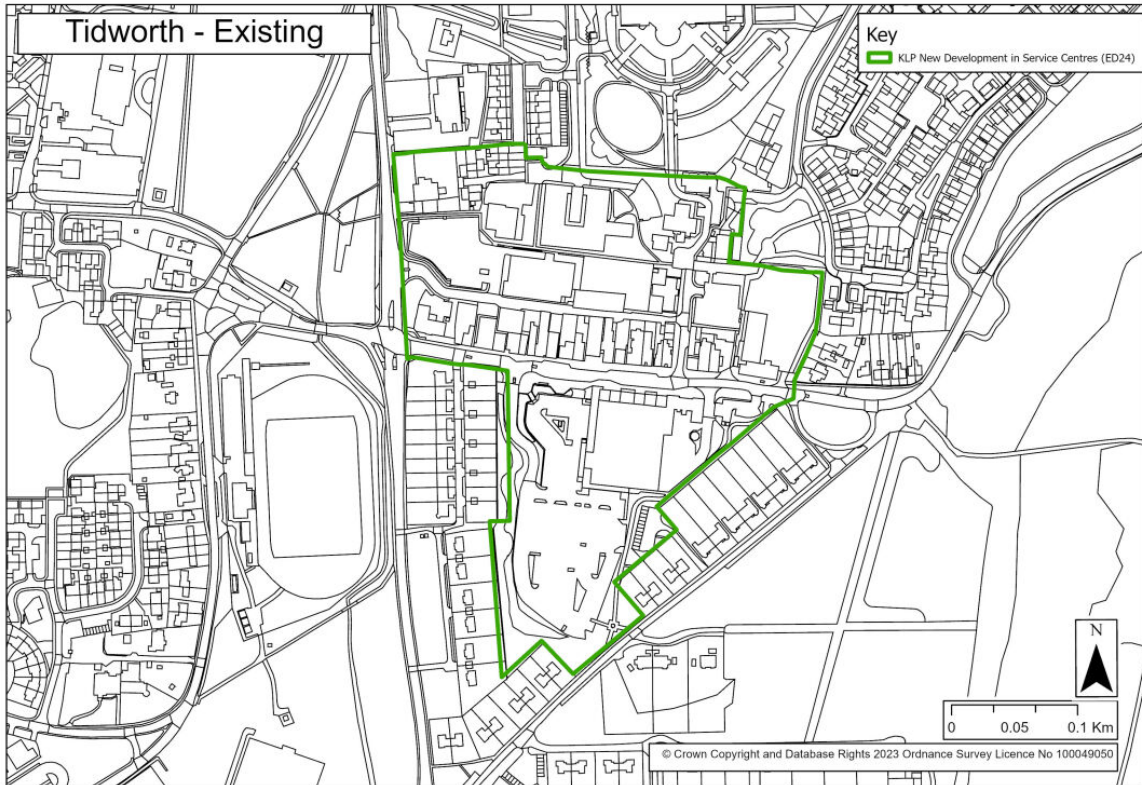
**Figure E.17 Amesbury Existing Town Centre Boundary**



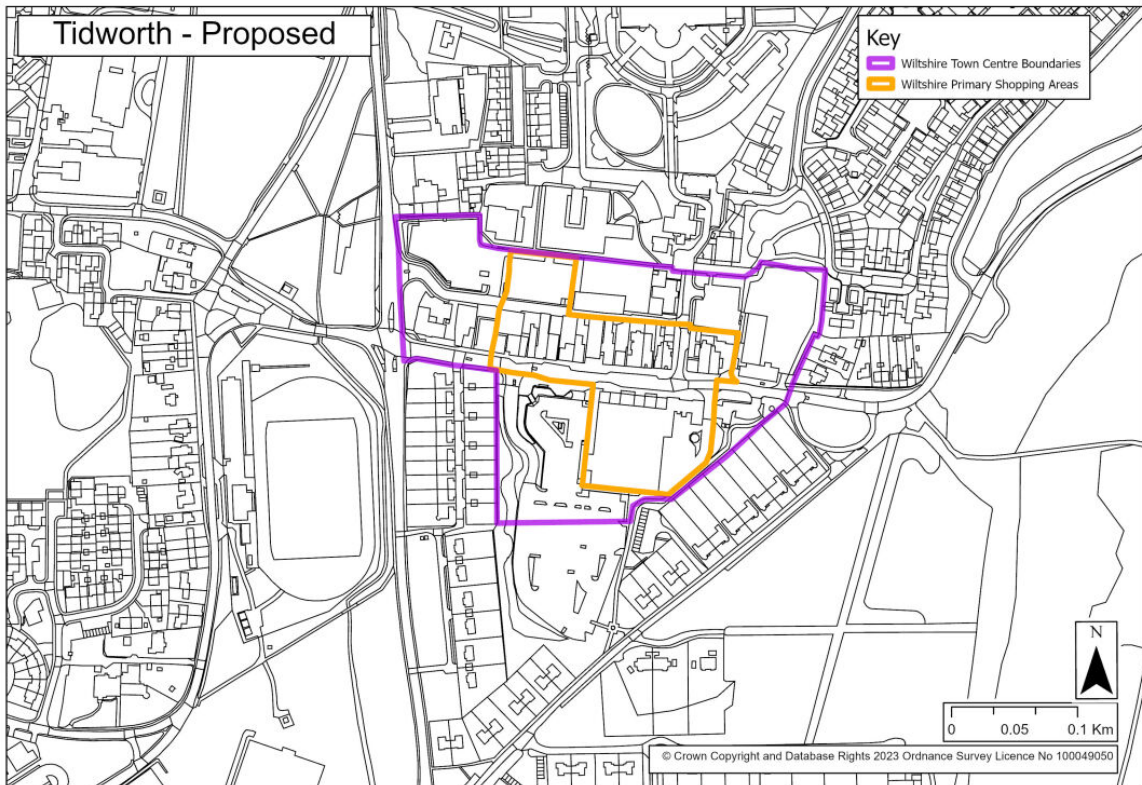
**Figure E.18 Amesbury Proposed Town Centre Boundary**



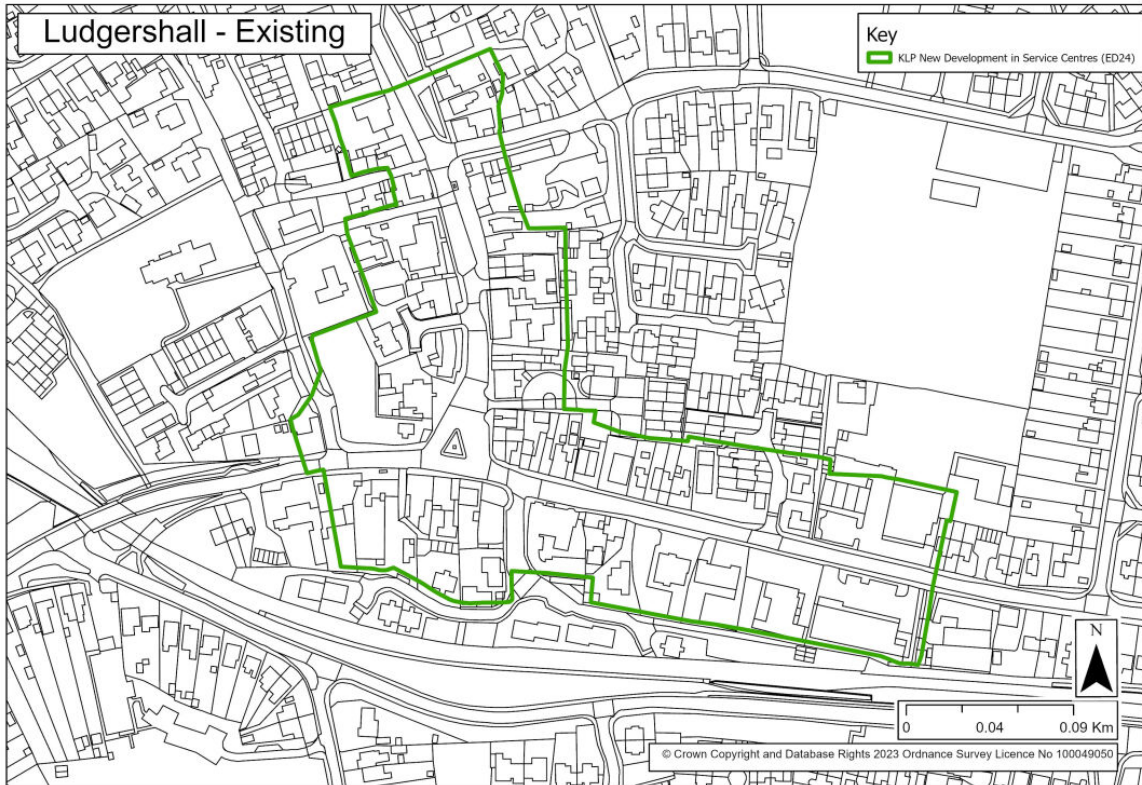
**Figure E.19 Tidworth Existing Town Centre Boundary**



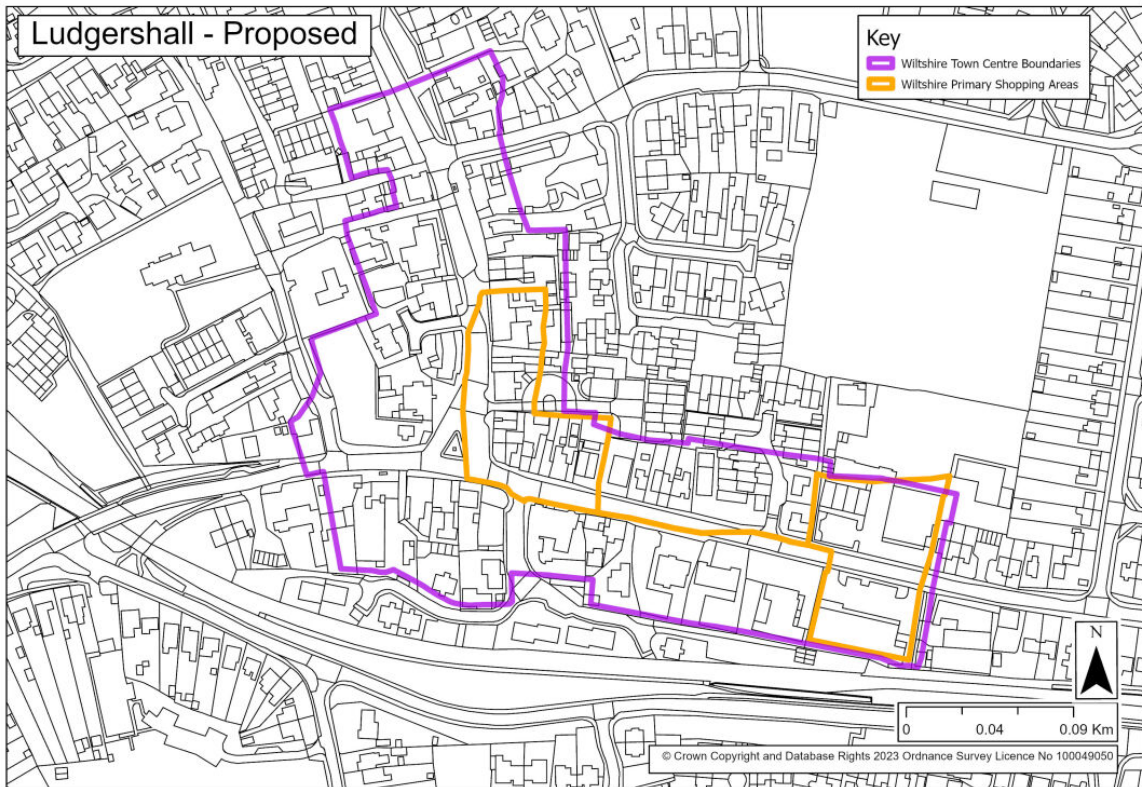
**Figure E.20 Tidworth Proposed Town Centre Boundary**



**Figure E.21 Ludgershall Existing Town Centre Boundary**



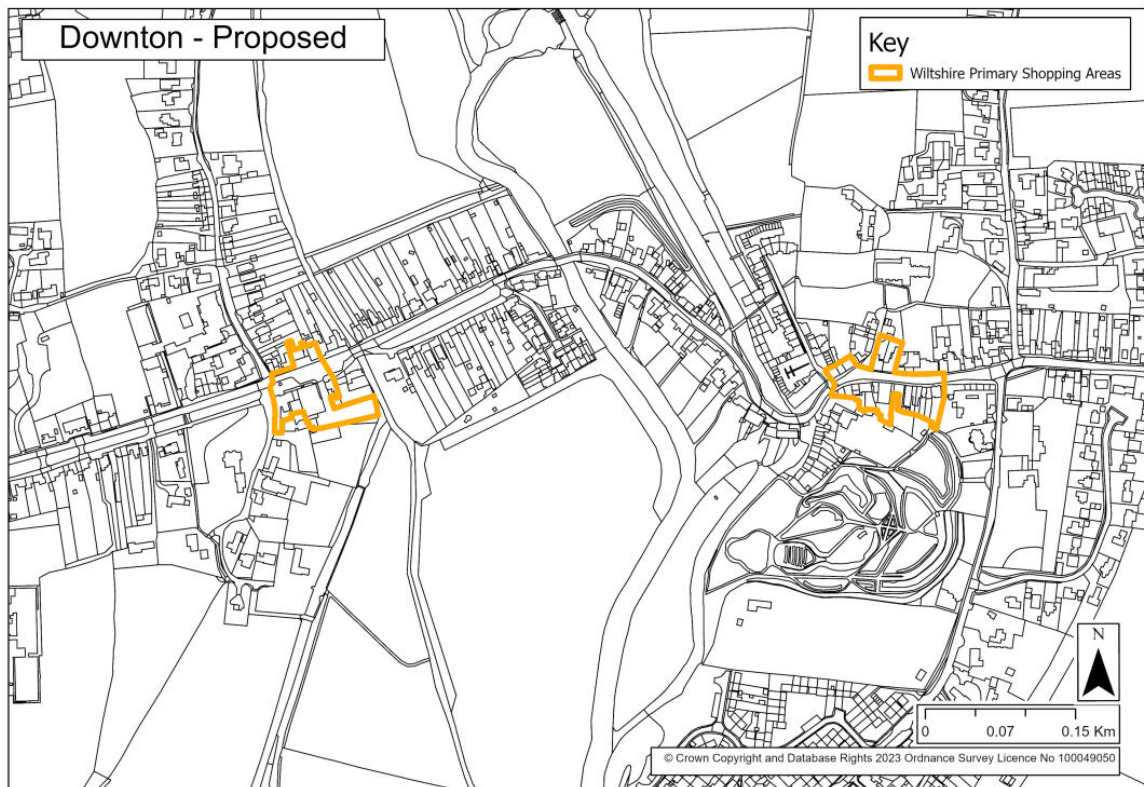
**Figure E.22 Ludgershall Proposed Town Centre Boundary**



**Figure E.23 Downton Existing Town Centre Boundary**



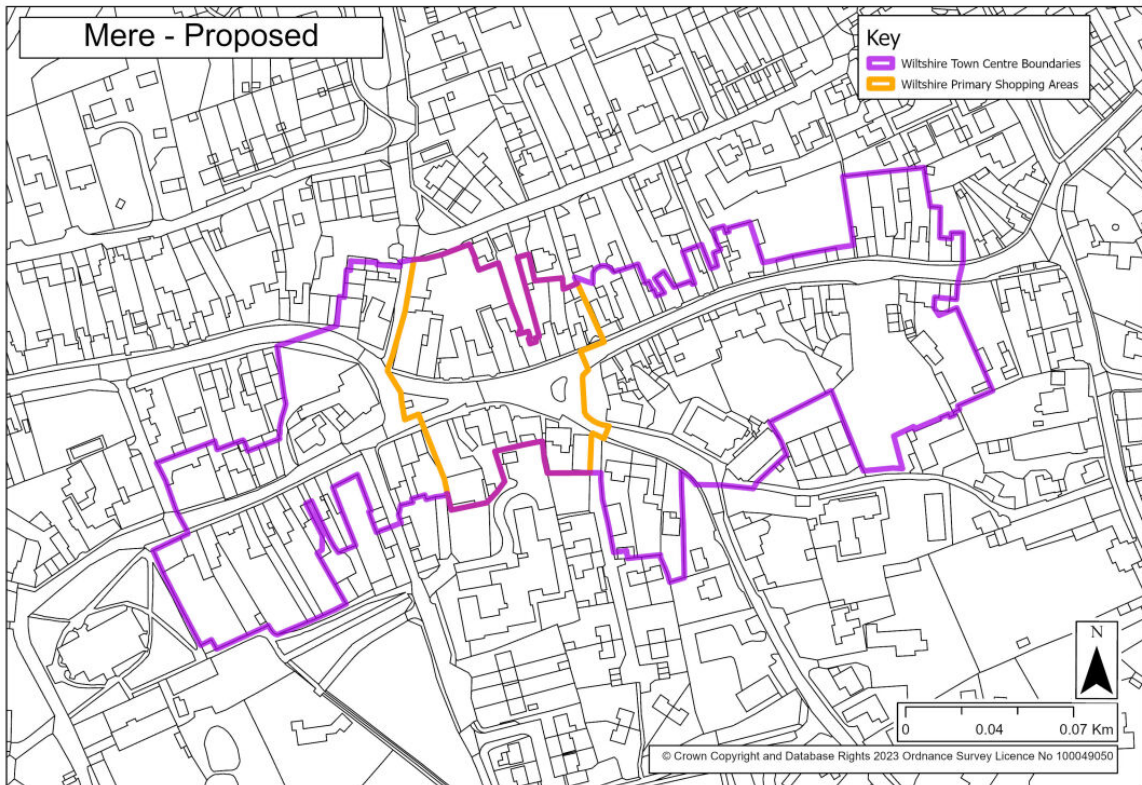
**Figure E.24 Downton Proposed Town Centre Boundary**



**Figure E.25 Mere Existing Town Centre Boundary**



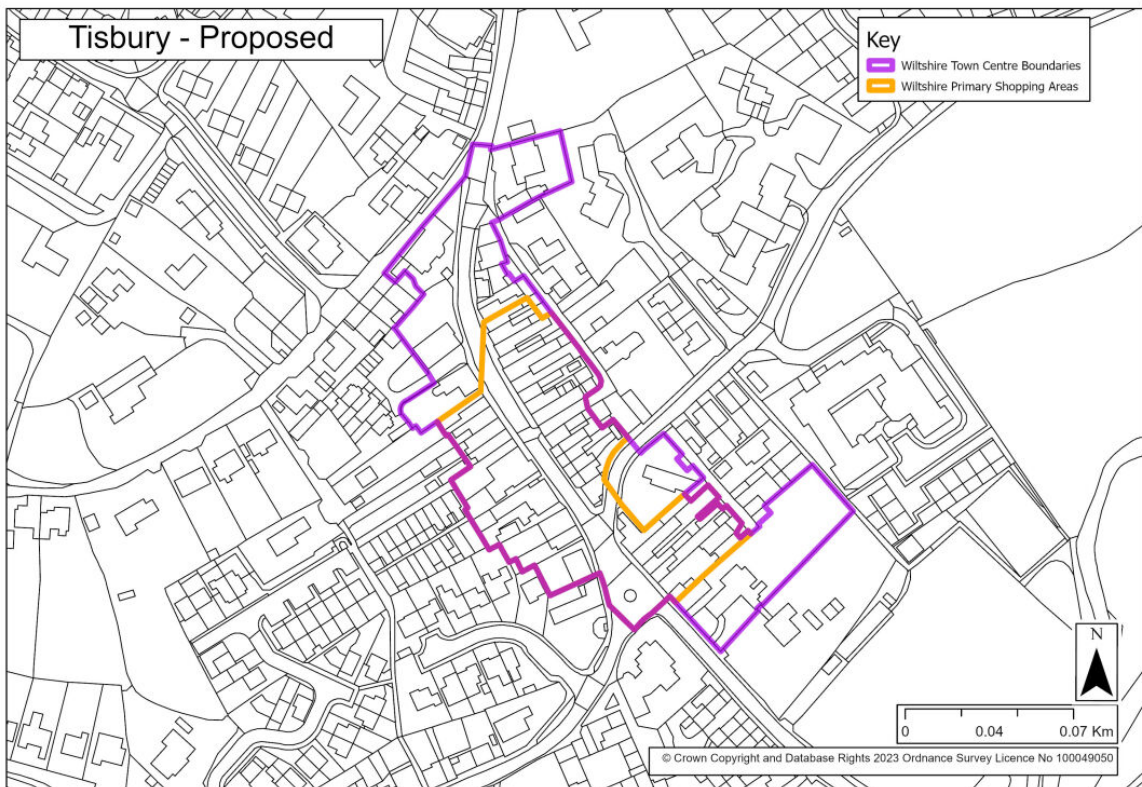
**Figure E.26 Mere Proposed Town Centre Boundary**



**Figure E.27 Tisbury Existing Town Centre Boundary**



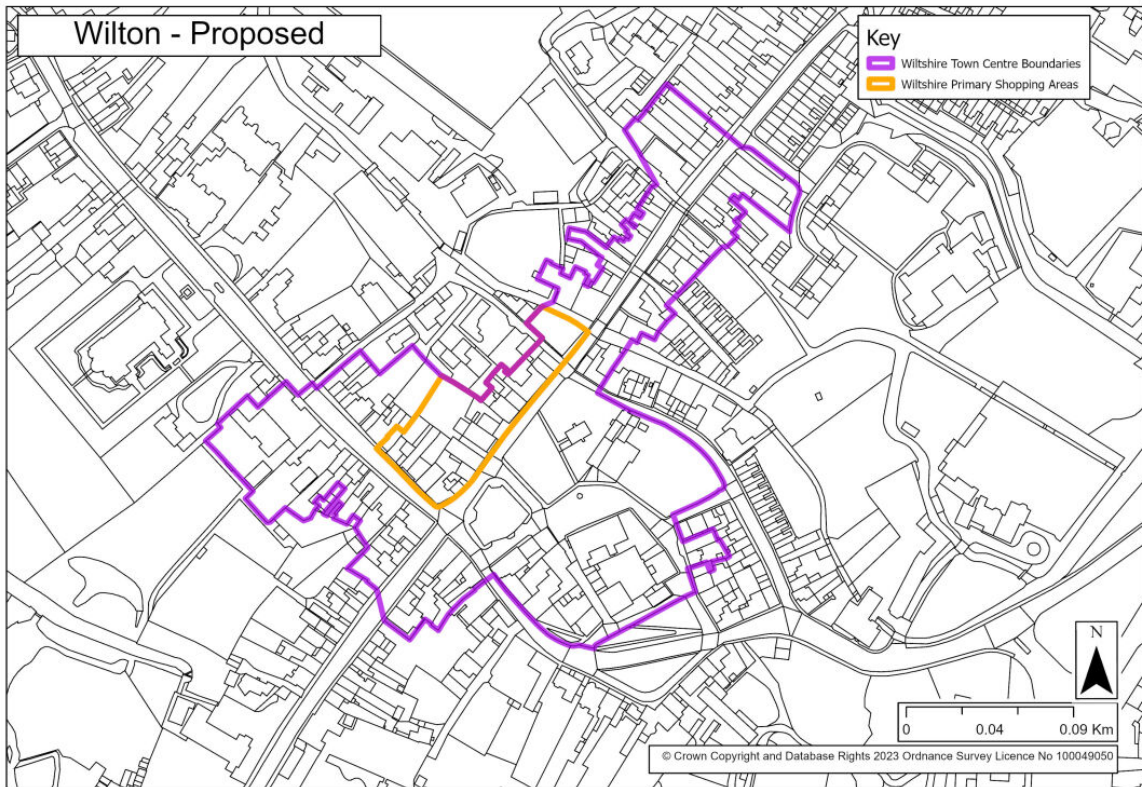
**Figure E.28 Tisbury Proposed Town Centre Boundary**



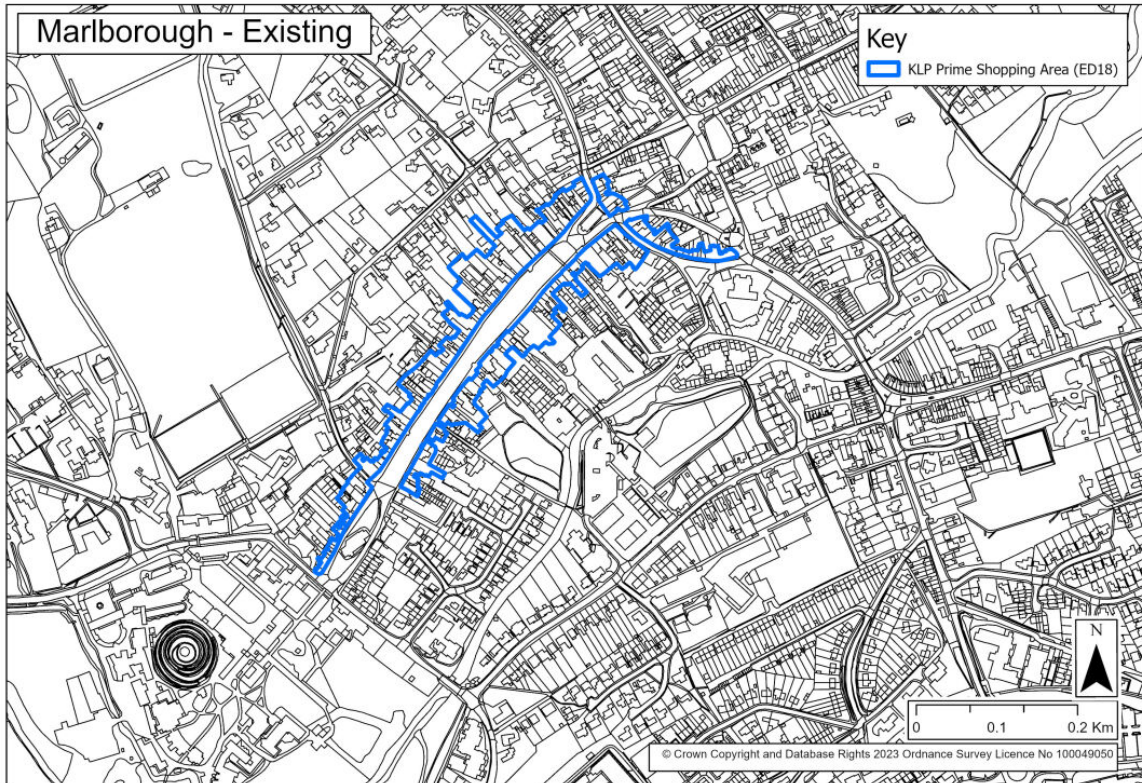
**Figure E.29 Wilton Existing Town Centre Boundary**



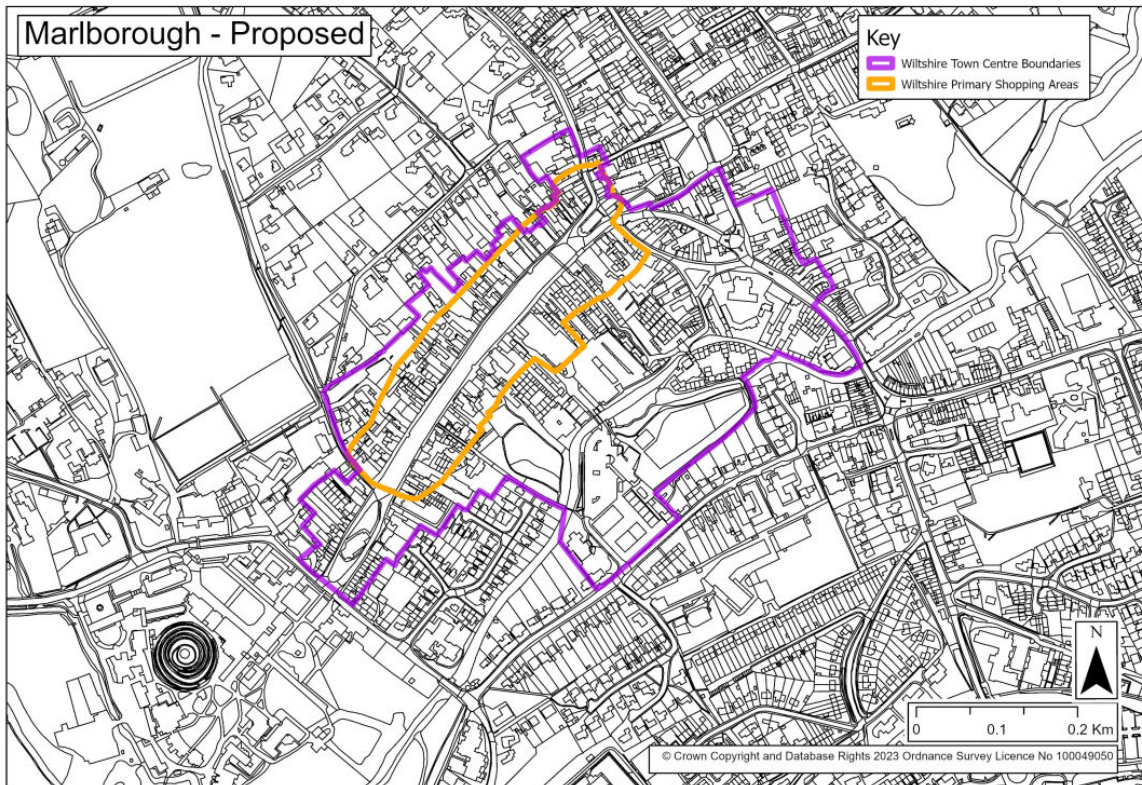
**Figure E.30 Wilton Proposed Town Centre Boundary**



**Figure E.31 Marlborough Existing Town Centre Boundary**

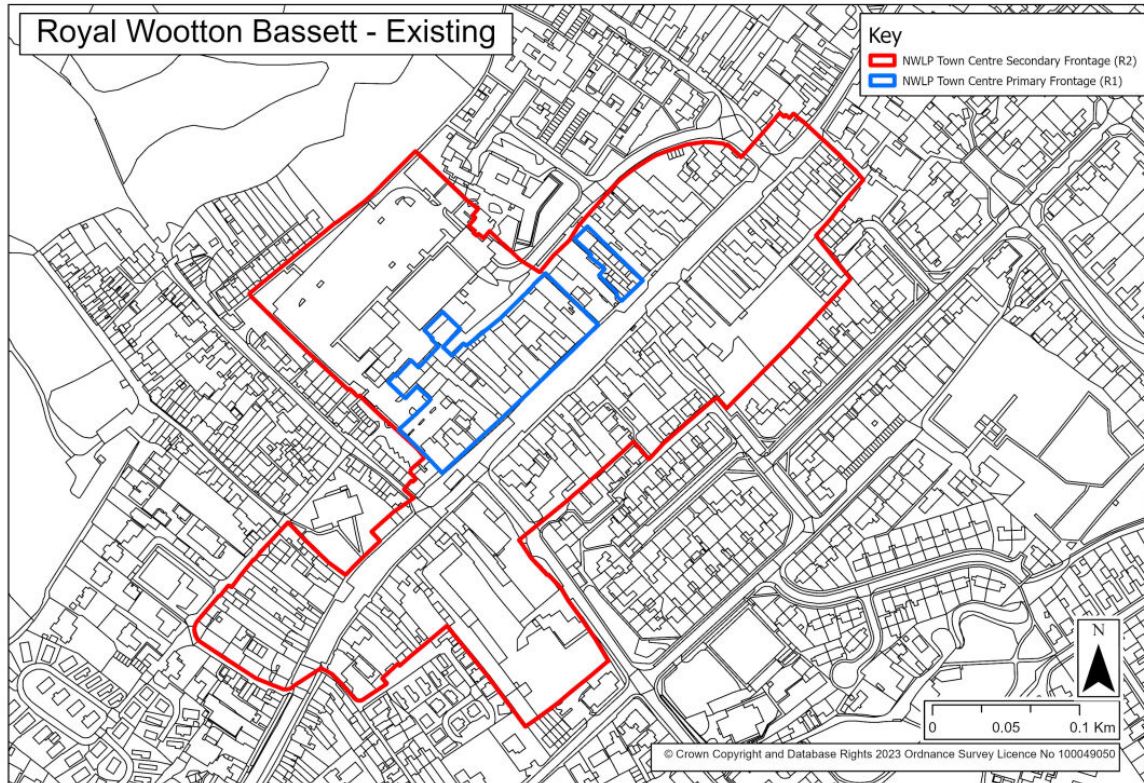


**Figure E.32 Marlborough Proposed Town Centre Boundary**

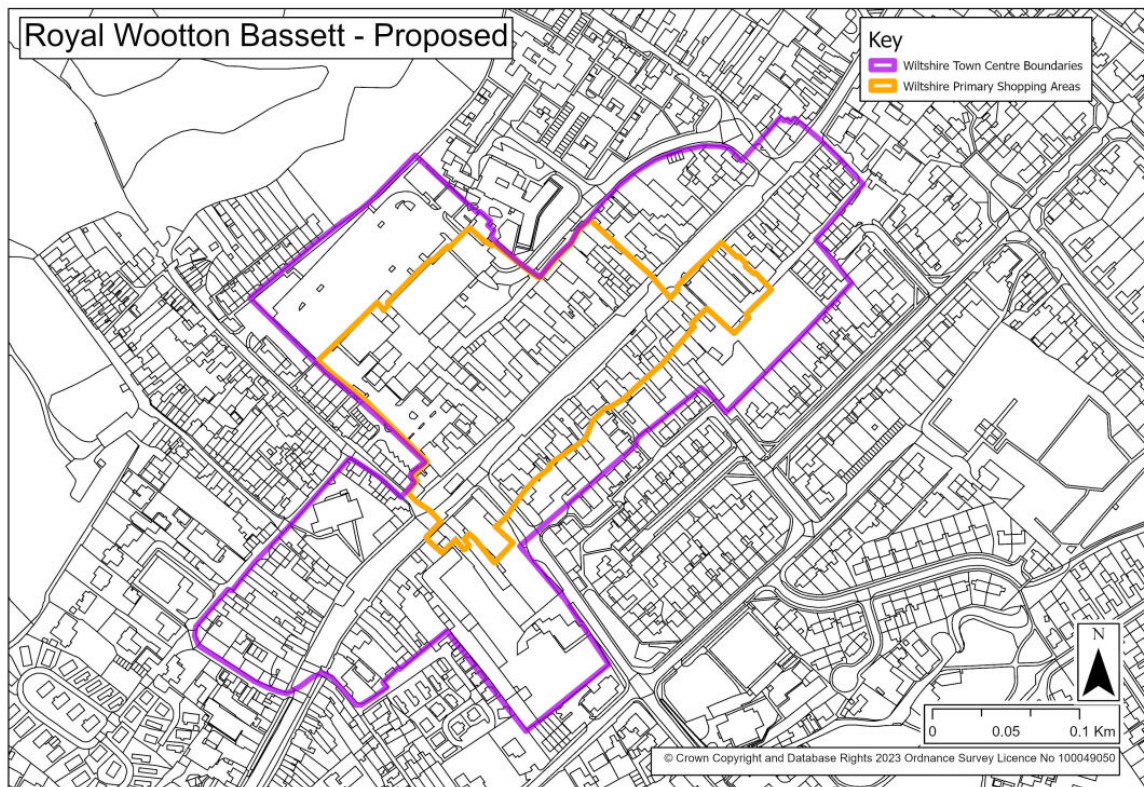




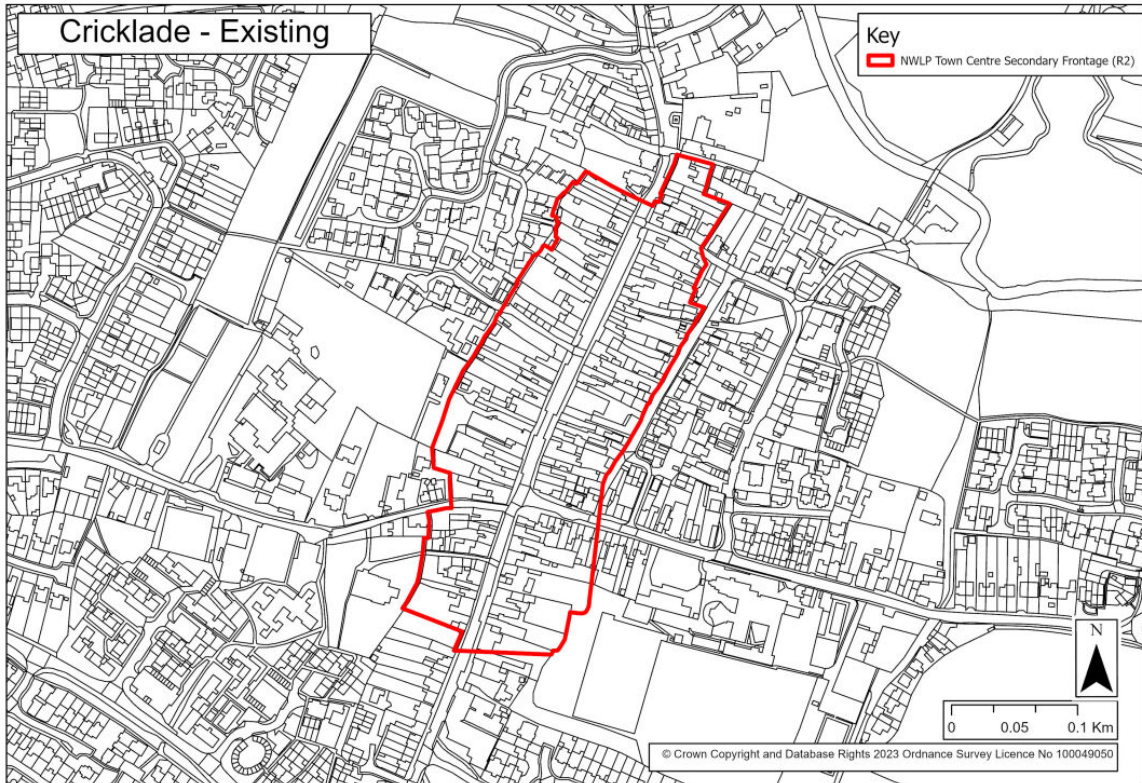
**Figure E.33 Royal Wootton Bassett Existing Town Centre Boundary**



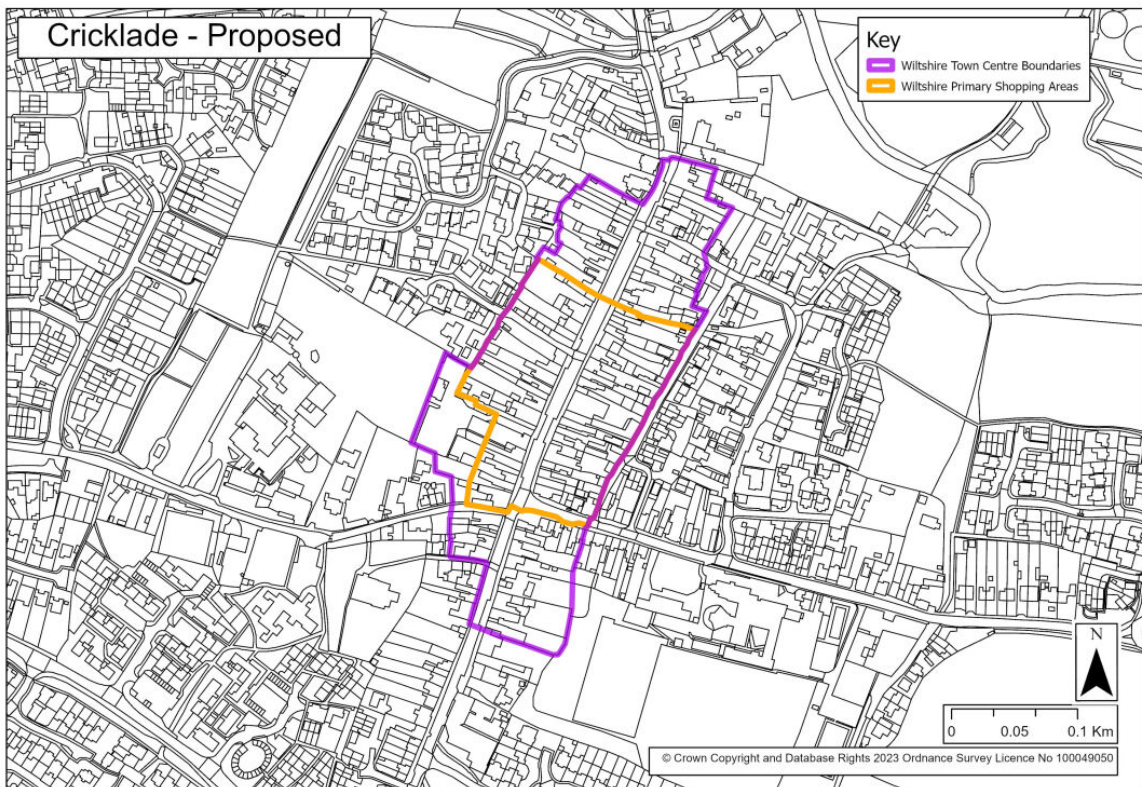
**Figure E.34 Royal Wootton Bassett Proposed Town Centre Boundary**



**Figure E.35 Cricklade Existing Town Centre Boundary**



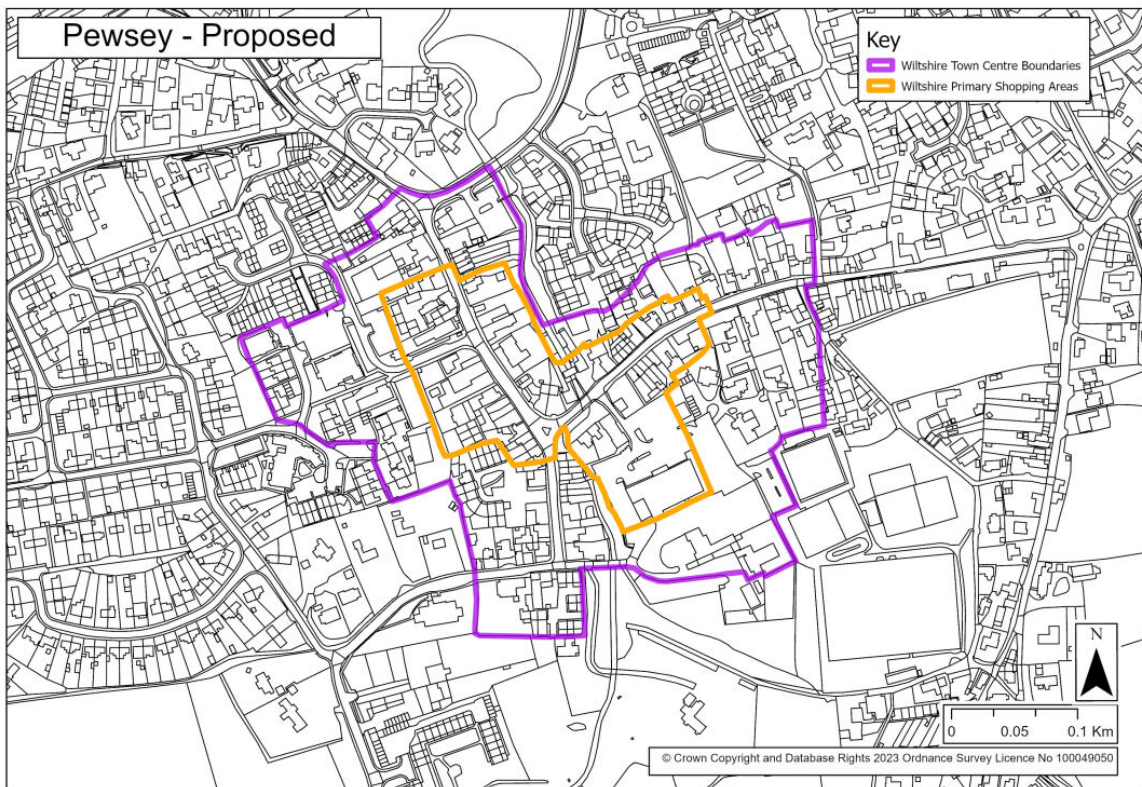
**Figure E.36 Cricklade Existing Town Centre Boundary**



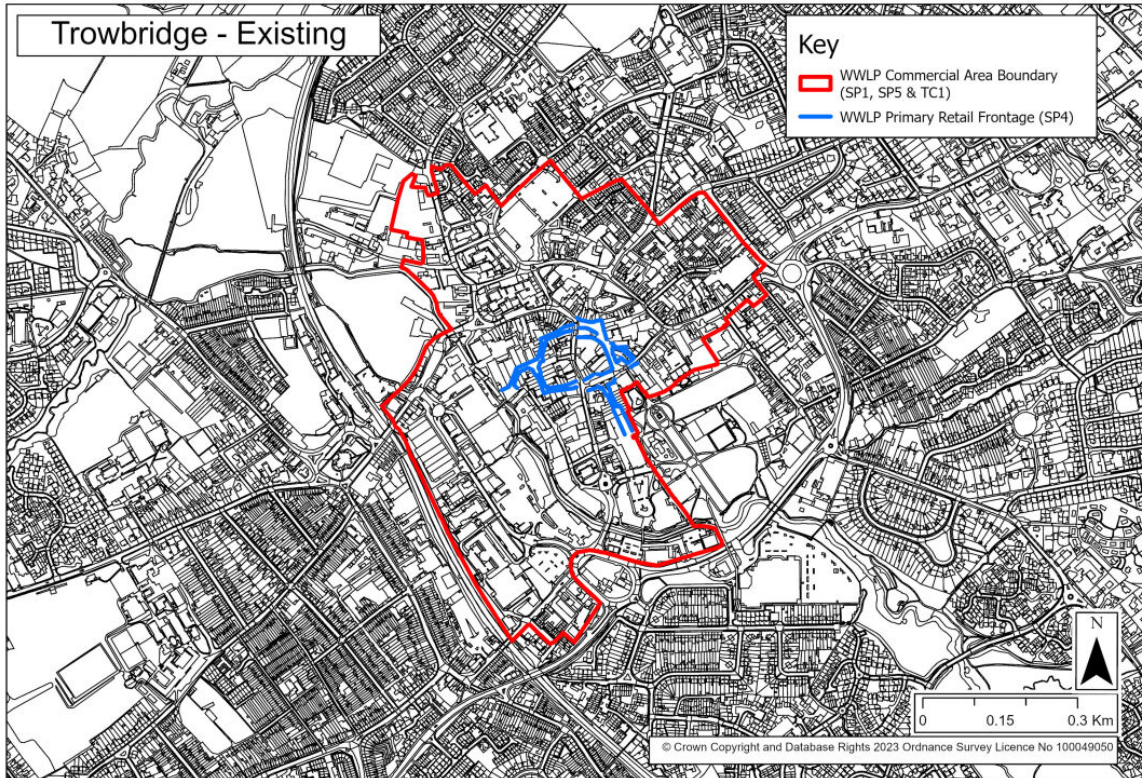
**Figure E.37 Pewsey Existing Town Centre Boundary**



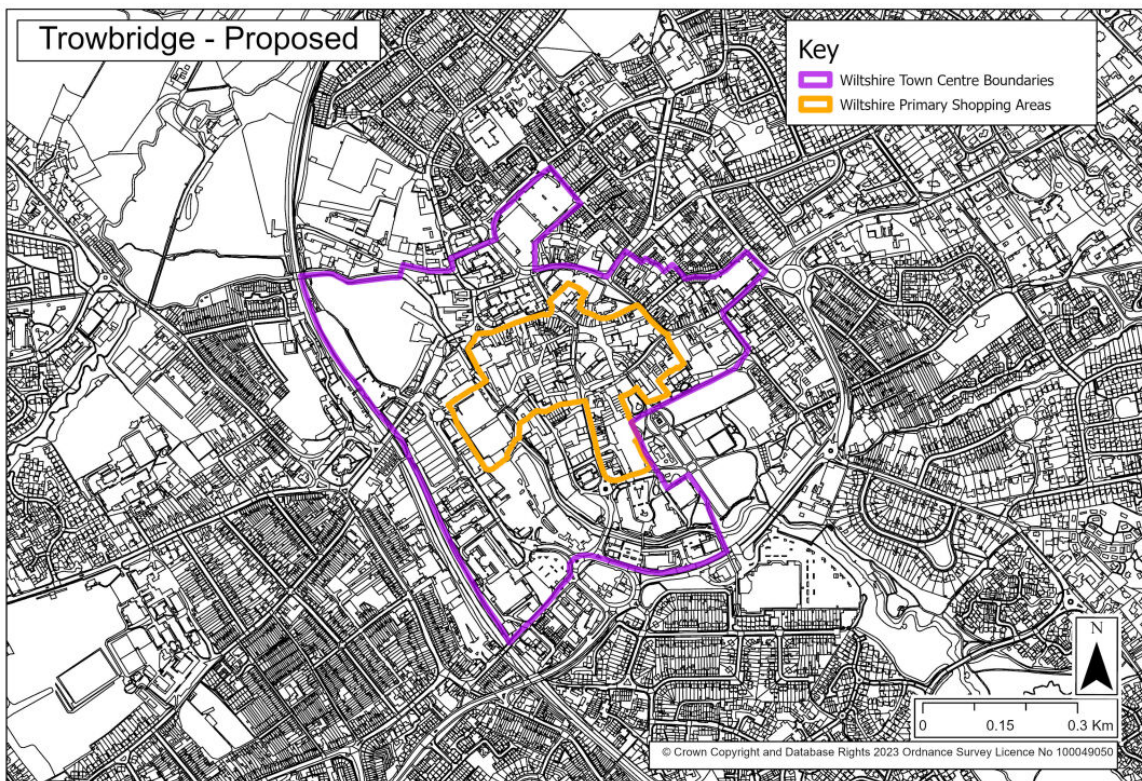
**Figure E.38 Pewsey Proposed Town Centre Boundary**



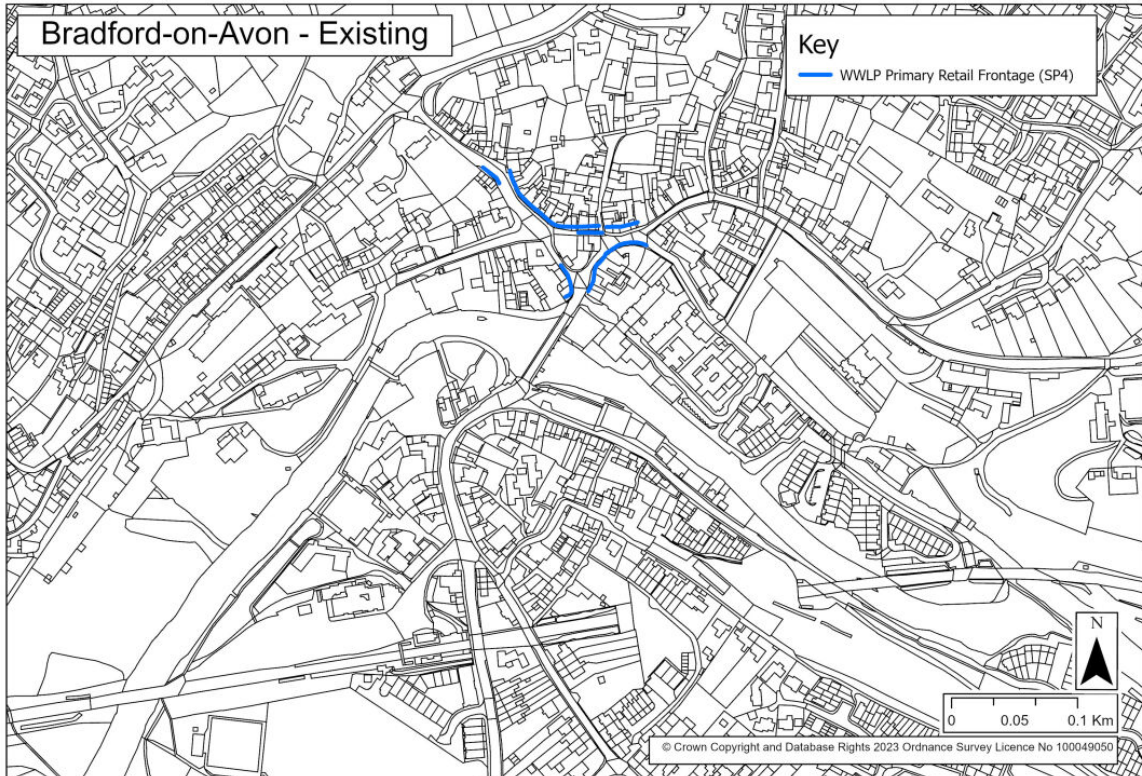
**Figure E.39 Trowbridge Existing Town Centre Boundary**



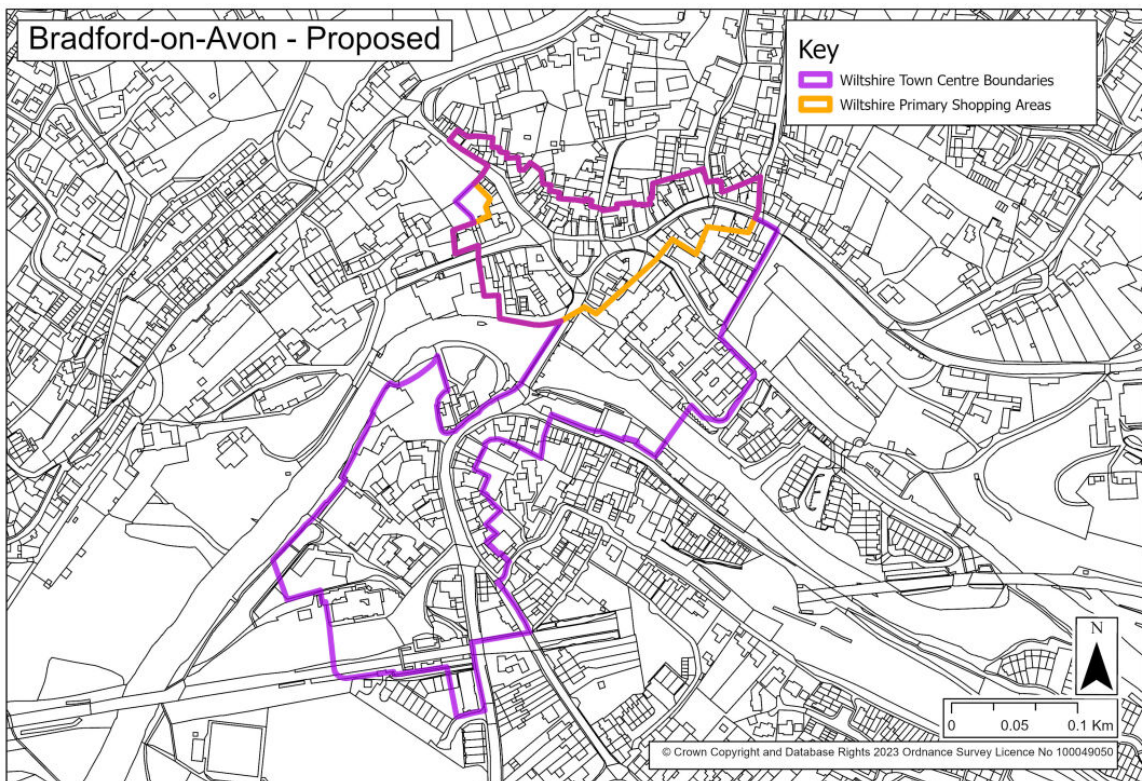
**Figure E.40 Trowbridge Proposed Town Centre Boundary**



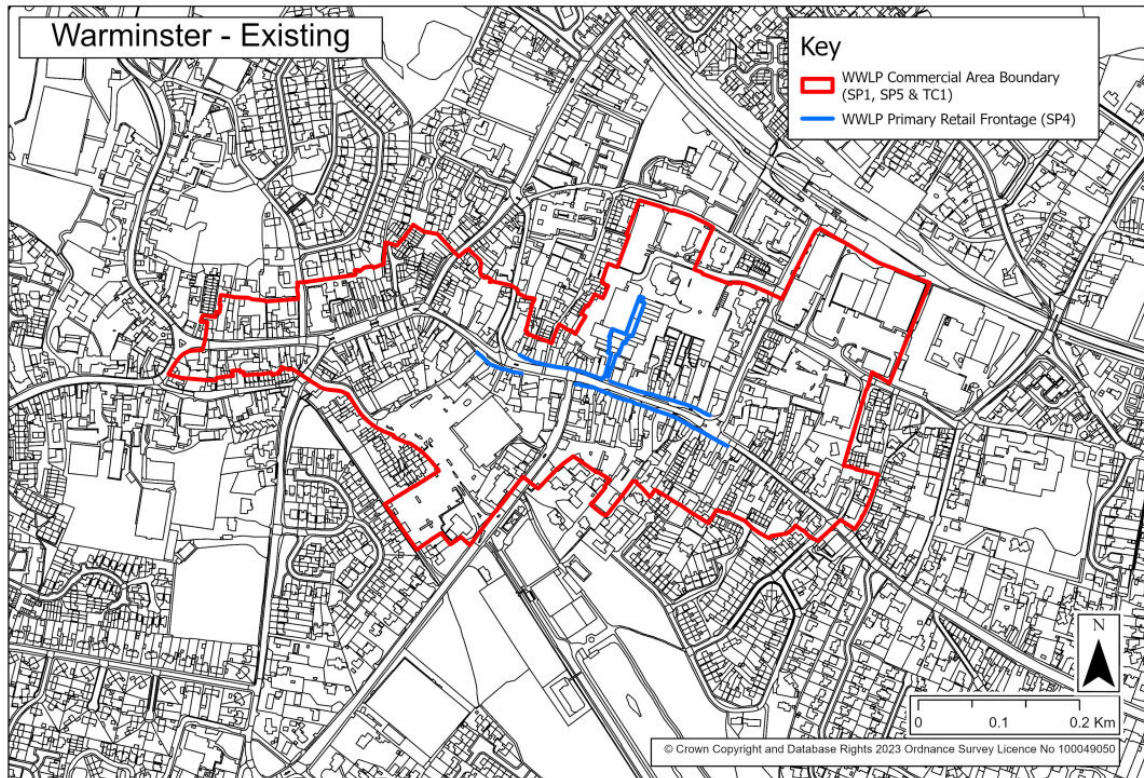
**Figure E.41 Bradford-on-Avon Existing Town Centre Boundary**



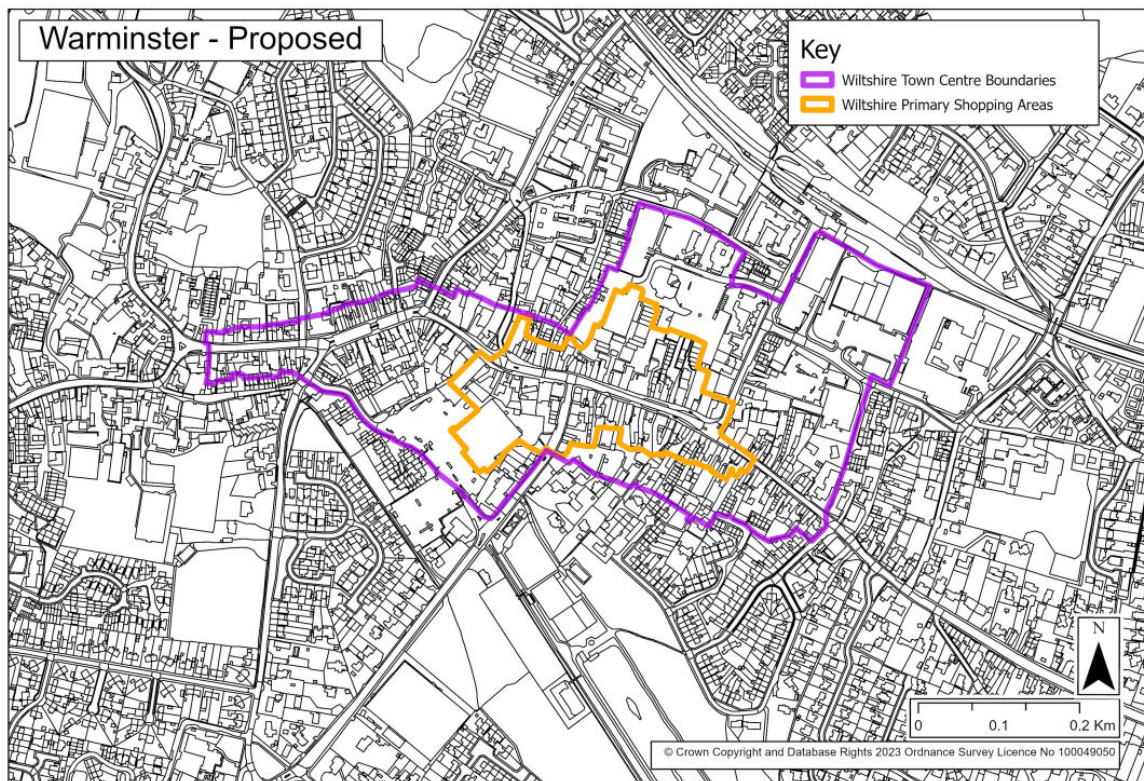
**Figure E.42 Bradford-on-Avon Proposed Town Centre Boundary**



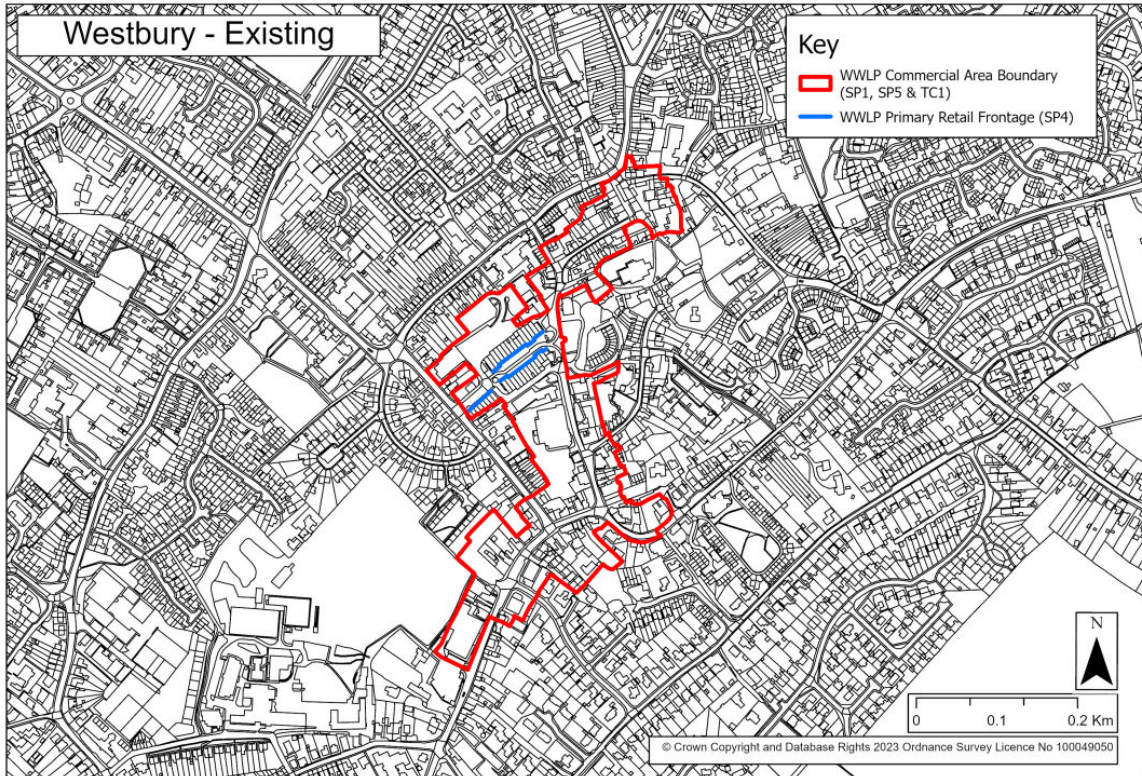
**Figure E.43 Warminster Existing Town Centre Boundary**



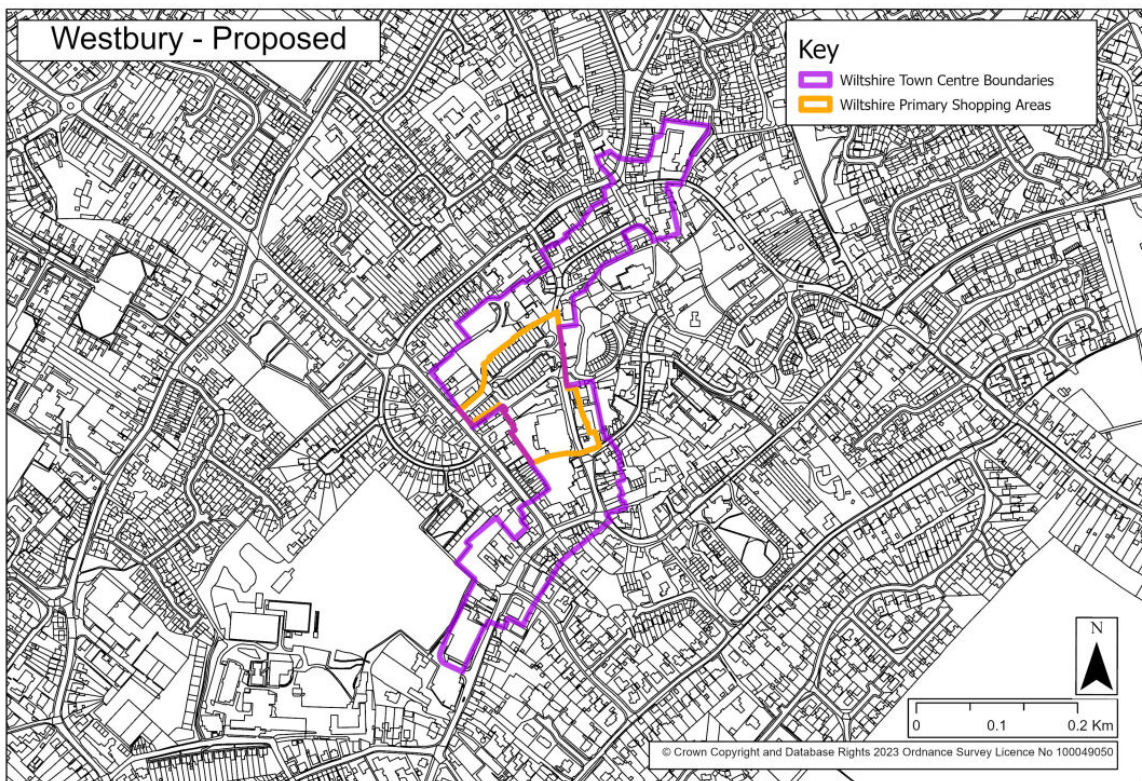
**Figure E.44 Warminster Proposed Town Centre Boundary**



**Figure E.45 Westbury Existing Town Centre Boundary**



**Figure E.46 Westbury Proposed Town Centre Boundary**



**Wiltshire Council**

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Wiltshire Council

Full Council

15 October 2024

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## Enforcement Policy

### Executive Summary

An updated enforcement policy is attached as Appendix 1. 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. This will ensure that such activity does not put the economic wellbeing, health and safety or amenity of the general public, employees, other businesses or consumers at risk.

The policy sets out common principles that the Council will follow when taking enforcement action so that the Council's approach is consistent, transparent, accountable, proportionate and targeted.

### Proposals

That Full Council:

Adopt the Enforcement Policy as set out at **Appendix 1**.

### Reason for Proposals

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).

**Parvis Khansari**  
**Corporate Director, Place**

## **Enforcement Policy**

### **Purpose of Report**

1. This report outlines an updated enforcement policy for approval by full council.

### **Relevance to the Council's Business Plan**

2. 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).

### **Background**

3. Many areas of the council are involved in enforcement, such as Education Welfare, Public Protection, Highways and Civil Parking, community safety, council housing tenancies and private sector housing. The last Wiltshire Council [Enforcement Policy](#) was agreed in May 2011 (Public Protection focused). Other service specific policies exist (e.g. Planning Sept 2009, Licensing Nov 2019, private sector housing) although these have often focused on process and service standards. In March 2023 the Government released an [Anti-Social Behaviour Action Plan](#) which encouraged a more 'muscular approach' to infringements such as fly-tipping, litter and vandalism and provided some additional funding to increase enforcement activity in this area.
4. Recent government research on housing enforcement (but which has findings relevant to all areas) highlights that the 'key drivers' of enforcement are:
  - the capacity of enforcement teams;
  - the experience and expertise of enforcement teams;
  - political will and strategic commitment.
5. Conversely, barriers to effectively tackling poor standards and conditions are:
  - issues relating to the legal framework, such as the range and complexity of laws relevant to enforcement work;
  - difficulties gathering evidence to support enforcement

### **Main Considerations for the Council**

6. It is recognised that 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).
7. Enforcement can often be seen as more reactive rather than enforcement-led and it is recognised that enforcement effectiveness can be difficult to evidence (limited use of formal enforcement and prosecutions can be due to good compliance with informal

requests made to offenders). However, comparison on some measures has indicated scope to do more compared with statistical 'near neighbours'. Therefore there is the potential for the approach to enforcement to be tightened whilst recognising service specific legislation and case law.

8. Experience in other councils highlights that: 'Enforcement teams that are well resourced, with highly qualified staff, and supported by corporate strategy and legal departments are proactively using the range of powers available to them'. Increasing capacity and ensuring a multi-disciplinary approach will help to achieve this.
9. Additional council funding in Wiltshire has previously been announced for planning enforcement and the 'We're Targeting Flytippers' campaign. An Enforcement Management Group, bringing together officer representatives from relevant services, has also been meeting in recent months to:
  - Develop a new proactive 'umbrella' enforcement policy – and to revise service specific policies, processes and standards in line with this
  - Share intelligence and coordinate action on specific issues
  - Train and share best practice
  - Develop a standardised approach to submitting an enforcement file for prosecution
  - Advise on priorities for investment and compile performance data
  - Engage with external agencies and comms to promote reporting and new approach
10. A revised, umbrella enforcement policy will help ensure consistency of approach and a suggested draft is included as the first eleven pages of **Appendix 1**. This has been developed with legal advice and includes, as annexes, new service specific policies that have been revised in line with the new approach and an overall performance monitoring framework. If the 'umbrella' policy is approved the service specific policies will be kept up to date by the relevant directors in consultation with the lead cabinet member.
11. Training for enforcement teams is currently being developed which draws on best practice within the council and elsewhere and aims to rollout a standardised approach to compiling and submitting enforcement files for prosecution, recognising the differing levels of experience between teams in taking cases to prosecution that currently exists.
12. Cabinet agreed to an additional £300k of funding for enforcement activities in 2023/24 and £520k of funding in 2024/25. Proposals for this have been developed and agreed through the enforcement management group and cover a wide range of services (many across services). This is separate to the additional investment in planning enforcement, Don't Mess with Wiltshire and the We're Targeting Fly-tippers campaigns.
13. The Enforcement Management Group have also been reviewing a number of cases where these are of interest to two or more service areas and where there have been historic significant breaches of legislation and public interest. Further coordinated action in these areas is expected.

## **Safeguarding Implications**

14. Enforcement officers undertake relevant training in safeguarding to identify abuse and neglect and make appropriate referrals and signposting. When investigating potential offences and an individual may be vulnerable due to mental health or addiction issues then appropriate support from adult social care may be considered. If a matter progresses to court action, consideration is given to offering the defendant access to the [Liaison and Diversion Service](#) which is available to anyone with identified vulnerabilities. The service recruits peer volunteers and professional staff to support people in court who may have not been through a criminal process before, or who may have specific anxieties or conditions, for example learning difficulties or mental health issues.

## **Public Health Implications**

15. The Enforcement Policy aims to be an effective means of ensuring that businesses and individuals, local premises, practices and activities comply with legislation and statutory requirements. This will ensure that such activity does not put the economic wellbeing, health and safety or amenity of the general public, employees, other businesses or consumers at risk.

## **Procurement Implications**

16. There are no direct procurement implications directly arising from the proposed policy.

## **Equalities Impact of the Proposal**

17. The policy makes clear reference to acting in accordance with the Public Sector Equality Duty and to ensuring decisions are transparent, consistent, proportionate, accountable and appropriately targeted by the nature of the reported breach.
18. When making enforcement decisions, the council will ensure that there is no discrimination against any individual on the grounds of age, race, ethnic or national origin, nationality, religion and belief, sex, gender identity, marital status, employment status, disability, sexual orientation, social class, responsibility for children or dependents, trade union membership, unrelated criminal convictions or any ground that cannot be justified.

## **Environmental and Climate Change Considerations**

19. The Enforcement Policy aims to improve enforcement in areas relevant to the protection of the environment, including planning and highways, parking and waste management. This includes liaison as appropriate with other enforcement agencies such as the Environment Agency.

## **Workforce Implications**

20. Appropriate training is being developed to support the rollout of the revised Enforcement Policy within the council. This includes elements on 'soft' skills such as communication and negotiation, as well as practical elements on submitting an enforcement file to legal services and progressing a case to prosecution. The Enforcement Management Group will continue to share best practice between teams.

## **Risks that may arise if the proposed decision and related work is not taken**

21. The council's existing enforcement policy relates to public protection only. If the policy is not updated it will no longer be reflective of changes in legislation or the expressed wishes of councillors.

## **Risks that may arise if the proposed decision is taken and actions that will be taken to manage these risks**

22. If the policy is approved there is a risk that expectations amongst the public are raised that any outstanding enforcement cases will be resolved immediately. However, it should be recognised that often there are complex, historic, cases where the situation on the ground can change rapidly. Similarly, there can also be lengthy lead in periods before people need to comply with an enforcement warning/notice (often six months or longer) and there are rights of appeal, which can extend time periods significantly. Where notices are served and appeals won, action through the courts can take eighteen months or more and is no guarantee of success. This risk will be mitigated through appropriate communications.

## **Financial Implications**

23. There are no direct financial implications arising from the approval of the policy. Reference has been made to additional funding provided for enforcement in general in paragraph 12.

## **Legal Implications**

24. Legal services have actively participated in the development of the proposed enforcement policy through membership of the Enforcement Management Group.
25. Enforcement Policy, as required by the Legislative and Regulatory Reform Act 2006, is currently reserved to full council for adoption under part 3B of the constitution. Other enforcement issues are delegated to the Corporate Director for Place (and in turn to other officers via a scheme of sub delegation). The proposed enforcement policy is a framework by which all officers will exercise their delegated enforcement functions. Cabinet are responsible for implementing and delivering the budget and policy framework agreed by full council and have agreed to the delegation of the maintenance of service specific enforcement to directors, in consultation with the relevant cabinet member
26. Consultation has taken place with councillors, parish councils and other enforcement agencies during September. This sought views on how the policy might be strengthened further. The policy has been generally welcomed by a range of parish councils that responded as well as councillors and other organisations. Some of the specific points made are as below:

<b>Point made</b>	<b>Response</b>
Need to strengthen our approach to illegal vehicle access across footways and pavements; obstruction of the highways; piped watercourses and illegal discharges	We have in place operating procedures relevant to these aspects that will be publicised alongside the umbrella enforcement policy in due course.

<p>Timelines for enforcement are helpful Need consistent language (eg parking enforcement is in first person).</p> <p>Will the completed document be more “branded” too?</p>	<p>Appropriate revisions will be made to the service specific policies</p> <p>The final policies will be made available in a consistent, accessible format on our webpages (not pdf) and a summary page of the principles has been included</p>
<p>Should there be an explicit reference to Council Tax in the policy?</p>	<p>The legislation in respect of the enforcement and recovery of council tax is very clear - the Council Tax Admin and Enforcement Regs 1992. We have signed a code of conduct for Enforcement Agents. Reference to this has been included and can be publicised accordingly</p>
<p>Recommend increasing resources to enable improved monitoring by building regulations officers in conjunction with planning officers during build. This could prevent the need for planning enforcement at a later date, as some things cannot be enforced once they have been built incorrectly.</p>	<p>Noted</p>
<p>Planning enforcement policy:</p> <ul style="list-style-type: none"> <li>• Makes it clearer</li> <li>• Parishes need to be kept informed on cases</li> <li>• Examples of harmful development would be helpful</li> <li>• Would be useful to see a reference to how unauthorised gypsy and traveller developments are handled</li> </ul>	<p>Appropriate revisions will be made by the Director to reflect these points in the service specific planning enforcement policy.</p>
<p>Planning: have noticed a much quicker response rate from your team. Concerned that 95% targets as a KPI mean 5% will miss out on a response</p>	<p>Appropriate revisions will be made by the Director to reflect these points in the service specific planning enforcement policy.</p>

## Overview and Scrutiny Engagement

27. The draft policy was circulated to all councillors, including Overview and Scrutiny committee members for comment on 10 September. The Chairmen and Vice-Chairmen of the select committees received a briefing on the policy 3 October. Feedback from this has been reflected as appropriate.

## Options Considered

28. Options included either not updating the extant policy or updating the policy to reflect changes in legislation and the expressed wishes of councillors. Adopting a revised policy provides the opportunity to ensure officers are exercising delegated enforcement functions in line with the views of full council and reflecting the legislation,

whilst providing a framework to ensure service specific policies can be maintained in line with this and updated as appropriate.

## **Conclusions**

29. A revised enforcement policy will support an assertive and coordinated 'one council' approach that 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).

## **Parvis Khansari - Corporate Director, Place**

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[david.bowater@wiltshire.gov.uk](mailto:david.bowater@wiltshire.gov.uk),

## **Appendices**

Appendix 1 - Draft Umbrella Enforcement Policy with service specific enforcement policies and overall monitoring framework

## **Background Papers**

None

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# Enforcement Policy

Draft for October 2024

Reference Number	1.1	Status	Draft
Sponsor(s)	Corporate Director of Place	Author(s)	Executive Office with Enforcement Management Group
Document objectives	<p>To establish 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. This will ensure that such activity does not put the economic wellbeing, health and safety or amenity of the general public, employees, other businesses or consumers at risk.</p> <p>The policy sets out common principles that the Council will follow when taking enforcement action so that the Council's approach is consistent, transparent, accountable, proportionate and targeted.</p>		
Intended Recipients	<p>Officers undertaking enforcement activity on behalf of Wiltshire Council (including Public Protection, Planning, Building Control, Environmental Enforcement, Parking, Highways, Waste, Internal Audit, Private Sector Housing, Education Welfare, Libraries and Health and Safety and any other services which may undertake enforcement).</p> <p>The public</p>		
Group/Persons Consulted:		<p>Cabinet, cllrs, town and parish councils, businesses</p> <p>Enforcement Management Group</p>	
Ratifying Body	Full Council	Date Ratified	xxx
Date of Issue	xxx		
Next Review Date		October 2026	
Contact for Review		Executive Office	

## Purpose

A guiding theme of the Council's Business Plan is a focus on investment in prevention and early intervention, to tackle problems before they get worse. The primary function of local authority regulatory activity is to protect the public, the environment and the local economy.

We believe that by taking an assertive approach to enforcement, we can better protect scarce public resources, protect the communities we serve and provide a deterrent to the small minority of people who break the rules.

In formulating this policy regard has been had to relevant legislation and codes, including the Principles set out in the councils the Legislative and Regulatory Reform Act 2006. The policy sets out how the council will have regard to the five principles of good regulation when taking enforcement action, so that it is carried out in a way which is:

1. Transparent, 2. Accountable, 3. Proportionate, 4. Consistent; and 5. Targeted.

The '[Regulators' Code](#)' issued in 2014 also outlines that regulators should:

- carry out their activities in a way that supports those they regulate to comply and grow
- provide simple and straightforward ways to engage with those they regulate and hear their views
- base their regulatory activities on risk
- share information about compliance and risk
- ensure clear information, guidance and advice is available to help those they regulate meet their responsibilities to comply
- ensure that their approach to their regulatory activities is transparent

## The scope of enforcement

The council has a wide range of enforcement powers and responsibilities for ensuring that legal requirements are met.

Enforcement responsibilities include Public Protection (Environmental Health, Anti-Social Behaviour, Trading Standards and Licensing) Planning, Building Control, Environmental Enforcement, Parking, Highways, Waste, Internal Audit, Private Sector Housing, council housing, Education Welfare and Health and Safety and any other services which may undertake enforcement.

The council recognises that most individuals and businesses want to comply with the law. It will assist and advise where this is considered possible and appropriate, but will consider taking enforcement action against those who disregard legal requirements or act irresponsibly. However, enforcement action does not always have to mean taking formal action, such as prosecution, but includes the following outcomes:

- Inspection of premises;
- Imposition of condition on a licence;
- Compliance advice, verbal warnings and requests for action;
- Formal Warning;
- Community Protection Warning (CPW) – a formal written warning that a person is causing detriment to an area before the decision to issue a CPN;
- Community Protection Notice (CPN) – issued after CPW and can be used to deal with all types of anti-social behaviour along with a fine for breach;
- Statutory Notice;
- Fixed Penalty Notice;
- Simple Caution – as an alternative to prosecution for less serious offences where a person admits the offence and consents to a simple caution;
- Prosecution – for serious or recurrent breaches and where action has failed to secure compliance;
- Works in default;
- Injunction – a special court order compelling a party to do or refrain from doing a particular activity;
- Order e.g. Criminal Behaviour Orders;
- Other formal action e.g. seizure, possession proceedings, recovery action, suspension or revocation of licences, vehicles or permissions. Any money connected with an offence can be recovered under the Proceeds of Crime Act 2002

## **Wiltshire Council's approach to enforcement**

### **Summary**

This is a summary of Wiltshire Council's approach to enforcement, set out against the five principles of good regulation.

#### **Transparent**

- We have a 'one council' approach
- We publicise our enforcement policies on our website
- We explain when it is necessary to undertake enforcement
- We publicise prosecutions

#### **Accountable**

- We make decisions based on evidence
- We ensure appropriate training and authorisation of officers
- We publicise relevant complaints and appeals processes

#### **Proportionate**

- We believe prevention is better than cure
- We act in proportion to the seriousness of any breach
- We consider risk and the evidential and public interest tests for prosecution

#### **Consistent**

- We take a similar approach in similar circumstances
- We monitor the quality of enforcement activity and share best practice within the council (with relevant indicators included in the corporate performance frameworks)
- We liaise with other enforcement agencies to ensure consistency
- We ensure no discrimination on grounds of protected characteristics and other aspects

#### **Targeted**

- We target enforcement activity on the nature of reported breaches
- We monitor compliance with initial and subsequent interventions
- We share relevant information between enforcement teams within the council
- We work with other enforcement agencies

The following pages explain in more detail our approach under each of the five principles.

## 1. Transparent

The Regulators' Code applies on a statutory basis for many council services and, where it does not, the council adopts the principles behind it for all enforcement activity on a voluntary basis (as [recommended](#) by government, in place of the previous voluntary enforcement concordat). It sets out what businesses, and others being regulated, are entitled to expect from enforcement officers.

This policy applies to enforcement action undertaken by or on behalf the Council. Where considered appropriate, this overarching policy may be supplemented by additional enforcement policies and procedures produced by individual service areas; and these are published on the council's website.

Officers will act in accordance with the principles of the statutory [Regulators' Code](#) and the Growth Duty. However, in certain instances we may conclude that a provision in the Regulators' Code or [Growth Duty](#) is either not relevant or is outweighed by another provision. Other relevant provisions include (but are not limited to):

- The Enforcement Policy Statement of the Health and Safety Executive
- the National Local Authority Enforcement Code Health and Safety at Work England, Scotland and Wales, April 2013
- The Food Standard Agency's Regulators' Code
- The Secretary of State's Statutory Guidance to Local Authorities on the Civil Enforcement of Parking Contraventions, November 2015
- Case law

We will ensure that any decision to depart from relevant policy guidelines will be properly reasoned and based on material evidence. Any departure from this policy will first be considered by the relevant director unless a delay in making such a decision will result in serious risk of personal injury, risk to public health or impact effective running of the service. All such decisions will be recorded on our systems in compliance with the Openness of Local Government Bodies Regulations 2014.

Where the Council has adopted service standards for enforcement practices within individual services, enforcement action will usually follow the procedures laid out for those service areas, unless specific circumstances indicate otherwise and where a departure from this could be justified.

So far as it is appropriate to do so, the council will be open about how it will undertake its responsibilities and explain in a timely manner when it is necessary to take enforcement action.

We will also take steps to publicise prosecutions and other enforcement activity that we believe will have a deterrent effect on other people. We will use social and other media to make clear that Wiltshire Council acts to protect finite public resources, protect the law-abiding majority and to dispel any suggestion that we are a "soft touch".

## 2. Accountable

The council will make decisions based on evidence and in line with the principles of natural justice. The council will ensure that officers who take enforcement action on its behalf are appropriately authorised to do so (either under statute or by virtue of the council's scheme of delegation), competent, suitably qualified and trained and acting in accordance with adopted service standards.

Any complaints will be dealt with in accordance with the council's customer complaints procedure, but having regard to any on-going legal processes. The council will ensure that enforcement action and investigations take place in accordance with relevant provisions from the following:

- Health and Safety at Work Act 1974
- Police and Criminal Evidence Act 1984 - and associated codes of practice;
- The Criminal Procedure and Investigations Act 1996;
- The Human Rights Act 1998
- The Regulation of Investigatory Powers Act 2000
- Criminal Justice and Police Act 2001
- Housing Act 2004
- Legislative and Regulatory Reform Act 2006
- Regulatory Enforcement & Sanction Act, 2008
- Public Sector Equality Duty under the Equalities Act 2010
- The Protection of Freedoms Act 2012
- Anti-social Behaviour, Crime and Policing Act 2014
- Data Protection Act 1998 and GDPR 2018
- Code for Crown Prosecution Service
- Plus any other relevant legislation other enforcement services regularly use

This is not an exhaustive list. Regard shall be had to other relevant legislation, statutory guidance, codes of practice for enforcement agents, national regulatory codes, as well as corporate guidance and policies.

In a number of cases the law provides a right of appeal against various types of enforcement action. In cases where legislation requires it, the council will seek to ensure that relevant details of the appeal mechanism are clearly set out in writing.



### 3. Proportionate

This policy involves a concerted approach by the council to take more enforcement activity, to publicise this to a greater extent and to ensure that we increase the protection we provide to our communities.

The council believes that prevention is better than cure and will often work to advise and assist on compliance with the law. All enforcement activities will be carried out in a helpful manner, actively working with individuals and businesses to advise on compliance.

Officers will explain clearly in plain language what is expected of those to whom legislation applies and what can be expected of the enforcement service. Clear distinctions will be drawn between statutory requirements and advice or guidance regarding what is good practice but not compulsory.

Any enforcement action will be proportionate to the risk and seriousness of the breach of legislation. There may be occasions when the breach is considered to be serious and/or where informal action is not appropriate. In such cases, immediate enforcement action may be taken without prior notice and, as noted above, some services have specific legislative guidance and regulations which set out the enforcement requirements in these services.

In assessing what enforcement action is necessary and proportionate, consideration will be given to the six core principles underlying the design of an effective modern sanction system as set out in the Macrory Review;

- aim to change the behaviour of the offender
- aim to eliminate any financial gain or benefit from non-compliance
- be responsive and consider what is appropriate for the particular offender and regulatory issue, which can include punishment and the public stigma that should be associated with a criminal conviction
- be proportionate to the nature of the offence and the harm caused
- aim to restore the harm caused by regulatory non-compliance, where appropriate
- aim to deter future non-compliance

In line with the Regulators' Code, we will also ensure that risk assessment precedes and informs all aspects of our approaches to regulatory activity, including advice, support, enforcement and sanctions by assessing the risks to regulatory outcomes. Our risk assessments frameworks will:

- be based on all available relevant and good-quality data
- include explicit consideration of the combined effect of the potential impact of non-compliance on regulatory outcomes, and the likelihood of non-compliance
- evaluate the likelihood of non-compliance, consider all relevant factors including, past compliance records and potential future risks, the existence of good systems for managing risks, evidence of recognised external accreditation, and management competence and willingness to comply

Every case is unique and will be considered on its own merits. However, when making decisions whether to prosecute or not the council will take into account the advice set out in the Director of Public Prosecution's [Code for Crown Prosecutors](#) on the need for the evidential and public interest tests to be met.

#### 4. Consistent

The council will endeavour to ensure that enforcement action is consistent by taking a similar approach in similar circumstances, based on the Regulators' Code and other statutory provisions. However, officers will take into account many variables such as level of risk, compliance history and the attitude and actions of those involved – and the facts of each case – which may result in different outcomes in what appear potentially similar investigations.

Where national schemes or authoritative guidance for enforcement risk assessment exist, we will base our assessments upon them where it is appropriate to do so. An example of this is the HSE Enforcement Management Model. This approach helps to:

- provide a framework for making consistent enforcement decisions
- monitor the fairness and consistency of inspectors' enforcement decisions in line with policy
- assist offenders in their understanding of the principles which inspectors follow when deciding on a particular course of action

The council maintains management systems to monitor the quality and nature of enforcement activity undertaken so as to ensure, as far as is practicable, uniformity, consistency in approach and a quality service in general. Relevant indicators are included in the corporate scorecard

Where an enforcement team wishes to commence a prosecution or legal action they are supported by legal services and a standardised enforcement manual, which sets out requirements for putting together effective prosecution files. An Enforcement Management Group, comprising team managers from the various enforcement functions, will share best practice on implementing this standard approach.

In a similar way, council services will ensure appropriate liaison arrangements are in place with other authorities and enforcement agencies which may have a shared enforcement role, to ensure consistency of decisions.

When making enforcement decisions, the council will ensure that there is no discrimination against any individual on the grounds of age, race, ethnic or national origin, nationality, religion and belief, sex, gender identity, marital status, employment status, disability, sexual orientation, social class, responsibility for children or dependents, trade union membership, unrelated criminal convictions or any ground that cannot be justified.

## 5. Targeted

Regulatory activity will be based on relevant factors such as business size and capacity and the nature of reported breaches.

Assistance of others is often crucial to the success of enforcement action by the council. Where information is given to assist the council's enforcement, the council will treat such information with confidence. However, if formal action is taken, information that has been provided may be required to be disclosed and made public by law.

Where non-compliance has been dealt with by providing advice or guidance the council will monitor that compliance in a variety of ways. For low risk, low level non-compliance, the council will seek reassurance that compliance will be secured. For more serious non-compliance, re-visits or further proactive monitoring may be undertaken. Council services will work with and consult other service areas within the council, or other agencies, as necessary (recognising that lack of compliance in one area may be indicative of a lack of compliance in others). This multi-faceted approach will help to deliver increased levels of compliance.

Within the council, an Enforcement Management Group will allow for relevant information on non-compliance to be shared between enforcement teams, or gathered from other services. The Group will offer advice to individual officers in determining the best and most appropriate course of action. This will ensure that enforcement action is intelligence-led and does not lead to problems being passed between services.

Where there is a wider regulatory interest, enforcement activities will be coordinated with other regulatory bodies and enforcement agencies to maximise the effectiveness of any enforcement. Where an enforcement matter affects a wider geographical area beyond the local authority's boundaries, or involves enforcement by one or more other local authorities or organisations, where appropriate all relevant authorities and organisations will be informed of the matter as soon as possible and all enforcement activity coordinated with them. The officers will share intelligence relating to wider regulatory matters with other regulatory bodies and enforcement agencies including:

- Government agencies including HMRC, DWP and UK Border Force
- Wiltshire Police
- Dorset and Wiltshire Fire and Rescue Services
- HSE and Statutory Undertakers

Where there is a need for the council and any of the enforcement teams to share information with other agencies, we will follow the provisions of Section 115 of the Crime and Disorder Act 1998, the UK General Data Protection Regulation 2018 (UK GDPR), the Data Protection Act 2018, as well as Part 9 of the Enterprise Act 2002. Under s241A of the Enterprise Act 2002, a public authority which holds prescribed information to which section 237 applies, may disclose that information to any person for the purposes of, or in connection with, prescribed civil proceedings only (including prospective proceedings). All investigations are undertaken in accordance with legal requirements and relevant government guidance, as well as council policies on information sharing and data protection.

### **Policy Review**

This policy will be reviewed as necessary to ensure that it remains fit for purpose. Ongoing performance of enforcement related activity will be reported as part of the council's performance management arrangements. Any revisions will be agreed in accordance with the council's constitution. Service specific enforcement policies have been developed in line with this overall policy. Ongoing review and revision of service specific enforcement policies will be made in line with the overall policy by the relevant director in consultation with the lead cabinet member.

### **Further Information**

Service specific enforcement policies and procedures can be obtained from individual service areas or from the Council's website. These have been developed in line with this overall policy and are available on the council's website.

DRAFT

Private Sector Housing Enforcement Policy  
2024

# Wiltshire Council



September 2024

This policy is intended to provide guidance to Officers, Landlords, business' and members of the public on the circumstances where enforcement action will be pursued. Authorised officers undertaking any enforcement action will be qualified and experienced and will have regard to this policy, and to all applicable Statutory Guidance.

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21.0 [Minimum Energy Efficiency Standards \(MEES\)](#)

22.0 [Empty Homes](#)

23.0 [Banning Orders & Rogue Landlords Data base](#)

## 1.0 Introduction

- 1.1 Wiltshire Council is committed to improving standards in private rented sector housing, ensuring accommodation is well managed, properly maintained, safe and habitable.
- 1.2 Authorised officers (officers) within the private sector housing Team have both duties and discretionary powers to take enforcement action, using a range of legislation to address issues arising at privately owned accommodation and mobile home sites.
- 1.3 There are a number of challenges that face the Private Sector Housing team as a result of the profile of the district and obligations placed upon it by Central Government. The main challenge is the number of properties that fall within the private sector that are considered to be in poor repair, non-decent and have serious hazards. It is the responsibility of the Private Sector Housing team to respond to these issues and facilitate improvements in the sector by use of education, enforcement and where possible, financial assistance.
- 1.4 This Policy provides an overview of the broad principles and processes which the Council will seek to follow in considering and taking action. The Enforcement Policy will ensure a consistent approach among Council Officers and members of the public can be clear in what to expect from the Council.

## 2.0 Legislation

- 2.1 The principal piece of legislation used by the Private Sector Housing team is the [Housing Act 2004](#) (referred to as “the Act”). However, there are circumstances where other pieces of legislation may be more appropriate in dealing with the identified problem. Officers are expected to use professional judgement to determine the most appropriate piece of legislation to use. In some cases it may be appropriate to use a range of enforcement tools. Housing Act 2004 & [The Housing Health and Safety Rating System \(England\) Regulations 2005](#).
- 2.2 Where the Private Sector Housing team has reason to enter a property, we will inspect the whole property using the housing health and safety rating system

(HHSRS). This system has been adopted by regulations, as set out in Part 1 of the Act, as the prescribed methodology for identifying defects and assessing the likelihood of a harm outcome occurring as a result of the defects. The aim is to identify deficiencies within dwellings that may lead to a hazard. Each hazard is assessed and assigned a band. These bands are translated into either a category one or a category two hazard.

**Category 1 Hazards** (bands A, B & C) represent a serious danger to health. The Act places a mandatory duty on the Council to take action where a category 1 hazard has been identified and to require the risk of harm posed by the category 1 hazard(s) to be reduced.

**Category 2 Hazards** (bands D, E, F, G, H, I & J) represent a lesser danger to health. The Council have a power to deal with category 2 hazards to require the reduction of the hazard.

- 2.3 In the great majority of cases the Council will take enforcement action where Category 1 Hazards have been identified, in accordance with its duty.
- 2.4 Where category 2 hazards are identified alongside category 1 hazards, where a high category 2 hazard (band D) is identified or where there are multiple category 2 hazards indicating poor housing conditions the more likely that formal enforcement action will be taken.

## 2.5 Formal Notices

- 2.5.1 Formal notices under The Housing Act formally bring the issues identified to the attention of owners, agents and occupiers. The service of such notice places a legal obligation on those who the notice is served to carry out works that will be specified within the notice. Failure to comply with any or all parts of the notice is an offence and could result in further formal actions highlighted in this document. The following notices are available under the Housing Act 2004.

Hazard Awareness Notices  
Improvement Notices  
Suspended Improvement Notices  
Prohibition Orders



Suspended Prohibition Orders  
Emergency Remedial Action  
Emergency Prohibition Order  
Demolition Order  
Clearance Area

2.5.2 The following tools are also available where the Housing Act 2004 measures are not appropriate, or do not sufficiently deal with the problem.

- Environmental Protection Act 1990 section 80 - Notices can be served if the officer is of the opinion that there is a statutory nuisance at the premises. The premises must be deemed prejudicial to health or a nuisance.
- Building Act 1984
  - section 59/60 - Used to deal with unsatisfactory provision of or defective drainage issues in existing buildings.
  - section 64/65 - Used where sanitary conveniences are insufficient or in need of replacement and are considered prejudicial to health or a nuisance.
  - section 76 - Used where the property is so defective so as to be prejudicial to health. This notice notifies the person responsible of the local authority's intention to remedy the problem (similar to work in default).
- Public Health Act 1936
  - section 45 - Used where there are defective sanitary conveniences due to their repair and/or cleansing ability. They must be in such a state as to be prejudicial to health or a nuisance.
  - section 17 - Where any drain, private sewer, water closet, waste pipe or soil pipe has not been maintained.
- Local Government (Miscellaneous Provisions) Act 1976
  - section 33 - Used where services such as the water supply are due to be, or have been, cut off to a domestic property.
  - Section 35 – Used where a private sewer is obstructed
  - section 16 - Used to formally request information about a premises or a person.

- Local Government (Miscellaneous Provisions) Act 1982 – Section 29 – Used to secure empty buildings that are not effectively secured against unauthorised entry.
- Prevention of Damage by Pests Act 1949 section 4 - Used where there is evidence of or harbourage of rats or mice at a property.
- Housing Act 1985 (as amended) - Some provisions within the 1985 Act have not been revoked and may be appropriate to use in some circumstances. In particular the overcrowding provisions are still available and can be used where the 2004 Act is not sufficient.
- Police and Criminal Evidence Act 1984, Criminal Procedures and Investigation Act 1996, Regulation of Investigatory Powers Act 2000 – used in relation to interviews under caution, prosecution and gathering evidence.

### **3.0 Enforcement Procedure**

3.1 The aim of the Private Sector Housing team is to improve the housing conditions in the private sector by use of advice and education and where possible financial assistance. However, there are occasions where these methods are not proportional to the hazards identified or the Council have a duty to take action and therefore, it is necessary to consider enforcement action.

3.2 In doing so, officers will be expected to follow the principles of the Enforcement Concordat, which encourages openness, proportionality and consistency. In order to achieve this, Officers will be expected to be transparent in the way they have made decisions by keeping clear records and file notes. All remedial work that is required must be sufficient to remove any risks but not so excessive as to be burdensome. Officers must ensure they have consideration of this policy in any decision making.

### **3.3 Decision to take enforcement action.**

3.3.1 Enforcement action will be based on risk. Assessment of risk will be based on current legislation and specific guidance. An inspection of a property must be carried out along with a HHSRS assessment to determine if there are category 1 or category 2 hazards within the property. Having made this assessment and

dependent on the problems within the property consideration will be given to the most appropriate course of action to reduce the hazards to an acceptable level.

- 3.3.2 The most appropriate legislation must be identified for dealing with the hazard. Only where the Housing Act 2004 is not appropriate should other legislation be considered.
- 3.3.3 Officers are required to make informed judgements and will be suitably trained for this responsibility they will decide on the most appropriate action with consideration of this Policy, guidance documents and any other relevant documentation.
- 3.3.4 A Statement of Reasons will be provided with any notice served, explaining why the Council has decided to take a particular course of action rather than any other kind of enforcement action.
- 3.3.5 Where category 2 defects are identified regard must also be had to other schemes that are available to assist with housing repairs. Tenants, homeowners and landlords may be able to access a number of grants and loan schemes, which may negate the need for formal action to be taken.
- 3.3.6 Where there are only category 2 hazards consideration must be given to the overall effect of the multiple hazards and whether they are indicative of a rundown property.
- 3.3.7 Enforcement action on owner occupiers and long leaseholders will be based on the health and safety risk to the occupants or other affected persons. However, action will not be taken where a more appropriate contractual remedy exists. Where an inspection and subsequent HHSRS assessment identifies a significant hazard(s), in the great majority of cases a hazard awareness notice will be served unless the Council is confident that the hazard will be removed or reduced to an acceptable level by other means.
- 3.3.8 Where a significant hazard is identified which requires attention, and the person responsible for the property is unable to carry out the recommended works

because of financial hardship, they will be made aware of appropriate financial assistance options available to them from the Council.

3.3.9 Where the conditions at one property causes a health and safety hazard or statutory nuisance to the occupants of another property, or the general public, or others persons who might reasonably be expected to visit the property enforcement action will be considered regardless of property tenure.

3.3.10 The Council may use enforcement action to encourage owners of empty properties to bring them back into use.

## 4.0 **Priorities**

4.1 The Housing Act 2004 and subsequent HHSRS regulations 2005 have identified a number of hazard categories that have been found within the home. There are 29 hazards that arise from disrepair, lack of maintenance or poor design. The health effects from these hazards range from death to mental stress and the HHSRS provides the opportunity to compare unrelated hazards such as fire with other hazards such as damp and mould growth. This is done through the calculation of a hazard score. The higher the score is the higher the risk posed by the hazard.

4.2 This enforcement policy sets the following prioritisation scheme for dealing with hazards (see table one). This will be subject to regular review. The principal behind this is detailed below.

- All category 1 hazards will be dealt with as a priority over category 2 hazards.
- Where there are multiple category 1 hazards, those with the highest scores will be a priority over the lower scores.
- Where there are category 2 hazards, the higher scored category 2 hazards will be dealt with first, unless target hazards have been identified in the property.
- Where an officer has identified deficiencies and felt it necessary to hazard-rate them, even if the result is a low category 2 hazard, the officer must consider at the very least offering advice, or serving a hazard awareness notice. Where the hazard is a target hazard, any necessary remedial works should be considered.

4.3 When a complaint is received an officer will prioritise the complaint based on the information provided by the complainant. Where insufficient information has

been provided the complainant should be contacted within 5 working days in order to gain the appropriate information to prioritise the complaint.

4.4 Using professional judgment and knowledge of the HHSRS the assigned officer will prioritise the complaint as a P1, P2, P3 or P4. Complaints classed as P1 require an immediate response as these are considered an emergency. P1 classifications are likely to be very rare. P2 complaints are those that are suspected to be category 1 hazards. These should be responded to within 10 working days. P3 complaints should be responded to within 1 month and P4 complaints within 3 months.

4.5 In times of high service demand it may not be possible to adhere to these timescales. The complainant should be kept informed as to the potential waiting time and it may be necessary for Private Sector Housing Manager to implement the measure in paragraph 4.6.

4.6 Where high volumes of work are experienced it is likely that P3 and P4 cases will be kept on a waiting list. In some cases the Private Sector Housing Manager may make the decision that certain cases will not be dealt with by Private Sector Housing. Where possible these cases will be forwarded to alternative schemes for assistance or encouraged to take their own action using provisions under the Environmental Protection Act 1990 or the Landlord and Tenant Act 1985.

Priority (P)	Main options for Action	Priority (P) Main options for Action Other options available for consideration
Category 1		
Immediate action	P1 Highest band A+ Imminent risk to health and safety.	<ul style="list-style-type: none"> <li>• Emergency Action</li> <li>• Prohibition Order</li> <li>• Improvement notice</li> <li>• Demolition Order</li> </ul> <ul style="list-style-type: none"> <li>• Clearance</li> <li>• Suspend notices</li> <li>• Hazard awareness Notice</li> </ul>
High Priority P2	P2 Hazard Bands A – C  Including target hazards	<ul style="list-style-type: none"> <li>• Improvement notice</li> <li>• Prohibition Order</li> </ul> <ul style="list-style-type: none"> <li>• Clearance</li> <li>• Demolition</li> <li>• Suspend notices</li> <li>• Hazard awareness notice</li> </ul>
Category 2		

Medium Priority	P3 - Target Hazards Bands D – J High bands D - F	<ul style="list-style-type: none"> <li>• Improvement notice</li> <li>• Suspend notices</li> <li>• Hazard awareness notice</li> </ul>	<ul style="list-style-type: none"> <li>• Prohibition Order</li> </ul>
Low Priority	P4 - Low bands G - J	<ul style="list-style-type: none"> <li>• Hazard Awareness notice</li> <li>• Suspend notices</li> </ul>	<ul style="list-style-type: none"> <li>• Improvement notice</li> <li>• Prohibition Order</li> </ul>

## 5.0 Required level of remedial works

- 5.1 As a minimum, category 1 hazards must be reduced to a low category 2.
- 5.2 Where this is not possible all reasonable steps must be taken to reduce the hazards as far as reasonably practicable. In some cases, such as listed buildings, category 1 hazards may remain. This scenario should have been considered when deciding which course of action is most appropriate and may influence the officer's decision as to which type of enforcement action to take.
- 5.3 Target hazards should be improved to the ideal where this is possible and reasonable to do so.
- 5.4 When deciding on the remedial works, regard must be had to the seriousness of the hazard, the ideal that the property should achieve, and the level of work required that is reasonable to reduce the hazard significantly without incurring excessive cost.
- 5.5 For the hazard of fire, where the property is an HMO, section 10 of the Housing Act 2004 states that the LHA must consult with the Fire Authority before taking any action and deciding on the remedial works. A Memorandum of Understanding has been developed to ensure that this process does not become burdensome to both parties.

## 6.0 Local land charge

- 6.1 Notices will be placed on the local land charges register.

## **7.0 Charging for Enforcement Notices**

- 7.1 The Housing Act allows charges to be made for certain enforcement notices under section 49 of The Housing Act 2004. In line with the relevant legislation the Council will issue a charge following the service of these notice(s). The charge will be for the Council's costs in taking such action. The charge will take into account the Officers time taken to prepare the formal notices including all administrative costs.
- 7.2 A charge can be placed as a local land charge on the property of which it relates. This is recorded in the register of local land charges maintained by HM Land Registry. This register is normally searched during a property sale by purchasers.

## **8.0 Appeals**

- 8.1 Where an enforcement notice is served it must contain detail on the appeal procedure for the action being taken.
- 8.2 The person served with the notice/order has the right to appeal against the notice/order on any grounds. The main reasons for appeal are likely to be the contents of the notice/order and the schedule of work. Appeals can also be made on the grounds that the notice/order was not served on the correct person, or that a different course of action would be more appropriate.
- 8.3 Appeals are made to the Residential Property Tribunal (RPT). The intention is that the tribunal will be able to make a decision based on paperwork and statements supplied by both parties. On occasion a hearing will be held where both parties must present their cases. There is no requirement for legal representation. The RPT may request to visit the property in question.

## **9.0 Offences**

### **9.1 Housing Act 2004**

- 9.1.1 Section 30 - Failure to comply with an improvement notice without reasonable excuse – the notice recipient commits an offence and is liable to a Civil Penalty being imposed of up to £30,000, or a Prosecution on summary conviction they can be fined up to level 5 on the standard scale. The obligation to carry out the

remedial works continues despite the fact that the period for completion has expired.

9.1.2 **Section 32 - Failure to comply with a Prohibition Order** – an offence is committed if the premises is used in contravention to the order, or permission is given for the premises to be used in contravention to the order. On summary conviction fines up to level 5 on the standard scale may be levied.

9.2 **Environmental Protection Act 1990**

Failure to comply with a notice under s80 – the notice recipient commits an offence and is liable to prosecution. On summary conviction the fine can be up to level 5 on the standard scale

9.3 **Management of Houses in Multiple Occupation (England) regulations 2006**

Failure to comply with these regulations is a strict liability offence. Where non-compliance is found the person(s) are liable to either a Civil Penalty of up to £30,000 for each offence or a prosecution on summary conviction the fine can be up to level 5 on the standard scale.

9.4 **Building Act 1984** – Failure to comply with a notice under s59/60, s64/65 & s76 -

the notice recipient commits an offence and is liable to prosecution. On summary conviction fine can be up to level 4. In addition a daily charge of £2 until works are completed can be incurred.

9.5 **Public Health Act 1936** – Failure to comply with a notice under s45 - the notice

recipient commits an offence and is liable to prosecution. On summary conviction where steps other than work is required the fine is up to level 1 & £2 a day after conviction. Where work is required the fine can be up to level 4 and £2 a day after conviction.

9.6 On the standard scale, the fines currently stand at

Level 4 is currently up to £2,500.

Level 5 is currently an unlimited fine.



## 10.0 Civil Penalties

- 10.1 Civil Penalties are an alternative disposal method to a prosecution. The Local Authority can choose to impose a Civil Penalty for any qualifying offence instead of prosecuting the responsible person.
- 10.2 When deciding whether or not to apply a Civil Penalty, the Council must be satisfied that there is sufficient admissible and reliable evidence that an offence has been committed by an identifiable individual(s) or company and that there would be a realistic prospect of conviction where the matter would be prosecuted in the courts.
- 10.3 The criminal standard of burden of proof, 'beyond reasonable doubt', must be evidenced in the officers file that this standard has been met.
- 10.4 Where the Council is satisfied that a relevant offence has been committed, Civil Penalties will, in most cases, be the primary consideration for the Council.
- 10.5 There will however be circumstances where a Simple Caution or Prosecution remains the most appropriate course of action. The higher the culpability of the offender, the worse their track record, and/or the higher the risk of harm presented the more likely that a prosecution will be pursued.
- 10.6 Any decision to apply a Civil Penalty will be fully considered by panel made up of the Head of Housing, Migration and Resettlement, the Private Sector Housing Manager and one other manager. A recommendation will then be made by the Private Sector Housing Manager to the Council's Legal Team.
- 10.7 If it is deemed that a Civil Penalty is the appropriate course of action the Council will fully adhere to the processes set out in the Housing and Planning Act 2016.
- 10.8 As an absolute minimum in determining the level of Civil Penalty to impose the Council will ensure that the Penalty removes any financial benefit the offender may have obtained as a result of committing the offence.

10.9 Revenue from Civil Penalties is ring fenced to support further Housing Enforcement Work.

10.10 Statutory Guidance on Civil Penalties can be found here:

[https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment\\_data/file/697644/Civil\\_penalty\\_guidance.pdf](https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/697644/Civil_penalty_guidance.pdf)

## **11.0 Simple Cautions**

11.1 The Council can consider the use of a Simple caution as an alternative to a prosecution where the person who has committed an offence(s) fully accepts responsibility of such and where the circumstances suit a simple caution rather than a prosecution.

11.2 Simple Cautions will be considered where:

- The defendant is aged 18 or over; and
- The defendant has admitted their guilt; and
- The defendant agrees to be given a Simple Caution; and
- A Civil Penalty is not appropriate or cannot be applied; and
- Where there is evidence of the offence but the public interest is best served this way

11.3 Should the defendant not agree to receive a Simple Caution, they will be prosecuted.

11.4 Cautions can be mentioned to the Court when sentencing the same offender for a later offence.

## **12.0 Prosecution**

12.1 When making a decision to prosecute, the Council must first be satisfied that there is sufficient, admissible and reliable evidence that an offence has been committed by an identifiable individual(s) or company and that there is a realistic approach of conviction.

12.2 Where there is a breach of a notice or an order the officer must investigate the offence and take into consideration; Any reasonable explanation provided, any

mitigating evidence, an individual's state of health and the offenders attitude of the offence. The investigation of the offence will involve inviting the relevant people in for a interview to be conducted under caution, in accordance with the relevant parts of the Police and Criminal Evidence Act 1984.

12.3 The criminal standard of burden of proof, 'beyond reasonable doubt', must be met and evidenced in the officers prosecution file. In addition, it must be considered in the public interest to prosecute.

12.4 Prosecutions will be brought without unavoidable delay.

### **13.0 Works in Default**

13.1 The Housing Act 2004 makes provisions for the Council to carry out works to a property where the person responsible has failed to comply with an enforcement notice.

13.2 Works in default can be carried out either instead of a prosecution or a Civil Penalty or in addition to a prosecution or Civil Penalty. The works in default procedure should be followed.

13.3 It is proposed that works in default should be used where there is an imminent risk of harm to the health and safety of the occupiers.

13.4 If it is to be used in other circumstances where the risks presented justify it, full justification based on the merits of the case will be required. Such works will be an option where it is possible to recover and secure the full costs, including overhead costs.

13.5 It is also proposed that it should be used in conjunction with a prosecution or Civil Penalty where it is appropriate to do so. This would be dependent on the nature of the hazard(s) but should be considered due to the delays often experienced during legal proceedings. The delays often result in the remedial action being postponed leaving the occupier living in unacceptable conditions and being exposed to hazards.

### **14.0 Action by Agreement**

- 14.1 The Housing Act 2004 also makes provision for remedial works to be carried out by agreement where an improvement notice has been served. This is where the local authority arranges for the required works to be carried out at the request of the person responsible and they are then charged for the full cost.
- 14.2 In order to use this provision the officer must be confident that the cost of the works will be repaid in full once the work is complete.
- 14.3 The budget must be in place for this procedure. If the costs incurred cannot be paid they must be placed as a charge against the property. The Enforced Sale Procedure may then be used if considered appropriate.

### **15.0 Exercise of power of entry**

- 15.1 Authorised officers have the power to enter properties at any reasonable time to carry out its duties under section 239 of the Housing Act 2004 where at least 24 hours' notice of their intention to do so to the owner of the premises (if known) and to the occupier (if any) has been given.
- 15.2 No notice of an inspection is required where the inspection does not fall within the exemptions specified in section 239(6) & (7). These exemptions are to ascertain whether an offence has been committed under section 72 (offences in relation to licensing of HMOs), Section 95 (offences in relation to licensing houses) or section 234(3) (offences in relation to the HMO Management Regulations).
- 15.4 Where entry is consistently refused application will be made to the magistrates court for a warrant to enter premises.
- 15.4 An application to the magistrates court for a warrant of entry may also be made where the premises is unoccupied or where prior warning of entry is likely to defeat the purpose of the entry. A warrant under this section includes power to enter by force, where necessary.

## **16.0 Houses in Multiple Occupation (HMO's)**

16.1 A HMO is defined within The Housing Act as properties that are occupied by **three** or more people across two or more households that share basic amenities. Where the requirements are met some HMO's are subject to mandatory HMO Licencing.

16.2 HMO's present a greater risk to occupiers than single family homes and the conditions, facilities, amenities and management are regulated.

16.3 In all cases, and at all times, the Council expects full voluntary compliance with all regulatory provisions applying to HMO's and their management.

16.4 In addition to the enforcement options described within this document the Council has the further powers detailed below to ensure that adequate standards are met and maintained in HMO's:

- The Management of Houses in Multiple Occupation (England) Regulations 2006
- Interim Management Orders
- Final Management Orders

## **16.5 The Management of Houses in Multiple Occupation (England) Regulations 2006 (The Management Regulations)**

16.5.1 All HMO's, whether licensable or not, are subject to these Management Regulations. These regulations are the minimum management standards that must be adhered to at all times.

16.5.2 The regulations cover the management and repair of the HMO. There are no notice provisions with these regulations and therefore a breach of a Management Regulation is a strict liability offence and each individual breach of a Management Regulation is a separate and specific offence. Where breaches are identified the officer must go straight to considering imposing a Civil Penalty or prosecution.

16.5.3 The Council will treat each proven breach of a Management Regulation as it would any other offence covered by this Policy.

## 16.6 HMO Licensing

16.6.1 A HMO meets the requirements of Mandatory HMO Licensing where the property is occupied by **five** or more persons across two or more households sharing basic amenities.

16.6.2 It is a criminal offence for a person to control or operate a HMO without the required Licence.

16.6.3 HMO Licensing allows for the assessment of the fitness of a person to be the Licence holder and manager. Should a person not be deemed a fit and proper person to be the Licence Holder and/or Manager the HMO Licence will not be issued. Where a Licence Holder and/or Manager of an existing Licence become unfit or improper their Licence will be revoked.

16.6.4 There are currently no declared Additional or Selective Licencing schemes in Wiltshire.

## 17.0 Rent Repayment Orders

17.1 Rent Repayment Orders were introduced under The Housing Act 2004 to cover situations where the landlord of a property failed to obtain a Licence for a property that was required to be Licensed.

17.2 Rent repayment orders have now been extended through the Housing and Planning and Planning Act 2016 to cover a wider range of offences:

- Failure to comply with an Improvement notice (Housing Act 2004)
- Failure to comply with a Prohibition Order (Housing Act 2004)
- Breach of a Banning Order made under the Housing and Planning Act 2016
- Using violence to secure entry to a property (Criminal Law Act 1977)
- Illegal eviction or harassment of the occupiers of a property (Protection from Eviction Act 1977)

17.3 Rent Repayment Orders are an additional penalty over and above any other sanction and can be granted to either the tenant, where they were paying rent themselves, or the local housing authority, where rent was paid through Housing

Benefit or through the housing element of Universal Credit. If the rent was paid partially by the tenant then any rent repaid must be split.

- 17.4 Where a Civil penalty has been imposed in respect of an offence, and there is no prospect of the landlord appealing against the penalty, a rent repayment order can be made against the landlord. Any income received by the Council is ring-fenced to support further Enforcement Action.

## **18.0 Mobile Homes**

- 18.1 Wiltshire has a significant number of permanent mobile home parks and mobile homes.
- 18.2 Wiltshire Council will always work with site owners in a constructive way to improve sites where necessary and address any issues that arise.
- 18.3 In circumstances where site owners refuse to cooperate and breach a Condition of their Licence a compliance notice will be served under the [Caravan Sites and Control of Development Act 1960](#) requiring remedial works. The service of such notice will come with a charge for the Council's costs in taking such action.
- 18.4 Where a compliance notice is breached Wiltshire Council will consider taking the case forward for prosecution.

## **19.0 The Electrical Safety Standards in the Private Rented Sector (England) Regulations 2020**

- 19.1 The Electrical Safety Standards in the Private Rented Sector (England) Regulations 2020 came into force on 1<sup>st</sup> July 2020 and apply in England to new tenancies from 1<sup>st</sup> April 2021 and existing tenancies from 1<sup>st</sup> April 2021.
- 19.2 These Regulations require landlords in the Private rented sector to ensure that minimum electrical safety standards are met in their properties and ensure the electrical installation are inspected and tested by a competent person at regular intervals of no more than five years, unless specified on the report. The landlord must provide a copy of the electrical safety report to their tenants within 28 days

(and prospective tenants), and if requested, to their local housing authority (LHA) within 7 days. Where the report shows remedial work is necessary, the landlord must complete this work within 28 days and supply written confirmation to their tenants and to their local authority.

- 19.3 Where Wiltshire Council finds that a landlord is in breach of their duties under regulation 3 the Regulations allow for a financial penalty to be imposed, up to £30,000.
- 19.4 Where a landlord has breached their duties under Regulation 3, The Civil Penalty Policy should be followed for determining the appropriate level of financial penalty in each particular case.
- 19.5 Please read in conjunction with [Adoption of policy to allow penalty charge notices and the recovery of costs of work undertaken to be made under The Electrical Safety Standards in the Private Rented Sector \(England\) Regulations 2020](#)

## **20.0 Smoke and Carbon Monoxide Alarm (England) Regulations 2015**

- 20.1 These Regulations require that all rented properties must be fitted with a working smoke alarm on each level of the premises where there is a room used as living accommodation at the start of each Tenancy.
- 20.2 In addition, where any room contains a fixed combustion compliance and is used as living accommodation must also be fitted with a working carbon monoxide alarm at the start of each tenancy.
- 20.3 Such alarms must be repaired or replaced once by the landlord once they have been informed that they are faulty.
- 20.4 Where the Local Authority has reasonable grounds to believe that these requirements have not been met; they must serve a remedial notice on the landlord requiring that they be provided. If the landlord does not comply with the notice, the Local Authority must carry out works in default of that notice to provide or maintain the detectors and may levy a penalty charge.



- 20.5 The penalty charge acts to reimburse the Local Authority for undertaking those works and also as a punitive penalty for non-compliance.
- 20.6 Please read in conjunction with [Adoption of policy to allow penalty charge notices to be issued under The Smoke and Carbon Monoxide Alarm \(England\) Regulations 2015](#)

## **21.0 Minimum Energy Efficiency Standards (MEES)**

- 21.1 The Energy Efficiency (Private Rented Property) (England and Wales) Regulations 2015 (as amended) requires primarily that landlords:
- Have an Energy Performance Certificate (EPC) and provide a copy to tenants whenever they rent their properties out; and
  - Ensure all rented homes have at least an E rating on the EPC or have been otherwise registered for a specified exemption.
- 21.2 Where the Council is satisfied, on the balance of probabilities, that a landlord has been at any time in the preceding 18 months in breach of one or more of the regulations 23, 36 or 37(4)(a), it may serve a penalty notice which imposes either a financial penalty, publication penalty or both.
- 21.3 Please Read in conjunction with [Adoption of policy to allow penalty charges to be issued to the relevant person for non-compliance of responsibilities under The Energy Efficiency \(Private Rented Property\) \(England and Wales\) Regulations 2015](#)

## **22.0 Empty Homes**

- 22.1 Wiltshire Council will risk assess problematic empty properties and we have the full range of informal and formal action available. Where the condition of an empty property gives significant rise to risk of the health, safety and welfare of members of the public formal action will be considered where all informal avenues have failed.

## **23.0 Banning Orders & Rogue Landlords database**

- 23.1 A number of Housing offences along with a number of other offences trigger potential liability to a Banning Order. The complete list of offence can be viewed here: [Banning orders for landlords and property agents under the Housing and Planning Act 2016 \(publishing.service.gov.uk\)](https://publishing.service.gov.uk)
- 23.2 In every case where a housing Banning Order Offence has been committed the Council will consider applying for a Banning Order and the decision will be publicised.
- 23.3 In all cases where the statutory conditions are met the Council will apply to enter the Landlord or agents details on the Rogue Landlords Database.

## **Wiltshire Council - Enforcement Policy**

### **1. Housing Management Enforcement Policy**

#### **2. Aim of Housing Management Enforcement**

**2.1** This policy applies to all enforcement activities taken by the Housing Service for breach of tenancy, including rent arrear and anti-social behaviour actions.

**2.2** This policy should be read in conjunction with any service specific and corporate policies and procedures as well as national guidance on enforcement issues.

**2.3** The council manage its tenancies through prevention, intervention, and enforcement. Where necessary enforcement will be used when other prevention and intervention methods have been unsuccessful.

**2.4** All officers will follow this enforcement policy as far as reasonably practicable. Any departure from the policy, for example to deal with situations of urgency or imminent risk, must be justifiable and be approved by the appropriate line manager when practicable, which may be after the event.

**2.5** Staff will be trained to effectively identify and manage breach of tenancy appropriately.

**2.6** All available and appropriate legal powers will be used in a reasonable and proportionate manner to effectively deal with any given tenancy breach.

**2.7** This policy applies to all properties operated within the Housing Revenue Account (HRA), and all non-HRA domestic residential property held by the General Fund, leased or licensed by the council to a tenant or provider.

#### **3. Background**

**3.1** The Tenancy Management Policy, Rent Arrears Policy, Anti-Social Behaviour Policy and Procedure and compliance policies set out Wiltshire Council's approach.

**3.2** Proportionate consistent and targeted enforcement action will be used when other prevention and intervention methods have been unsuccessful.

**3.3** The principal legislation applicable to this policy is:

- The Housing Act 1985, 1988, 1996 and 2004
- ASB Crime and Policing Act 2014.

**3.4** The principal guidance applicable to this policy is: Anti-social behaviour powers: Statutory guidance for frontline professionals.

**3.5** Additional legislation that Wiltshire Council operates within is as follows:

- The Crime and Disorder Act 1998.
- Data Protection Act 2018.

#### **4. Housing Management's approach to checks on compliance**

**4.1** The service will use its intellectual data to ensure that it meets its statutory obligations in relation to maintaining Heating, Electrical safety, Fire safety, Lift safety, Asbestos, Legionella risk assessments and Damp & Mould (HRA scorecard).

**4.2** Tenancy breaches can be detected intellectually, for example rent arrears or by detection during interactions with tenants in their homes and communities (tenancy inspections and neighbourhood reviews).

**4.3** Tenants and members of the public can also report any concerns to us;

- Online
- By email
- Via our housing portal - iHousing
- By telephone to 0300 456 0117
- In person to a member of staff
- In writing: Housing Management Team, Wiltshire Council, Bourne Hill, The Council House, Salisbury SP1 3UZ

**4.4** The Service will endeavour to ensure that enforcement action is consistent by taking a similar approach in similar circumstances. However, officers will take into account many variables such as level of risk, compliance history and the attitude and actions of those involved which may result in different outcomes in what appear potentially similar investigations.

#### **5. Housing Management's Responses to non-compliance**

**5.1** Enforcement in the context of this policy includes informal action carried out through the provision of advice, verbal warnings initial warning, and final warning letters.

**5.2** Formal enforcement will be taken where informal action has been unsuccessful or is deemed inappropriate when considering the seriousness of the report and non-compliance, measures include:

- extension of an introductory tenancy,

- demotion of tenancy,
- community protection warning,
- community protection notice,
- closure order,
- injunction,
- criminal behaviour order,
- undertaking
- possession proceedings
- warrant of entry

**5.3** Wiltshire Council will work in partnership with a variety of organisations including, but not limited to:

- Fire and Rescue Services,
- Police,
- NHS Medical and Mental Health Teams,
- Social Services
- Probation Services
- Third or Voluntary Sector service providers,
- Trading Standards.

**5.4** The service recognises that there is diversity within the community and enforcement activities will have regard to this.

## **6. Service Standards**

**6.1** Tenant Satisfaction Measures (TSM) are sent to out annually (year one 50% of tenants receive TSM, year 2 the remaining 50% receive TSM). The Regulator of Social Housing sets the core questions and the responses are collected and published on the website and reported to the Housing Board. The TSM data is submitted to the Regulator of Social Housing.

**6.2** Satisfaction Surveys are sent to tenants to enable them to advise us of their opinions on the service that they have received. Negative feedback is reviewed and followed up where applicable.

**6.3** Service KPIs are routinely monitored and scrutinised by the Housing Board.

## **7. Appeals and Complaints**

**7.1** .A demoted tenant or introductory tenant will have the opportunity to appeal the decision to seek to evict and the Council will review the decision if requested.

**7.2** A community protection notice may be appealed at a Magistrates' Court within 21 days of issue of the notice.

**7.3** A closure order may be appealed at a Crown Court within 21 days of the decision to make the order.

**7.4** The Council has a formal complaints procedure which ensures that any complaint is dealt with quickly, consistently and helpfully. Complaints can be made in person, in writing, by e-mail or on-line.

## **WILTSHIRE COUNCIL**

### **ENVIRONMENTAL ENFORCEMENT POLICY**

#### **1.0 Policy Aim**

- 1.1 The aim of this policy is to ensure that a consistent and fair approach is adopted by Wiltshire Council regarding Environmental Enforcement. In addition, this policy will aim to inform the public, businesses and other stakeholders of the principles of when and how enforcement action will be taken.
- 1.2 'Environmental Enforcement' covers all actions that Wiltshire Council undertakes to secure compliance with various pieces of environmental legislation. Effective enforcement action against environmental crime requires commitment from all concerned. Such action may involve advisory visits, formal action, issuing statutory notices or even prosecution. Evidence suggests that a combination of enforcement action and rapid, persistent cleansing can prevent environmental damage like fly tipping from reappearing.

#### **2.0 Background**

- 2.1 In 2002 the government started a process that reviewed enforcement issues that affect local environmental quality. This resulted in a new piece of legislation being introduced, the Clean Neighbourhoods and Environment Act (2005) (CNEA). This Act extends and dramatically improves the powers that Local Authorities have to tackle environmental crimes. The CNEA was written following an extensive review of all the legislation currently used to deal with local environmental quality, and through consultation with current service providers. In addition, the Unauthorised Deposit of Waste (Fixed Penalties) Regulations 2016 amended the Environmental Protection Act 1990 (EPA) in May 2016. These Regulations introduced a fixed penalty notice for small scale fly-tipping which provides an effective penalty for minor fly-tipping.
  - 2.1.1 The Council has a direct duty to enforce relevant legislation like the CNEA and EPA. This may involve dealing with individuals or householders as well as commercial and business employers or employees.
  - 2.1.2 The Council will assist and advise where possible. However, it will undertake the necessary enforcement action against those who refuse to comply.
  - 2.1.3 This policy should be read in conjunction with legislation, the wider council enforcement policy and other corporate policies, as well as service procedure guides.
  - 2.1.4 Arising from the introduction of such environmental legislation like the CNEA and EPA, this Environmental Enforcement Policy sets out the approach to dealing with environmental crimes such as fly tipping, littering and domestic or commercial waste offences.
  - 2.1.5 The Enforcement Team within the Waste & Environment Directorate conducts environmental enforcement action. This policy applies to this team and assists in the important role in achieving the goals and priorities by protecting the environment for residents, workers and visitors to the County.

- 2.1.6 This policy outlines the practical application of environment enforcement, which will ensure a 'firm but fair' approach by Council officers. The processes identified in this document will assist officers in their decision making process.
- 2.1.7 All officers will follow this policy, as far as reasonably practicable. Any departure must be approved by the appropriate line manager (which may be after the event). The departure must be justifiable, in responding to imminent risk or urgency.

### **Principles of good regulation**

- 5.1.1 In common with the corporate enforcement policy, this service policy has regard to the five principles of good regulation when taking enforcement action, so that it is carried out in a way which is: 1. Transparent, 2. Accountable, 3. Proportionate, 4. Consistent; and 5. Targeted.
- 5.1.2 Consideration of these principles brings significant benefits to the Council, residents and businesses as a whole. By facilitating compliance, enforcement officers can achieve higher compliance rates and reduce the number of costly prosecutions they have to undertake. This will allow officers to target those who flout the law or act irresponsibly.
- 5.1.3 Where possible and appropriate, problems which have been identified will be dealt with by assistance, advice and guidance to achieve compliance with legal duties and best practice. Enforcement action will only be conducted as a last resort or following a significant breach of legislation.
- 5.1.4 It is the Council's intention to increase the awareness of businesses and members of the public in relation to their responsibilities and obligations under the relevant environmental legislation.
- 5.1.5 Both oral and written advice will be conducted as back up to other media which may be used to educate those persons affected by the requirements of the relevant legislation.
- 5.1.6 The aim is to achieve a general awareness of legislation to assist with compliance. However, this may not be used in an area where a serious or significant contravention has already been identified.

### **6.0 Enforcement Options**

- 6.1 Wiltshire Council recognises the importance of achieving and maintaining consistency in its approach to making decisions that concern standards of enforcement action.

In making the decisions officers will consider:

- The seriousness and prevalence of the offence
- Any explanation offered by the defendant
- The age of the defendant
- The past history of the offender



- The likelihood of the offender being able to establish a defence
- The action type as to which action is deemed appropriate or effective
- Whether there has been flagrant disregard for the condition of the local environment
- Advice from the Council's Legal Department

6.1.1 Having considered all the relevant information and evidence, one or more of the following options for action are available to officers:

- No action
- Informal action
- Formal action – To include; Statutory Notices, Fixed Penalty Notices, Formal Caution or Prosecution

## 6.2 No Action

Where an investigation reveals at the time of the inspection that no offence has occurred or that an offence has occurred but no offender can be identified.

## 6.3 Informal Action

6.3.1 To facilitate compliance with the legislation, informal action may be used to address issues in the form of offering advice and recommendations for action, either verbally or in writing. Such action may be appropriate in the following circumstances:

- When an offence was committed by genuine mistake or accident
- Where the offence has been committed by a child or young person
- When there is insufficient evidence for formal action

6.3.2 In addition to the above circumstances, officers will assess each case individually and use their own discretion as to the required course of action.

6.3.3 When giving verbal advice, officers will ensure that breaches of legislation are made clear and understood by recipients.

6.3.4 Officers will ensure that when advising in writing that they contain all information necessary to identify any breach of legislation, indicating specific legislation contravention.

## 6.4 Formal Action

Enforcement Officers will consider the use of formal action in accordance with the relevant legislation, working practices and guidance.

Statutory Notices

- 6.4.1 Notices shall be served to require offenders to cease contravening activities, or give offenders reasonable time to rectify a contravention. Notices may require contravening activities to cease immediately where circumstances relating to health, safety or environmental damage demand. In other circumstances, reasonable time will be allowed.

#### Fixed Penalty Notices

- 6.4.2 Fixed Penalty Notices will be issued under specific legislation. If a fixed penalty is not paid within the prescribed period then prosecution will normally be the next course of action.

- 6.4.3 The following circumstances are likely to warrant the use of a fixed penalty:

- An enforcement officer has witnessed an offence
- An enforcement officer believes that there are reasonable grounds that an offence has been committed
- There is a suitable witness or witnesses to the offence and the offender can be clearly identified
- The alleged offender has not previously received a fixed penalty notice for the same offence

#### Formal Caution

- 6.4.4 Formal Cautions may be considered as an alternative to prosecution. According to the Home Office Circular 18/1994, the purpose of a formal caution is to:

- Deal quickly and simply with less serious offences
- Divert less serious offences away from the courts
- To reduce the likelihood of repeat offences

#### Prosecution

- 6.4.5 Where the circumstances warrant it and alternative actions such as informal action are considered inappropriate, considerations for prosecution taken into account will be:

- Flagrant Breach of Law – When an offence has been committed where the environment has been affected
- Failure to comply with a Statutory Notice – When officers have issued notices combined with recommendations and advice but offences persist
- Failure to pay or accept a Fixed Penalty Notice
- When an authorised officer is deliberately obstructed from carrying out their duties

6.5 When circumstances have been identified warranting prosecution, all details regarding the incident will be considered in a consistent, fair and objective manner. Any decisions will be made in conjunction with the Enforcement Manager and the Council's Legal department.

## **7.0 Code of Conduct (Public Interest & Evidential Tests)**

### **7.1 Evidential Tests**

7.1.1 Officers must consider the evidential burden in bringing a Prosecution. The test for evidential burden is that the Council must show to the Court that the defendant's guilt can be proved 'beyond reasonable doubt'.

7.1.2 This test should be in the mind of officers when considering evidence accumulated throughout the course of an investigation with the aim of strengthening the Council's case.

7.1.3 To assist in achieving the evidential burden officers must consider the application of the following;

- Seeking out as many witnesses as possible and achieving written statements
- Following up any defence put forward and recording the further investigation.
- Photographs taken on site visits are vital and are a useful tool to support the investigation. An officer should consider if photographs taken go far enough to prove the offence.
- Making detailed site reports in officers notebooks listing times, dates, places, comments made by other persons and by the officer detailing any conversations.
- Ensuring that formal interviews are tape recorded and in accordance with the Police and Criminal Evidence Act (1984) (PACE).

7.1.4 The ultimate aim of producing quality evidence is to assist the Legal Services Department in determining that there is enough evidence to provide a "realistic prospect of conviction" against each defendant.

### **7.2 Public Interest Test**

7.2.1 It is not the rule that every criminal offence must be automatically prosecuted.

7.2.3 The Council must consider if bringing a prosecution is in the 'Public Interest' to prosecute.

7.2.4 The Council must consider a range of factors set out below, balancing a 'for and against' before coming to a decision.

7.2.5 Public interest factors that can affect the decision to prosecute usually depend on the seriousness of the offence or the circumstances of the suspect.

7.2.6 Some factors may increase the need to prosecute but others may suggest that another course of action would be better.

7.2.7 A prosecution is likely to be needed if:

- A conviction is likely to result in a significant sentence;
- The defendant was in a position of authority or trust;
- The evidence shows that the defendant was a ringleader or an organiser of the offence;
- There is evidence that the offence was premeditated;
- The defendant has ignored previous verbal and/or written warnings given by the Council;
- There is evidence that the offence was carried out by a group;
- The victim of the offence was vulnerable, has been put in considerable fear, or suffered personal attack, damage or disturbance;
- The offence was committed in the presence of, or in close proximity to, a child;
- The offence was motivated by any form of discrimination against the victim's ethnic or national origin, disability, sex, religious beliefs, political views or sexual orientation, or the suspect demonstrated hostility towards the victim based on any of those characteristics;
- The defendant's previous convictions or cautions are relevant to the present offence;
- The defendant is alleged to have committed the offence while under an order of the court;
- There are grounds for believing that the offence is likely to be continued or repeated, for example, by a history of recurring conduct;
- The offence, although not serious in itself, is widespread in the area where it was committed; or
- A prosecution would have a significant positive impact on maintaining community confidence.

7.2.8 A prosecution is less likely to be needed if:

- The court is likely to impose a nominal penalty;
- The offence was committed as a result of a genuine mistake or misunderstanding (these factors must be balanced against the seriousness of the offence);
- The loss or harm can be described as minor and was the result of a single incident, particularly if it was caused by a misjudgement;
- There has been a long delay between the offence taking place and the date of the trial, unless:
  - the offence is serious;
  - the delay has been caused in part by the defendant;
  - the offence has only recently come to light; or
  - the complexity of the offence has meant that there has been a long investigation;
- A prosecution is likely to have a bad effect on the victim's physical or mental health, always bearing in mind the seriousness of the offence;

- The defendant is elderly or is, or was at the time of the offence, suffering from significant mental or physical ill health, unless the offence is serious or there is real possibility that it may be repeated.
- The defendant has put right the loss or harm that was caused (but defendants must not avoid prosecution or diversion solely because they pay compensation); or
- Details may be made public that could harm sources of information, international relations or national security.

7.2.9 The above list is not exhaustive and the Council should consider each case on its own merits.

## **8.0 Authorisation**

8.1 Only officers who are authorised by the council may undertake certain aspects of environmental enforcement action; to include the signing and serving of notices. Such authorisation is given through a scheme of delegation.

8.1.1 Action taken under legislation to which this policy applies will only be conducted by such authorised officers who are suitably experienced, trained, current and competent. Authorised officers will carry identification as proof of their authorisation and to what legislation their authorisation relates.

8.1.2 The Council recognises the varying levels of complexity in enforcement and may vary the powers conferred upon authorised officers, depending on their experience, qualifications and competency.

## **9.0 Legislative Compliance**

9.1 When required, all authorised officers will comply with Codes; B, C and E of the Police & Criminal Evidence Act (1984) (PACE) which is linked to environmental enforcement.

9.1.1 The Council Officers will obtain the necessary authorisations as required by the Regulation of Investigatory Powers Act (2000) (RIPA) before conducting covert camera operations. This will ensure that operations are conducted with due regard to sensitive locations and collateral intrusion when activity is observed or recorded on tape.

## **10.0 Shared Enforcement Role**

10.1 Authorised officers within the Waste & Environment Directorate will, where appropriate, share information with other officers within Wiltshire Council and with external agencies i.e. The Environment Agency, Wiltshire Police, MOD Police. This will assist in the co-ordination and partnership working to tackle environmental crime and reduce overlaps.

## **11.0 Equal Opportunities**

11.1 The Council recognises there is diversity within the community and care will therefore be taken to ensure its enforcement actions are clearly understood by providing written information in an appropriate language wherever possible. The Council can

provide an interpreter service covering many languages if those involved have difficulty in speaking or writing English.

## **12.0 Complaints Procedure**

- 12.1 The Council has a formal complaints procedure which ensures that any complaint is dealt with quickly, consistently and helpfully. Complaints can be conducted in writing, by telephone, email or completing a complaint/suggestion form online.

## **13.0 Monitoring and Review of the Policy**

- 13.1 This policy will be monitored and reviewed to ensure that any changes of legislation, guidance or other circumstances are considered which may affect the principles contained within this document. This process may also include consultation with the groups affected by this document; including local issues to ensure best practice.

## **Parking Services Enforcement Policy**

### **1. Aim of Parking Services**

We manage/enforce the Councils off and on street parking areas. We enforce all parking and waiting restrictions across the Councils network including but not restricted to single/double yellow lines, residential parking zones etc.

We ensure the main traffic networks remain free flowing and free of obstruction to assist with the flow of traffic across Wiltshire.

We improve safety for pedestrians, cyclist and other road users by keeping highways and junctions clear.

We improve access for emergency services.

The purpose of the service is multi layered, we provide a visible presence within car parks and on street pay and display areas to increase compliance, this protects the councils income.

We assist with targeted enforcement outside schools and events such as the Summer Solstice at Stonehenge.

We provide a firm but fair enforcement regime with a robust and transparent appeals process should our customers wish to challenge any Penalty Charge Notices (PCNs) that are issued.

### **2. Background**

We enforce using the legislation within the Traffic Management Act 2004 in particular part 6.

The Civil Enforcement of Road Traffic Contraventions (Approved Devices, Charging Guidelines and General Provisions) (England) Regulations 2022.

The Civil Enforcement of Road Traffic Contraventions (Representations and Appeals) (England) Regulations 2022.

Road Traffic Act 1991

Statutory Guidance for LAs section 87 of the TMA 2004

### **3. Parking Services approach to checks on compliance**

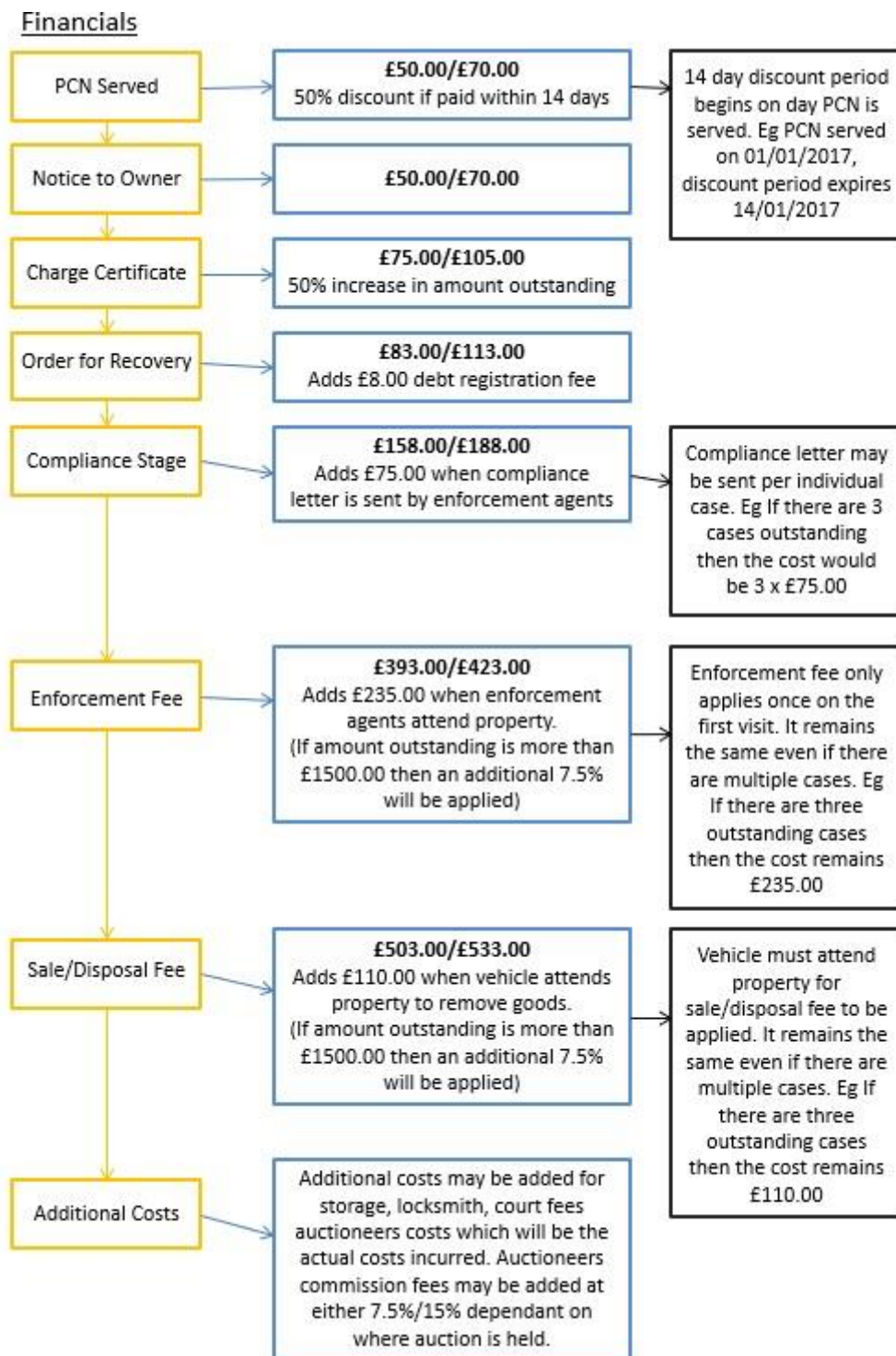
Through regular and routine patrols of our City, Towns and Villages our officers identify areas which need increased levels of attendance. We have a team of 32 Civil Enforcement Officers (CEOs) covering all of Wiltshire. We cover 7 days per week during the hours of 7am – 8pm.

### **4. Responses to non-compliance**

Non-compliance is dealt with through the issuing of PCNS. However in all instances drivers are given the opportunity to remove the vehicle prior to a PCN being served with the focus being on advice and education.

## 5. Service Standards

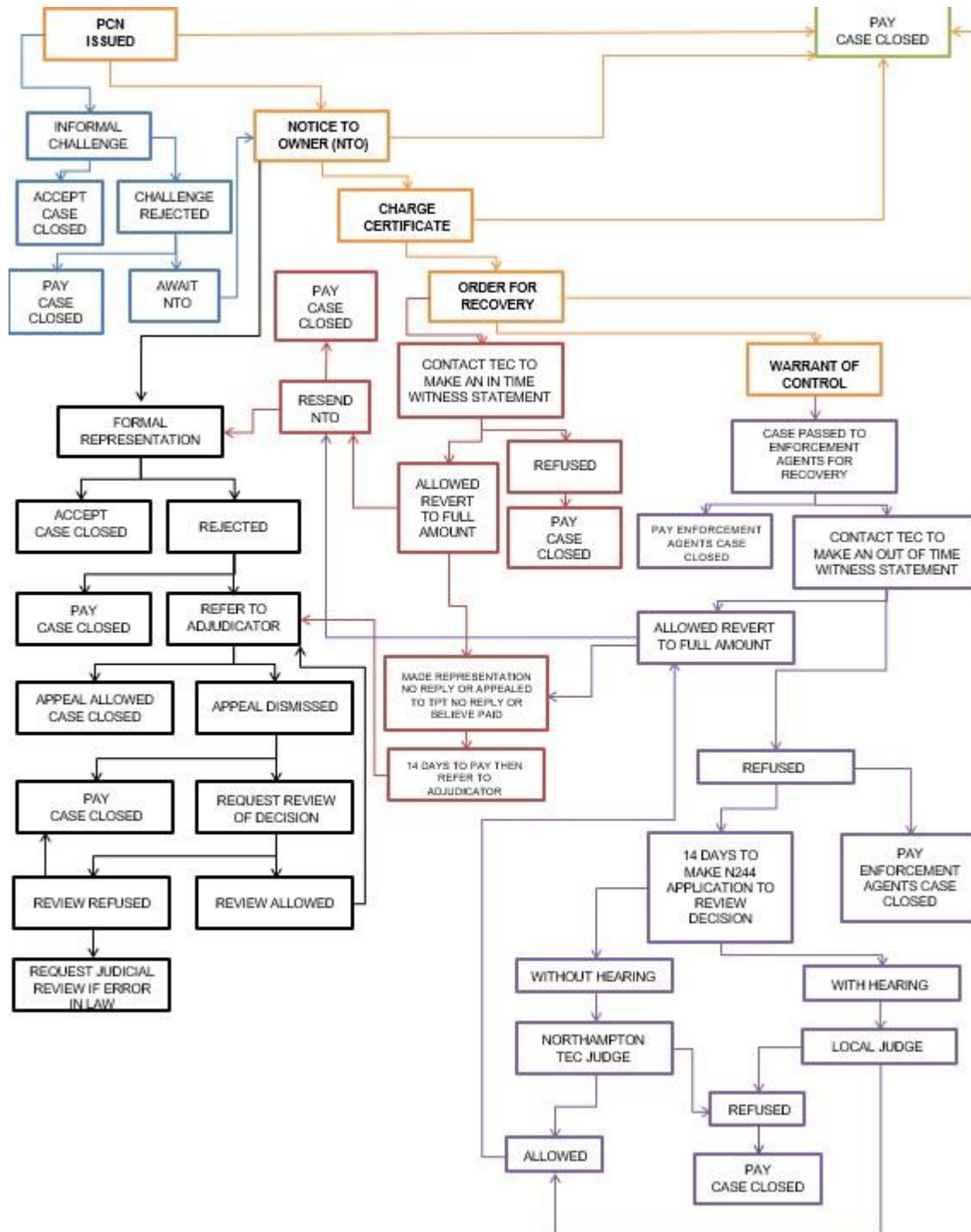
The value of PCNs are set by the Department of Transport and the associated Legislation. They are set at two rates £50 reduced to £25 if paid within 14 days for less serious contraventions, and £70 reduced to £35 for more serious contraventions such as double yellow lines. The flow chart below details the progression of a PCN should it proceed unchallenged or unpaid.





## 6. Appeals and Complaints

Parking Services have a robust appeals process which is defined through the relevant legislation detailed above. There is a nationally recognised process which all LAs follow. This is detailed below showing the life cycle of a PCN.



Corporate complaints do not tend to become involved in complaints regarding PCNs as there is an appeals process already in place for customers to use. Part of that process is having their case heard by an independent adjudicator at the Traffic Penalty Tribunal.

## **7. Monitoring and review of the Policy**

A yearly review is conducted of this policy to ensure all references remain current and factually correct.

## **WILTSHIRE COUNCIL**

### **PUBLIC PROTECTION ENFORCEMENT POLICY**

#### **1 Introduction**

- 1.1 This policy addresses the practical application of the Public Protection enforcement procedures and aims to provide a fair and effective approach to enforcement action by officers of the authority.
- 1.2 All enforcement action must be compliant with all relevant legislation and guidelines and must be fair, clear, transparent, consistent and robust.
- 1.3 The policy covers all aspects of the service and seeks to assist officers in the decision making process when dealing with enforcement issues. It sets out a consistent approach regarding the use of formal and informal mechanisms at their disposal to achieve effective and efficient compliance with relevant statutes.

#### **2 Purpose of enforcement**

- 2.1 The service supports the judicious use of statutory powers as an effective means of ensuring that businesses and individuals, local premises, practices and activities comply with statutory requirements and do not put the economic wellbeing, health and safety or amenity of the general public, employees, other businesses or consumers at risk. We will assist and advise wherever possible but will also take firm action against those who act irresponsibly or flout the law.

#### **3 Scope**

- 3.1 This policy applies to all enforcement activities taken by the Public Protection Service.
- 3.2 This policy should be read in conjunction with any service specific and corporate policies and procedures as well as national guidance on enforcement issues, and the Public Protection Enforcement and Legal Process Manual.
- 3.3 Enforcement in the context of this policy includes action carried out in the exercise of statutory enforcement powers and duties. It includes the inspection of premises, the provision of advice as well as formal enforcement including fixed penalty notices, statutory notices and prosecution.

- 3.4 All officers will follow this enforcement policy as far as reasonably practicable. Any departure from the policy, for example to deal with situations of urgency or imminent risk, must be justifiable and be approved by the appropriate line manager when practicable, which may be after the event.
- 3.5 There may be circumstances where shared or complementary enforcement action may be taken with other agencies. In such cases the decision on enforcement options shall have regard to any relevant policies and procedures of the other agency.

## 4 Principles

- 4.1 Regulatory effort will be directed in accordance with the Government's "Regulators' Code", and as regulators the council will:
- Carry out our activities in a way that supports those we regulate to comply and grow
  - Provide simple and straightforward ways to engage with those we regulate and hear their views
  - Base our regulatory activities on risk
  - Share information about compliance and risk
  - Ensure clear information, guidance and advice is available to help those we regulate meet their responsibilities to comply
  - Ensure our approach to regulatory activities is transparent
- 4.2 The Council has also adopted the Enforcement Concordat, which established principles of good enforcement and set out what businesses and others being regulated are entitled to expect from enforcement officers.
- 4.3 Enforcement activities will be conducted in an open and transparent manner. Officers will explain clearly in plain language what is expected of those to whom legislation applies and what can be expected of the enforcement service. Clear distinctions will be drawn between statutory requirements and advice or guidance regarding what is good practice but not compulsory.
- 4.4 The authority will seek to raise awareness about the need to comply with legislation using an educational approach to promote good practice.

- 4.5 We aim to provide a courteous and efficient service, and all enforcement activities will be carried out in a helpful manner, actively working with businesses to advise on compliance.
- 4.6 Any enforcement action will be proportionate to the risk and seriousness of the breach of legislation.
- 4.7 The Service will endeavour to ensure that enforcement action is consistent by taking a similar approach in similar circumstances. However officers will take into account many variables such as level of risk, compliance history and the attitude and actions of those involved which may result in different outcomes in what appear potentially similar investigations.
- 4.8 Officers engaged in enforcement activity will be expected to maintain an open mind during the course of an investigation.

## 5 Investigative Procedures

- 5.1 All investigations into breaches of legislation will follow best professional practice and the requirements of the following:-
- [The Human Rights Act 1998](#)
  - [The Regulation of Investigatory Powers Act 2000](#)
  - [The Police and Criminal Evidence Act 1984](#) and associated [Codes of Practice](#)
  - [The Criminal Procedure and Investigations Act 1996](#)
  - [The Code for Crown Prosecutors](#)
- 5.2 Regard shall be had to corporate guidance and policies on the specific requirements of the above legislation.

## 6 Enforcement Options

- 6.1 All officers will have regard to:
- the documented procedures listed in the schedule,
  - any departmental or organisational procedure notes
  - any relevant guidance in Statutory Codes of Practice or guidance notes issued under the relevant statutes or by a recognised body and which are accepted as providing a national standard
  - the Public Protection Service Enforcement and Legal Process Manual
- 6.2 **Informal Action**

- 6.2.1 Informal action includes offering advice, verbal warnings and requests for action, the use of informal letters and inspection reports. Informal action should be considered against the following criteria:-
- The act or omission is not serious enough to warrant formal action and does not pose a significant risk to public health, safety or economic welfare.
  - The individual or company's history is such that it can be reasonably expected that the informal action will achieve compliance.
  - The officer has high confidence in the individual or management's ability to correct a defect or contravention and undertake any works which may be required.
  - Standards in general are good, suggesting a high level of awareness of statutory responsibilities.
  - The consequences of non-compliance are acceptable, e.g. minor matters, or the time period allowed to seek compliance does not present a risk to health safety or welfare.
- 6.2.2 Informal action includes education, publicity and media campaigns and working with commercial and community groups.

### 6.3 Formal actions

- 6.3.1 Formal action involves the proportionate use of formal mechanisms to achieve compliance. Formal action may be taken where informal action has been unsuccessful or is deemed inappropriate when considering the seriousness of the offence or the urgency of the situation. Administrative penalties, including fixed penalty notices may be used without prior informal action.
- 6.3.2 Formal action includes the use of Statutory Notices, Penalty Notices, works in default or direct action, review or revocation of licences or other approvals, simple cautions, or prosecution and any other legal action of any nature.
- 6.3.3 Decisions to instigate formal actions will be taken in accordance with the Enforcement Options Guidelines (Annexe 1), which will be reviewed and updated as necessary under the authority of the Associate Director.
- 6.3.4 Decisions to instigate prosecutions will be taken in accordance with the Prosecution Guidelines and all other guidelines and procedures (Annexe 2), which will be reviewed and updated as necessary under the authority of the Associate Director.

## **7. Qualifications and Authorisations of Officers**

7.1 The Associate Director shall ensure that officers who carry out enforcement duties are appropriately qualified and trained.

7.2 The Associate Director shall ensure that officers carrying out enforcement duties are authorised in writing and that the extent of the authorisation is reviewed from time to time in the light of their qualifications and experience.

## **8 Equal Opportunities**

8.1 The service recognises that there is diversity within the community and enforcement activities will have regard to its [equality policy](#).

## **9 Complaints Procedure**

9.1 The Council has a formal [complaints procedure](#) which ensures that any complaint is dealt with quickly, consistently and helpfully. Complaints can be made in person, in writing, by e-mail or on-line complaints form.

9.2 Where repeated or vexatious [complaints](#) are received advice may be sought from the corporate complaints officer.

## **10 Review**

10.1 This Enforcement Policy will be reviewed every two years or when significant new legislation affects the policy and updated as appropriate.

## **11 Access to this policy**

11.1 A copy of this policy is available on the Council website, or can be obtained by writing to the Public Protection Service, County Hall, Bythesea Road, Trowbridge, Wiltshire, BA14 8JN.

## **Annexe 1: Formal Enforcement Options Guidelines**

I. These guidelines should be read in context with the Public Protection Enforcement Policy. Enforcing officers should identify what enforcement options are available, what is the purpose of the enforcement action and then choose the most appropriate action which may include informal actions such as:

- A warning letter
- Advice
- Request for action

II. The following formal options may be available and should be considered subject to the specific legislation. A list of formal options is given below together with some factors which indicate whether the option is appropriate. Options may be applied individually or in combination.

*A. Statutory Notices are not a punitive action and may be used where:*

- There is non compliance with informal action
- There is a history of non-compliance
- Works or actions are required of the recipient
- Service of a notice is mandatory

*B. Works in default or direct action may be used where:*

- There is non-compliance with a statutory notice
- In advance or without a statutory notice where the legislation permits; and it is appropriate to deal with an urgent risk
- It is appropriate and proportionate to resolve outstanding requirements
- To deal with urgent risks

*C. Fixed Penalty or other Administrative Penalties may be used where:*

- Evidence of an offence is found
- It is a proportionate method of dealing with an infraction.

*D. Review or Revocation of licence or other permit may be used where:*

- It is a proportionate response to the gravity of the situation



*E. Simple Cautions may be used where there is an admission of guilt and in line with Home Office guidance to*

- Deal quickly and simply with less serious offences
- Divert less serious offences away from the courts
- Reduce the chance of repeat offences

*F. Civil Procedures e.g. Undertakings to trade fairly, injunctions*

- Where there is a history of persistent complaints or offences

*G. Seizure/Forfeiture*

- To deal with goods or equipment that is unsafe, illegal or have been used in the commissioning of an offence

*H. Prosecutions may be used where*

- There is sufficient evidence of the offence and a realistic prospect of conviction.
- It is in the public interest

Prosecutions will only be instigated in accordance with the prosecution guidelines in Annexe 2.

## WILTSHIRE COUNCIL

### PUBLIC PROTECTION ENFORCEMENT POLICY

#### ANNEXE 2: PROSECUTION GUIDELINES

#### 1. PURPOSE

- 1.1 To ensure that recommendations and decisions about prosecutions are made in a consistent and fair manner.
- 1.2 These guidelines are intended to act as a guide to Officers in taking enforcement action. These guidelines are not intended to limit or fetter an Officer's discretion.

#### 2. APPLICATION

- 2.1 These guidelines are to be read in the context of the enforcement policy, relevant legislation and case law and in accordance with national guidelines. In particular:
  - 2.1.1 The Code for Crown Prosecutors issued by the CPS (January 2013)  
<http://www.cps.gov.uk/news/assets/uploads/files/code2013english.pdf>
  - 2.1.2 Regulators' Code – issued by the Department for Business, Innovation and Skills.  
<https://www.gov.uk/government/publications/regulators-code>

#### 3. MAKING THE DECISION TO RECOMMEND PROSECUTION

- 3.1 Prosecution should take place when:
  - 3.1.1 It is in the public interest to prosecute the offender for the charges chosen; and
  - 3.1.2 There is sufficient evidence, capable of being admitted as evidence in Court, to support the prosecution.

#### 4. THE PUBLIC INTEREST TEST

- 4.1 In deciding whether it is in the public interest to prosecute an offender under clause 3.1.1 above, regard must be had to all relevant public interest considerations that weigh in favour of, and against, prosecution proceeding. Annex 1 to these guidelines is a checklist of factors that, if relevant, the Officer ought to turn his or

her mind to in deciding whether or not it is in the public interest to proceed with criminal charges.

4.2 The factors listed do not form a test. They are intended as a guide to help focus the decision-maker's mind on matters of relevance in determining whether the prosecution is in the public interest. The number of factors in favour of, or against, prosecution is not necessarily relevant as to whether or not prosecution is recommended.

## 5. **THE EVIDENTIAL SUFFICIENCY TEST**

5.1 In determining whether there is sufficient evidence under clause 3.1.2 above, the Officer must be satisfied that there is sufficient admissible evidence to provide a "realistic prospect of conviction" against each proposed defendant on every charge.

5.2 The Officer must be satisfied that the evidence to be relied on will not be excluded by the Court under any enactment or rule of law. In particular:

5.2.1 All interviews, confessions and other formal statements of the proposed defendant have been recorded and obtained in accordance with Police and Criminal Evidence Act (PACE).

5.2.2 All information resulting from investigations has been obtained in accordance with the provisions of Regulation of Investigatory Powers Act where applicable.

5.2.3 All searches have been undertaken by the persons with the required powers and have been conducted in accordance with PACE, its codes of practice, or the particular legislation that governs that search.

5.2.4 The evidence relied on will not be excluded for being hearsay or documentary hearsay.

5.2.5 The evidence must also be reliable. In determining whether the evidence is sufficiently reliable to be accepted by the Court, regard must be given to:

5.2.5.1 Where reliance is being placed on a confession, whether that confession is affected by the defendant's age, intelligence, level of understanding or the circumstances in which the confession was made.

5.2.5.2 Any explanation given by the defendant. Is the explanation credible and likely to be accepted by

the Court? If so, does the explanation constitute a defence to the charges?

5.2.5.3 The identity of the defendant when this is put in issue by the defence. Do eyewitnesses suitably identify the defendant?

5.2.5.4 Is there any unused evidence obtained in the investigation, which is disclosable to the defence, that may undermine the prosecution in any way?

5.2.5.5 The credibility and accuracy of prosecution witnesses. In the event of a conflict of evidence between the defendant and the prosecution witness, is the prosecution witness's evidence likely to be believed?

5.2.6 Evidence that may not be reliable ought not to be discarded. Its reliability must, however, be considered in determining whether there is a realistic prospect of conviction.

## 6. **SELECTING AND RECOMMENDING CHARGES**

6.1 After considering the factors listed above in part 3.1, Officers may exercise their discretion in the following ways:

6.1.1 Issuing an informal caution either orally or in writing;

6.1.2 Deciding to recommend a Simple Caution; or

6.1.3 Deciding to recommend a formal prosecution.

6.2 An informal caution ought only be recommended if the officer is satisfied that:

6.2.1 An informal caution is likely to be an effective deterrent to the offender; and

6.2.2 The caution is appropriate for the type of offence, the gravity of the offending and the circumstances and history of the offender.

6.3 An out of court disposal may be recommended in accordance with Ministry of Justice guidance. <http://www.justice.gov.uk/out-of-court-disposals>

6.4 If prosecution is recommended, then charges ought to be selected that reflect the seriousness and extent of the offending and

provide the Court with sufficient power to sentence the defendant adequately.

- 6.5 Where numerous offences appear to have been committed, consideration ought to be given to proceeding with specimen charges and having the remaining offences taken into consideration by the Court upon sentencing.
- 6.6 Charges should not be selected solely for the purpose of negotiation, with a view to dropping them in return for a guilty plea on other charges. Each charge must fulfil the criteria detailed in clause 3.1.
- 6.7 Recommendations shall be made in a timely manner, bearing in mind any time limits for bringing a prosecution, the need for adequate time for legal services to prepare and issue summonses and the reluctance of the Courts to entertain cases where there has been unnecessary delay.

## 7. **ACCEPTING GUILTY PLEAS**

- 7.1 In certain circumstances a defendant may wish to plead guilty to some but not all of the charges. Prosecuting Officers should only accept the guilty pleas in such cases if they are of the opinion that the Court is able to pass a sentence which matches the seriousness of the offences. Officers must never accept a guilty plea because it is convenient.



**ANNEX A:  
QUESTIONS TO BE ADDRESSED IN CONSIDERING WHETHER IT  
IS IN THE PUBLIC INTEREST TO PROSECUTE**

Questions potentially in favour of prosecution.	Relevant	Irrelevant	Comments
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**Regarding the offence**

Is conviction likely to result in more than a nominal penalty?			
Was the defendant the ringleader or organiser of the offence?			
Was the offence premeditated?			

**Regarding the victim**

Was the victim vulnerable?			
Did the victim suffer fear, damage, disturbance?			
Could the alleged offence have cause, or did it actually, cause pain, distress or suffering to animals?			
Has the victim made a personal statement and, if so, does it support any particular enforcement action?			

**Motivation and Intention**

Was the offence motivated by discrimination?			
Did the offence involve deliberate misrepresentation or fraud?			
Did the offence occur because the defendant neglected or failed to take due diligence?			

**Further Policy considerations**

Are there relevant previous convictions / cautions?			
Is the offence likely to be continued or repeated?			
Is the offence, although not serious, widespread?			
Was the offence committed whilst on bail or on a conditional discharge?			
Is there is an element of public risk / danger to health?			
The case would have precedent value or deterrent effect.			
Is there a possibility of significant economic disadvantage to consumers or businesses?			

Questions potentially against prosecution.	Relevant	Irrelevant	Comments.
Has there been a failure to comply with enforcement notices?			
Could the alleged offence have caused, or did it actually cause, harm to human health including injury?			
What is the attitude of the offender? Is there a desire to compensate?			
Is another entity better suited to prosecute?			
Was the offence a genuine mistake?			
Will there be a long delay between the commission of the offence and the first Court date?			
Would a prosecution be detrimental to the victim's health?			
Is the defendant elderly or suffering from significant mental or physical ill health?			
The offender has been, or is being, sentenced for similar offending and the prosecution would add little further.			
The offender is under 18			

Other issues not otherwise considered:

**Note: This checklist is not intended to be a test. It is to be used as a guide to direct consideration of relevant issues in determining whether prosecution is in the public interest. It is not exhaustive. Any other factors of relevance that are not included on this list must be taken into account as well.**



**Draft Planning Enforcement Policy 2024**  
**Service specific annex to the Wiltshire Council Enforcement Policy**

**1. Aim of planning enforcement**

1.1 Planning enforcement ensures that where harmful development is carried out without permission, it is remedied, either by its removal or its modification (for example, by attaching conditions to planning permission).

1.2 Formal enforcement action, such as prosecution, is discretionary and will be undertaken where it is expedient to do so. Expediency considers whether the unauthorised development causes planning harm, which means that it is in breach of the council's Development Plan or other material considerations, such as the emerging Local Plan. The existence of a breach is not, in itself, a good reason to take formal enforcement action but breaches will be subject to investigation, inspection and advice on compliance ahead of this.

**2. Background**

2.1 The planning system is important to manage the development of our communities and to preserve our historic and natural environment.

2.2 National Planning Policy guidance for enforcement of the planning system is set out in the National Planning Policy Framework (Dec 2023). Paragraph 59 is set out below and provides the foundation for the development of this Policy.

“59. Effective enforcement is important to maintain public confidence in the planning system. Enforcement action is discretionary, and local planning authorities should act proportionately in responding to suspected breaches of planning control. They should consider publishing a local enforcement plan to manage enforcement proactively, in a way that is appropriate to their area. This should set out how they will monitor the implementation of planning permissions, investigate alleged cases of unauthorised development and take action where appropriate”

2.3 Ordinarily, formal action against a breach of planning control is the last resort and the council should first give those responsible an opportunity to put things right. The council's approach will always be relative to the seriousness of the breach. When there are serious harmful effects, protracted negotiations will not normally delay formal action. In these situations it is important that the Council takes action to prevent irreversible damage or harm (for example where demolition works are occurring to a listed building).

2.4 The developer has a right to submit a retrospective planning application to seek to retain a development or change of use. These types of applications must be considered no more or less the same way as if the development had not already been carried out. In the event an application is refused, or an Enforcement Notice issued, an appeal can be made to the Planning Inspectorate. For some types of enforcement action, such as the serving of a Breach of Condition Notice, there is no right of appeal.

2.5 If the council's actions are considered unreasonable or legally unsound, its decisions can be overturned by the Planning Inspectorate, or the courts and it can be ordered to pay costs.

2.6 Enforcement can be a lengthy and complex process due to the need for thorough investigation, the legal processes involved, the nature of the breach, the site and the people involved.

### **3. Development Management approach to compliance**

#### **3.1 Our approach**

The council will respond to alleged breaches of planning control. We will assess the harm caused and decide what action is required.

The council will work with people to ensure that people understand and are complying with planning legislation and that breaches of planning control are resolved. The council will give reasonable time to resolve matters; however, if progress is not made, consideration will be given to using the range of enforcement powers available in order to resolve matters.

Monitoring will be undertaken, and if necessary enforcement, of minerals and landfill permissions according to best practice procedures.

In certain situations, we will proactively investigate a matter where there is a concern that a breach may occur or where there is a high risk of harm being caused by a breach of planning control.

#### **3.2 What is a breach of planning control?**

A breach of planning control occurs when development or activities are carried out without the required planning permission or in a manner that does not comply with the approved plans or conditions attached to a planning permission. This can include:

- Unauthorised development: Erecting buildings or structures without planning permission; unlawful earthworks or engineering operations
- Change of use: Changing the use of land or buildings without planning permission.
- Non-compliance with conditions: Failing to adhere to conditions or limitations imposed by a granted planning permission.
- Unauthorised works to a listed building: Carrying out works to a listed building without the necessary listed building consent.
- Breach of advertisement regulations: Displaying advertisements without the required consent.
- Damage to protected trees: Carrying out work on protected trees (those subject to a Tree Preservation Order or within a conservation area) without consent.

Local planning authorities are responsible for investigating alleged breaches and have the power to take enforcement action if necessary.

#### **3.3 Reporting possible breaches of planning control**

The council will keep a record of all complaints made relating to breaches of planning control. Complaints will need to be in writing with the name and address and contact details of the complainant. Part of any investigation is understanding the harm being caused, notably to the party complaining.

We aim to treat complainants' personal details in confidence but if formal action results, we may ask the complainant to help in assisting the council when building its case. A successful outcome could depend on the complainant's support.

Anonymous complaints enquiries will not normally be investigated as it can be difficult to verify information about the allegation. Any investigation under such circumstances will be at the council's discretion.

The council relies on the support of its communities to help carry out its enforcement functions. Complainants will be asked to supply as much information as possible. This will help the council to more quickly understand the impact of an issue and assess what action is required. Those who are making enforcement complaints will be asked to provide:

- A clear description of the alleged breach
- Why it is considered to be a breach of planning control
- How the breach is harmful; for example, noise, traffic, smells
- When the activity started; is it happening now, how long has the activity been taking place, is it getting worse?
- A specific site address (if it is a field, describe the surrounding area to help identify the exact site and if possible, an annotated map, grid reference or what3words reference)
- The name and contact details of the site owner/occupier/other responsible person(s) where known
- Name and contact details of the complainant
- Any other information which would be helpful

### **3.4 Exercising our enforcement powers (proportionality)**

The council will investigate breaches of planning control. Formal enforcement action will only ever be taken as a last resort, where all other options for resolving the matter have been exhausted. Formal action will only be taken where it is 'expedient' to do so, considering planning policies having regard to the public interest. The council will prioritise those breaches where there is a higher risk of harm or where the damage caused is significant or irreversible.

The use of planning enforcement powers is discretionary, and the council must decide when it is appropriate to use them. Not every breach of planning control will lead to formal action. In some cases, such as waste management operations, other council teams with different enforcement powers or other regulatory bodies may be better placed to address the matter causing concern. The council will work with external bodies where appropriate to provide a joined up and co-ordinated approach to enforcement.

National Planning Policy (paragraph 59) states that councils should act proportionately when deciding to take enforcement action. While the council will take the opinions of complainants into consideration, the council will ultimately decide if formal powers should be used.

To guide these decisions, the council will consider the following principles:

The principles set out in the Wiltshire Council's Enforcement Policy 2024 (or as amended), the Regulators Code and national and local planning policy.

Planning Enforcement will also be guided by the following principles:

- Planning harm – the impact that a breach has on the environment and people.
- Proportionate – the response should be commensurate to the level of harm being caused by the breach.
- The likelihood of planning permission being granted were an application to be submitted
- Deliberateness and deception – where it is clearly evident that a breach has been planned or committed for a certain purpose. Where the breach has been deliberately concealed.

### **3.5 Prioritisation of cases**

We will undertake initial investigations as quickly as possible. However, the council aim to undertake some investigations more quickly as set out below.

#### Priority 1

Immediate threat to public safety, substantial damage to or loss of statutorily protected buildings, trees or areas.

#### Priority 2

Adverse impact on protected areas and residential amenity. Breaches of conditions and legal agreements resulting in serious harm to neighbours, affected parties and/or the environment. Unlawful adverts in protected areas. Unauthorised development where it is possible that the time for taking enforcement action could expire within the next six months.

#### Priority 3

The breach is of a minor nature which does not cause immediate/long-term harm or loss of amenity.

#### Vexatious complaints

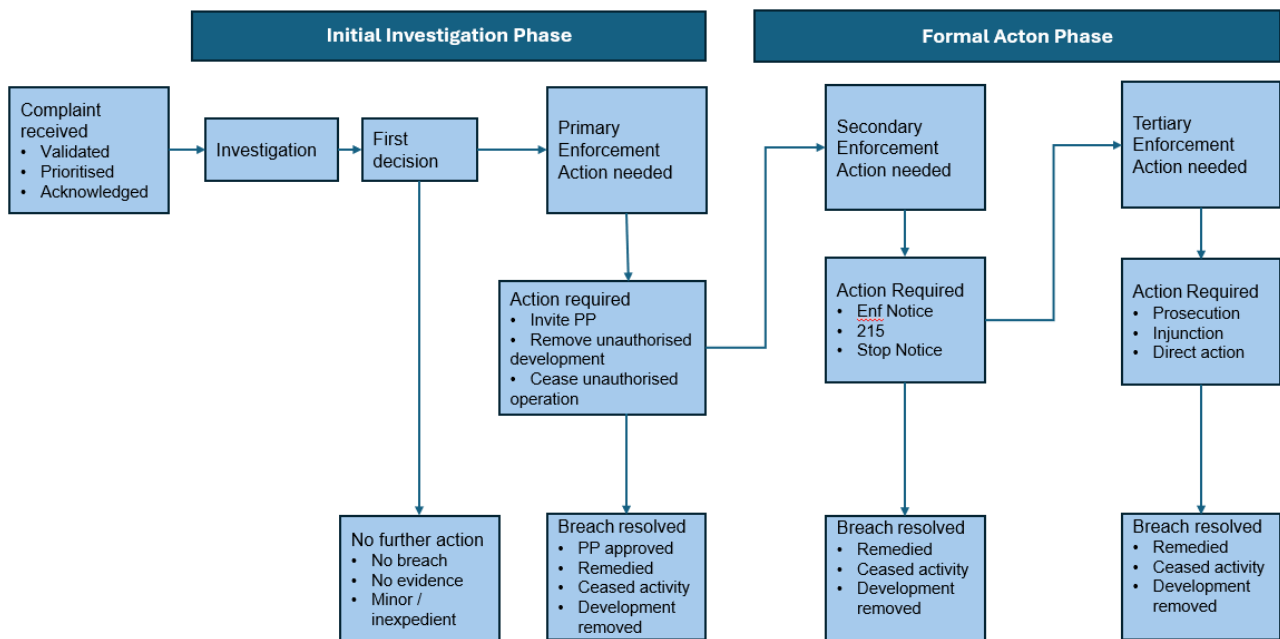
If the complainant appears to be motivated by issues other than planning harm, the council may consider that it would not be in the public interest to investigate. This may include where complaints are made purely on trade competition grounds or motivated by neighbour disputes.

## **4. Development Management responses to non-compliance**

### Process overview

There are several ways an investigation can evolve. Some can be resolved very quickly, while others may go on for many months or even years. Some investigations may evolve over time and different actions be required.

#### **4.1 The process is made up of two phases:**



Investigations can vary in duration and complexity. The process includes:

**Initial investigation phase** – Investigate and try and resolve the issue through informal means. This phase will also determine at an early stage where something is not a breach (‘permitted development’) or where a breach is minor or insignificant.

**Formal action phase** – This is where the council will consider the use of formal enforcement powers. This will occur if it has not been able to resolve a breach and more formal action is required.

**First decision** – the council will look to reach a conclusion on what action is needed. The aim is to get to a point where the case can be closed or that there is a good idea of what action is required. This could include:

- No breach – the development is not ‘development’ or is ‘permitted development’.
- Minor – there is a breach, but the low level of planning harm is such that further action is not necessary.
- Initial compliance action needed – see below section titled primary enforcement action.
- Detailed investigation needed – it may be that a lot more information is needed to be collected before a decision can be made.

The aim is to make the first decision for priority 1 cases within 5 working days of visit, for priority 2 within 10 working days of visit, and for priority 3 within 15 working days of visit.

All stakeholders will be informed of the first decision as quickly as possible.

#### 4.2 Primary enforcement action

This applies to situations where the investigation has determined that there is a breach of planning control, and that enforcement action is required to resolve the issue. This includes inviting a

planning application (in situations where permission is likely to be granted) or action is needed to remove the breach or cease the activity.

In these cases, there will be a need to give the persons involved time to prepare a planning application or to remove or cease the development. If a planning application is submitted, then further time is needed to allow this to proceed through the usual process to a decision.

#### **4.3 Possible outcomes**

There are several possible outcomes at this stage of the process, depending on the circumstances.

Negotiated remedy – the developer agrees to cease the breach. However, we will not allow negotiations to unduly hamper or delay formal action where it may be required to make the development more acceptable in planning terms or compel it to cease.

Retrospective planning application – an application would be invited where there is a reasonable prospect of planning permission being granted (although this outcome cannot be assumed). The council will pursue submission where there is a need to impose conditions on a permission to restrict the development or modifications to the development may be considered acceptable. It must be noted however that anyone has the right to submit a retrospective planning application, regardless of the likelihood of planning permission being granted.

No breach – this would be where, for example, the matter is ‘permitted development’ or outside of planning control.

The breach is not expedient to pursue – this would be where there is, perhaps, a trivial or technical breach of control only which causes no material harm or adverse impact on the amenity of the site or its surroundings, or where the development is acceptable on its planning merits and enforcement action would solely be to regularise the development. For example, if a household development is slightly larger than what would have been allowed under ‘permitted development’, where in the absence of harm to public amenity, enforcement action would be disproportionate.

The development is immune from enforcement action – the statutory time limits for enforcement action are set out below. The council is unable to take formal action if the time has expired.

#### Formal action phase

This will be taken when someone has been given an opportunity to act at the initial informal action stage and this has failed to achieve a positive outcome and resolve the matter.

Secondary Enforcement Action required – at this stage the council will consider if the use of its formal planning enforcement powers is required.

It may be that someone has failed to submit a planning application within a reasonable time of being invited, or that planning permission has been refused. It may also be that someone has failed to remove unacceptable unauthorised development or cease an unauthorised activity within an agreed timeframe.

The council will consider if it is expedient to take formal action given the circumstances at that time.

The council has a range of formal powers. Those most used are described below. The nature of the breach will determine which powers are used:

- Warning Notice – formal notice setting out that there is a breach of planning, but at this time the council will not take any further action.
- Breach of Condition Notice – requires compliance with specified conditions within a set timescale.
- Enforcement Notice – requires certain steps to be carried out to remedy matters, again within a set timescale. Can be served together with a Stop Notice (see below).
- Stop Notice/Temporary Stop Notice – requires specified activities to cease (but cannot undo preceding unauthorised works).
- Untidy Land (S215) Notice – requires steps to be taken to secure the proper maintenance of land and buildings within a set timescale.
- Prosecution – in some circumstances the council can prosecute for a breach of planning control (e.g. works to a listed building, damage or removal of a TPO tree).

Where enforcement action has been taken, the council will proactively monitor this situation to ensure that compliance is achieved and that the required actions are taken.

Tertiary Enforcement Action Needed – where primary enforcement action has been taken and compliance is not achieved, the council will consider if further action is required to resolve the situation. This includes prosecution for non-compliance with a notice or taking direct action to remove a breach of planning control. This is often complex and time-consuming and can require significant resources.

Secondary enforcement actions:

- Prosecution – refer the matter to court system.
- Direct action – council enters on to the land and completes the work to ensure compliance.
- Injunction – seek order of the court to compel compliance.
- Continued secondary action – continue to use these powers repeatedly to ensure compliance.

#### **4.4 Timeframes for compliance**

Officers will work with land owners to assist people to achieve compliance. This may include giving people timeframes to achieve certain actions (e.g. applying for planning permission or time to cease an activity or remove development).

The council will be reasonable in setting these timeframes and will consider the circumstances of persons involved. It is understood that circumstances can change and delays can occur, and so consideration will be given to allow extra time. Evidence should be provided to demonstrate that progress is being made.

#### **4.5 What is expected**

The council expects that people will take breaches of planning control seriously and will work to resolve them as quickly as possible. People in breach of planning control are expected to:

- Prioritise resolving the issue
- Proactively work to resolve the matter
- Keep officers updated on progress
- Engage agents and experts to assist them where necessary

#### **4.6 Asking for more time**

The council will consider extending timeframes for compliance where there has been a change in circumstances or where some progress has been made but a delay has occurred. The council will also consider if granting more time is likely to result in the breach being resolved.

Where more time is needed, people in breach of planning control are expected to clearly set out:

- In writing why they need more time
- How much time they require
- Reasons for the delay
- Evidence of the delay
- Evidence of what progress has been made

If the request for more time is not reasonable or some progress has clearly not been made, the council will consider progressing to the next stage in the enforcement process.

As a general guide the council will apply the following timeframes:

- To submit a planning application (where invited to do so by the council) – 28 days
- To tidy land – 28 days
- To remove an unauthorised structure – two months
- To cease a commercial use - three months
- To cease a residential use (including traveller / gypsy site) – six months

Where the breach is causing an adverse effect on amenity or creating a nuisance, these timeframes may be shorter. The council will also consider if there are special or personal circumstances that would require a longer period for compliance. The timeframes are a matter for the council to determine but the council will endeavour to ensure that enforcement action is consistent by taking a similar approach in similar circumstances.

## 5. Service standards

The council has the following Key Performance Indicators for its planning enforcement service -:

Primary Enforcement Action – site visits	<ul style="list-style-type: none"> <li>• Priority 1- 80% in 24 hours</li> <li>• Priority 2 - 95% in 5 working days</li> <li>• Priority 3 - 95% in 15 working days</li> </ul>
Primary Enforcement Action – reach first decision	<ul style="list-style-type: none"> <li>• Priority 1 - 5 working days of visit</li> <li>• Priority 2 - 10 working days of visit</li> <li>• Priority 3 - 15 working days of visit</li> </ul>
Secondary Enforcement Action	<ul style="list-style-type: none"> <li>• We aim to make a decision on taking secondary enforcement action within 10 working days of a deadline e.g. if the council gives 28 days for a planning application to be submitted and this is not actioned, a decision on taking secondary action will be taken within 15 working days of the 28-day deadline</li> <li>• We aim to assess compliance with secondary enforcement action deadlines within 10 working days.</li> </ul>



Tertiary Enforcement Action	<ul style="list-style-type: none"> <li>• We aim to make a decision on taking tertiary enforcement action within 15 working days of a deadline e.g. where an Enforcement Notice has been served and the deadline for compliance has expired, a decision on taking tertiary enforcement action will be taken within 15 working days.</li> <li>• We aim to assess compliance with tertiary enforcement action deadlines within 10 working days.</li> </ul>
Case Completion	<ul style="list-style-type: none"> <li>• Complete 80% of priority 1 cases within one year.</li> <li>• Complete 80% of priority 2 &amp;3 cases within 6 months.</li> </ul>
Registration	<ul style="list-style-type: none"> <li>• Register 95% of new enquiries within 3 working days of receipt.</li> <li>• Respond to 95% of enquirers within 10 working days of initial site visit.</li> </ul>

## 6. Feedback and formal complaints

The council has a formal complaints procedure which ensures that any complaint regarding the provision of a service is dealt with quickly, consistently and helpfully. Complaints can be conducted in writing, by telephone, email or completing a complaint/suggestion form online. [Making a complaint - Wiltshire Council](#)

Feedback about how the council's planning enforcement service is carried out is always welcomed. This helps to inform the way the service evolves to meet customer expectations. Please submit any suggestions for how the service can be improved, to the Director of Planning at [developmentmanagement@wiltshire.gov.uk](mailto:developmentmanagement@wiltshire.gov.uk)

## Appendix – Enforcement Indicators

Enforcement Area	Outcomes sought	Measure description	Target
<b>Anti-Social Behaviour</b>	To reduce levels of reported ASB.	Percentage of reported antisocial behaviour cases resolved within 60 days	Over 90%
<b>Planning</b>	<ul style="list-style-type: none"> <li>To take robust action against unlawful development in a timely manner, where it is expedient to do so</li> <li>To keep complainants regularly informed of the process</li> <li>To make prompt decisions where it is not expedient to take action, explaining the reasons for our decision in clear language</li> </ul>	Register and acknowledge receipt of complaints in three working days	95%
		Initial site inspection [one working day for priority cases; 10 working days other cases]	
		Increased use of Planning Contravention Notices [10% increase each year for five years]	10%
		Close cases and inform complainants where it is not expedient to take action [eight weeks from date of receipt]	90%
		Increased serving of Notices (Enforcement and Breach of Condition Notices) [10% increase each year for five years]	10%
<b>Highways</b>	Removal of obstructions within the Highway (Section 143 Highways Act)	Cases under investigation/ resolved / under formal enforcement % Total number cases taken to resolution	85%
	Removal of vegetation encroachment (Section Section 154 Highways Act)		
<b>Parking</b>	Number of Penalty Charge Notices Issued	Number of Penalty Charge Notices Issued	N/A
<b>Public Protection</b>	High quality compliant food premises	% of A,B and C rated food hygiene completed	100%
<b>Public Protection</b>	Compliance without taking formal action	No. of cases where compliance achieved by informal means (visits, inspection, warning letters etc)	100%
<b>Public Protection</b>	Compliance requiring formal action	No. of cases where compliance achieved by formal means (Notices, seizures, prosecutions, etc)	N/A
<b>Public Protection</b>	Compensation obtained	Redress obtained for consumers or victims of crime by service actions This is where we are able to obtain compensation, refunds and prevent money being handed over to criminals. This may be through the courts or informal negotiation by officers.	
<b>Environmental Enforcement</b>	Informal actions conducted	Actions conducted where the informal approach is proportionate	N/A
	Formal actions conducted	Actions conducted where the formal approach is proportionate	N/A
	Fly tips with evidence	Number of fly tips with evidence or witnessed.	N/A

## Appendix – Enforcement Indicators

<b>Private Sector Housing</b>	Housing stock in good condition	Total number of (all) property inspections complete (Per Annum)	
		Properties with Cat 1 and Cat 2 hazards resolved through informal action	N/A
		Properties with Cat 1 and Cat 2 hazards resolved through formal action incl Prohibition notice	N/A
		100% of licensable HMOs have been issued with a licence	100%
<b>HRA Housing</b>	Reduce ASB	New ASB cases reported in month per 1000 properties.	2.75%
	Reduce Tenant arrears	ASB true current rent arrears at the end of month %	
<b>Revs and Bens</b>	Reduce arrears owed to the council in respect of local taxation	Unpaid Council Tax reclaimed in subsequent financial years	30%
<b>Revs and Bens</b>	Reduce arrears inc. Business Improvement District Income		40%
<b>Accounts Receivable (Sundry debts)</b>	Manage and reduce arrears for miscellaneous income due to the council, often concerning large and complex debt		50%
<b>Education Welfare Service</b>	Reduce unauthorised absence from school	Attendance is better than national average.	96%
	Ensure parents are meeting their duties as per s7 Education Act 1996	Penalty notices, prosecutions, Education Supervision Orders, Parenting Orders, School Attendance Orders demonstrate improved attendance. Non-compliance, breaches and non-payments are all pursued through	100% follow up for non-compliance, breach and non-payment
	All children and young people in employment and entertainment are licensed in accordance with relevant legislation	Employers and entertainment companies who contravene child licensing legislation and County Bye-Laws are prosecuted.	100% of licences issued are in compliance
<b>Legal</b>	Evidence of the commitment to more enforcement	Matters opened	N/A
	Evidence of the commitment to more enforcement	Recorded hours	N/A
	Supporting the deterrent effect and profile of the Council's enforcement work	% of successful prosecutions	90%

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**Wiltshire Council**

**Full Council**

**15 October 2024**

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## **Licensing Act 2003 – Statement of Licensing Policy 2024 – 2029**

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### **Executive Summary**

This report describes the work undertaken to develop a revised statement of licensing policy (2024-2029) for Wiltshire Council.

Following the Licensing Committee's consideration of the revised licensing policy on 17 June 2024, the committee approved the policy and referred it on to Council for approval.

### **Proposals**

That Full Council approves the Statement of Licensing Policy (2024-2029) (Appendix 1) under the Licensing Act 2003 which will come into effect from 1 November 2024.

### **Reason for Proposals**

The Council must review its Licensing Policy every five years. The Policy is due for review and must be consulted on and approved by Full Council prior to it being published and coming into force.

Sarah Valdus

**Director of Environment**

**Licensing Act 2003 - Statement of Licensing Policy 2024– 2029**

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**Purpose of Report**

1. The Council must review its Licensing Policy every five years. The Policy is due for review and must be consulted on and approved by full Council prior to being published and coming into force. Following amendments considered by the Licensing Committee on 17 June 2024 a final draft version of the Licensing Policy is submitted to Full Council for approval.

**Relevance to the Council's Business Plan**

2. The Statement of Licensing Policy recognises the importance of safeguarding our residents from harm by working with regulators and partners to reduce risks and ensuring our communities have licensed premises that meet the requirements of the Licensing Act 2023. This aligns with the Councils Business Plan 2022-32 mission "We are safe".

**Background**

3. Wiltshire Council is the Licensing Authority, and is required to discharge its responsibilities under the Act with a view to promoting four licensing objectives, namely:
  - The prevention of crime and disorder
  - Public Safety
  - The prevention of public nuisance, and
  - The protection of children from harm.
4. The Licensing Act 2003 was designed to be light touch legislation covering a number of "licensable activities". Such activities are defined within the Act and broadly relate to the sale of alcohol, provision of regulated entertainment and provision of late-night refreshment. This Policy provides the local implementation framework and outlines how the Licensing Authority fulfils the Licensing Act 2003 and ensures that the licensing objectives are met.
5. In order for the Licensing Authority to discharge its licensing functions it is required to draw up and publish a Licensing Policy or Statement of Licensing Policy under the Licensing Act. This policy is to be reviewed every five years and be the subject of a full consultation process.
6. A report of 4 March 2024 sought the Licensing Committee's support for the draft Licensing Policy for consultation. Section 7 of the Act provides that functions in relation to the five-year Licensing Policy cannot be delegated but must be approved by full Council.

7. There were 35 responses received from the public consultation. Suggestions were made with regards to how applicants were consulted on applications as well as how applications were consulted on. Comments were also made with regards to the style and language of the policy and requested that it was more robust as opposed to permissive, where possible changes were made but some were not possible due to the requirements of the licensing guidance and legislation. Temporary Event Notices received the largest number of comments, these are designed to be a light touch process and unless objections are raised by the relevant authorities and provided statutory timeframes are adhered to these must be issued. Updates were made to the policy to make this clearer and the Appendix flowchart was updated.
8. Subsequent amendments were made to the Council's draft Licensing Policy before being considered by the Licensing Committee on 17 June 2024. At that meeting the committee approved the revised policy and referred it on to Council for approval.
9. The Licensing Policy is a document setting out the Council's proposals to ensure a balanced approach towards the licensing of premises which sell/supply alcohol or provide regulated forms of entertainment. The revised Policy has been based on the requirements of the Act and includes changes as a result of either new or amended legislation, regulations or guidance issued by the Secretary of State.

### **Main Considerations for the Council**

10. It is a statutory requirement that, at least every five years, the Council, as Licensing Authority must produce a Statement of Licensing Policy. This policy must be approved by Council as this is not a function that can be delegated to the Licensing Committee.

### **Safeguarding Implications**

11. One of the key objectives of the Gambling Act 2005 is 'The Protection of Children from Harm': Wiltshire Council's Children's Services Department has been designated as the Responsible Authority under the Licensing Act 2003. In this capacity they are required to ensure that decisions about licensing are taken with due regard to the need to safeguard and promote the welfare of children.

### **Public Health Implications**

12. The inclusion of the health service as a responsible authority under the Licensing Act 2003, which occurred in 2012, enables health bodies to have a say in alcohol licensing. As a responsible authority Public Health receives all new and variation applications and has opportunity to comment under the licensing objectives" The Licensing and Public Health teams work together within the council to ensure that the health impacts of alcohol licensing are considered.

### **Procurement Implications**

13. There are no additional procurement implications of the proposals contained within this report.

### **Equalities Impact of the Proposal**

14. The impact of these proposals is assessed as 'low' against the Council statutory responsibilities. There are potential implications with respect to human rights.

## **Environmental and Climate Change Considerations**

15. There is minimal environmental impact of these proposals.

## **Workforce Implications**

16. There are no additional impacts on the current workforce as this policy will be continuing with the current workforce.

## **Risks that may arise if the proposed decision and related work is not taken**

17. The Council would be in breach of its duties to prepare and publish a Licensing Policy in relation to the exercise of its functions under the Licensing Act 2003. The Council could be criticised and there would be a potential reputational risk to the Council.

## **Risks that may arise if the proposed decision is taken and actions that will be taken to manage these risks**

18. There are no risks identified from the proposed draft Licensing Policy, there is currently sufficient resource available to enforce this policy with no substantial changes proposed.

## **Financial Implications**

19. There are no additional financial implications of the proposals contained within this report.

## **Legal Implications**

20. Under the Licensing Act 2003, the Council is required determine its policy with respect to the exercise of its licensing functions and to publish a statement of that policy. This must be done for each five-year period and the current policy is due to expire at the end of this year. The Council must, therefore, now adopt a new policy. The Licensing Act requires the Council to specifically consult various organisations before adopting a new policy, in addition to more general consultation. This consultation has taken place, and the views of consultees considered in the revised draft.

21. The Statement of Licensing Policy sets out the approach that the Council will take to the exercise of its licensing functions. The Council is required, by section 4 of the Act, to have regard to its policy, when exercising any of its licensing functions. This includes the determination of applications for new licences and reviews of existing licences.

## **Overview and Scrutiny Engagement**

22. There has been no engagement with the Council's Overview and Scrutiny function, as there is no mandatory review of the Statement of Licensing Policy.

## **Options Considered**



23. The adoption of a revised Licensing Policy by 9 November 2024 is a statutory requirement, so there are no other legal options apart from adoption.

### **Conclusions**

24. The adoption of a revised Statement of Licensing Policy by 9 November 2024 is a statutory requirement. It is proposed that the Council approves the Statement of Licensing Policy (2024 – 2029) as shown in Appendix 1, which will come into effect from 1 November 2024.

### **Sarah Valdus – Director of Environment**

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Report Author: Claire Francis, Public Protection Manager Community Protection.  
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### **Appendices**

Appendix 1 – Wiltshire Council Licensing Policy (2024-29)

### **Background Papers**

- [Licensing Act 2003 \(legislation.gov.uk\)](https://www.legislation.gov.uk)
- Revised guidance issued under section 182 of the Licensing Act 2003 (December 2003)  
[https://assets.publishing.service.gov.uk/media/65a8f578ed27ca00d27b1f9/Revised\\_guidance\\_issued\\_under\\_section\\_182\\_of\\_the\\_Licensing\\_Act\\_2003\\_-\\_December\\_2023.pdf](https://assets.publishing.service.gov.uk/media/65a8f578ed27ca00d27b1f9/Revised_guidance_issued_under_section_182_of_the_Licensing_Act_2003_-_December_2023.pdf)

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# **Statement of Licensing Policy**

## **The Licensing Act 2003**

**2024 - 2029**

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## 1.1 Introduction

This statement has been prepared having regard to the guidance issued by the Secretary of State for Culture, Media and Sport under Section 182 of the Licensing Act 2003 ('the Act') and as required of the licensing authority under Section 5 of the Act.

This statement of licensing policy will be kept under review throughout its period of validity and amended as considered necessary. Any material amendments will be subject to consultation.

This statement takes effect from 1 November 2024 and will be scheduled for review in 2029.

The licensing regime implemented by the Act and operated by Wiltshire Council as licensing authority is about the appropriate control of licensed premises, qualifying clubs and temporary events. It also covers the people who manage these premises or hold personal licences within the terms of the Act. Applications covered by the Act and relevant to this statement include:

- personal licences
- premises licences – including provisional statements
- variations
- transfers
- interim authorities
- temporary events
- club premises certificates
- designated premises supervisors
- reviews.

## 1.1 Purpose and Scope

This statement sets out the policy of the licensing authority with respect to carrying out its licensing functions under the Licensing Act. These include policy formulation, administration, monitoring, and enforcement activities. The latter will include working with and sharing permitted data with other regulatory and enforcement agencies.

The following will also be relevant to the way in which the licensing authority exercises its functions under the Act:

- Each application will be determined on its own merits having regard to the licensing objectives; relevant guidance including that issued under Section 182 of the Licensing Act 2003, and local criteria.
- The solicitor to the council will ensure that the Committee in its role as a quasi-judicial Committee acts in accordance with the rules of 'natural justice' and ensure the Committee acts and appears to act fairly and approaches all matters before the Committee with an open mind during hearings or reviews.

- The statutory right of any responsible authority or other person to make appropriate representations to an application or to seek a review in respect of a granted authorisation where appropriate is accepted.
- The impact of the activities taking, or proposed to take, place at a licensed premises on businesses or individuals who are likely to be affected by it.
- The licensing authority, on behalf of the council, may notify parties they consider appropriate such as divisional councillors, town and parish councils of relevant applications.
- There is no presumption that any application for a licence under the Licensing Act will be granted.

## 1.2 Key Aims

The key aims of this statement of licensing policy are for the council as the licensing authority to:

- Promote and give precedence to the licensing objectives.
- Recognise the need to assist in building a fair, vibrant, and prosperous society in Wiltshire that properly balances the rights of residential communities, the business sector and other relevant parties.
- Secure the safety and amenity of residential communities whilst facilitating a sustainable, diverse, entertainment and hospitality sector in Wiltshire.
- Integrate its aims and objectives with other initiatives that will:
  - create an attractive and vibrant area, which has a positive effect on employment
  - reduce local crime, disorder and anti-social behaviour
  - reduce alcohol harm
  - reduce the supply and use of illegal drugs in licensed premises
  - encourage the self-sufficiency of local communities
  - reduce the burden of unnecessary regulation on businesses and promote self-help
  - reduce the health impacts of alcohol misuse and dependence; reduce the impact of alcohol related incidences on Emergency Services
  - continue its commitment to working in partnership with other agencies and organisations through both formal and informal arrangements towards the promotion and achievement of the objectives set out in this policy
  - endeavour to reflect the diversity of Wiltshire through its blend of urban and



- rural settlements
- give direction to applicants, so that they can make informed decisions in respect of their own ventures.

Applications will be granted with standard conditions subject to any objections.

### **1.3 Consultation**

In reviewing this statement, the licensing authority consulted widely with all necessary bodies and relevant stakeholders. A list of those consulted is available from the licensing authority on request. The consultation process was conducted between April and May 2024 by way of an email to those identified and via publication on the council's website. Responses received were listed on a matrix document and each point made was given due consideration.

### **1.4 Licensing function**

The licensing authority recognises that the provision of entertainment is a major contributor to the economy of the council's area. It makes for a vibrant and attractive area, which subsequently has a positive effect on employment. The licensing authority also recognises that owners and occupiers of commercial premises have a legitimate expectation of an environment that makes and keeps their businesses sustainable.

The licensing authority welcomes the opportunity to encourage the development of the cultural, artistic, leisure and hospitality sectors in Wiltshire. It will assist all applicants in endeavouring to meet their aspirations within the law.

The licensing authority also has regard to wider considerations affecting the residential population and the amenity of any area. These include dropping litter and street fouling, noise and street crime. It is, however, recognised that the licence holder has limited control over individuals once they are away from the premises.

The licensing authority recognises that the diverse range of licensed premises throughout Wiltshire makes a major contribution to attracting both initial and repeat visitors to both the historic localities, and diverse venues.

The licensing authority acknowledges that circuses can fall on the edge of the licensing regime depending on the nature of their show. The Legislative Reform (Entertainment Licensing) Order 2014 removed the requirement for the need of circuses to be licensed between 08.00 and 23.00, providing that the circus is of a traditional nature, i.e. it is a travelling circus which takes place within a moveable structure.

### **1.5 Licensing objectives**

The council will carry out its statutory duties under the Licensing Act 2003 as the licensing authority and have due regard to the licensing objectives.

It is important to note that all objectives have equal importance in the implementation of this policy.

The Licensing objectives are:

- the prevention of crime and disorder

- public safety
- the prevention of public nuisance and;
- the protection of children from harm

The licensing authority expects individual applicants to address the licensing objectives in their operating schedule having regard to the type of premises, the licensable activities to be provided, the nature of the location and the impact on the local community.

Where there are no relevant representations, or they have been withdrawn at or before a hearing, the application will be granted as requested subject only to conditions which reflect the operating schedule and any mandatory conditions. Most premises do and will operate without any significant concerns to the licensing objectives. However, where there is a relevant representation, the application will usually proceed to a hearing, following which the licensing authority may take such steps as are necessary to promote the licensing objectives, as provided for in the Act.

The following sections set out the licensing authority's policy relating to the four licensing objectives. It is emphasized that these objectives are the only matters which can be taken into account by the Licensing Committee and they will pay particular attention to them at a hearing, when determining applications and applying any conditions. A hearing must be called when relevant and valid representations are made by any person or responsible authority, based upon the four licensing objectives.

### **1.6 Planning Conditions Applicable to a Premises**

The Licensing Authority is mindful that the licensing and planning regimes must be kept separate and determined in accordance with the respective legal and policy frameworks. An application for a premises licence or club premises certificate, or a variation to either, will normally only be granted where the activity to be authorised by the application is a lawful planning use, as evidenced by a valid planning consent, and the hours sought do not exceed those authorised by that consent.

The 2018 NPPF 'Agent of Change' principle establishes that where a new land use is introduced into an area, the impact should be managed by the person/business that introduces the new use, eg introducing noisy premises into a quiet location or vice-versa. This will be relevant when considering measures necessary to uphold licensing objectives at hearings.

## 2.0 Prevention of crime and disorder

The council acting as the licensing authority has a duty to act solely or with its partners to reduce crime and disorder throughout Wiltshire, consistent with its statutory duty under section 76 of the Anti-Social Behaviour, Crime & Policing Act 2014. The council as a member of the Wiltshire Community Safety Partnership will work with relevant partners to utilise legislation as required to prevent crime and disorder issues.

Applicants are required by law to set out in their operating schedule the steps they propose to promote the prevention of crime and disorder. Responsible applicants will ensure proper regard in their operating schedule to the location, character and condition of the premises, the nature and extent of the proposed use and the persons likely to be attracted to the premises.

The council expects the premises licence, or club certificate holder to take steps to control excessive consumption and drunkenness on their premises. This will reduce the risk of anti-social behaviour and violent crime occurring both on the premises and elsewhere after customers have departed. Licence holders are expected to be able to demonstrate a general duty of care to customers using their premises and others affected by their activities. The licensing authority expects all applicants to consider a number of key conditions, where relevant to the type of licensable activity being proposed:

### 2.1 Toughened/safety glasses

Standard annealed glass bottles and drinking containers used in the leisure and hospitality sectors to supply alcoholic and non-alcoholic drinks may be used as weapons inflicting serious harm during incidents of disorder. Police evidence indicates that incidents are particularly likely in or within the immediate vicinity of a pub, club or nightclub. It is suggested that where the application relates to the sale of alcohol on the premises, the applicant considers measures to prevent glass bottles or glasses being taken off the premises.

In particular this is expected in premises considered to be high volume vertical drinking establishments and those premises open beyond 11pm. Possible exceptions would be facilities for hotel residents and their guests or a restaurant where the bar is primarily provided for restaurant customers.

Outside licensed premises, glass containers, as well as being potential weapons, add to street debris, pose risks to street cleaners and pedestrians and generally undermine the objective to minimise public nuisance. Therefore, the policy also applies to any premises where outside areas are provided for consumption of alcohol, particularly where the outside area is in or adjacent to a public place.

The licensing authority believes that the use of safer alternatives to annealed glass i.e. polycarbonate "glasses" will help promote public safety and the prevention of crime and disorder in licensed venues.

## **2.2 Pubwatch**

The licensing authority recognises the value of Pubwatch schemes and will therefore play a supportive role and attend meetings as appropriate. Where such a scheme is active in the locality of a premise, the applicant is strongly encouraged to become an active member of Pubwatch. As well as traditional pubs and entertainment venues, this includes premises that are licensed solely for the sale of alcohol for consumption off the premises. Pubwatch provides a forum for sharing information, disseminating best practice and meeting with representatives of the licensing authority, the police and other responsible authorities. The licensing authority encourages all licensees to actively participate in their local Pubwatch scheme and is keen to support the development of more schemes where there is a demand.

## **2.3 Information sharing and reporting incidents**

As well as sharing information through formalised Pubwatch schemes, licensees are encouraged to share and report incidents to relevant agencies as and when appropriate, rather than waiting for the next meeting. Licensed Premises are often favoured for criminal activities such as child sexual exploitation, modern slavery, human trafficking, drug dealing and violence. Any issues of crime and disorder should be reported as soon as possible to Wiltshire Police. If persons or property are in danger then this should be done through calling '999', alternatively the '101' number should be used. Incidents that occur on licensed premises should be recorded and made available to Wiltshire Police and other agencies. Wiltshire Police and Wiltshire Council work in partnership to target those individuals who cause crime and disorder. Drink Banning Orders (sec 1-14 Violent Crime Act 2006), Exclusion Orders (sec 1 Licensed Premises Act 1980), Public Space Protection Orders (sec 59-68 Anti-Social Behaviour, Crime and Policing Act 2014) and any replacement powers will be utilised to assist in the perception of crime and disorder. Information about relevant orders against persons will be shared with premises. Licence holders are also expected to assist in preventing crime and disorder by notifying Wiltshire Police of any persons who breach orders relevant to their premises.

## **2.4 Door supervisors/stewards**

Any person engaged at licensed premises to carry out security activities including the prevention of access to or the physical ejection of a person from the same premises on behalf of the licensee must hold and display a valid current licence issued by the Security Industry Authority (SIA) or any successor system.

The licensing authority will consider representations that indicate that specific premises require door supervision for the purpose of meeting the crime and disorder or public safety licensing objectives. In such cases, the licensing authority may impose a condition that an agreed number or ratio of licensed door supervisors must be employed at the premises

either at all times, or at such times as certain licensable activities are taking place.

In certain circumstances it may be appropriate to use trained stewards to provide a satisfactory level of customer care and general safety awareness. These individuals must not carry out security activities and would not be required to hold an SIA licence. If they were employed to undertake duties involving children, then the applicant should consider whether the relevant level of disclosure check is appropriate.

Front line staff should receive relevant training in conflict management and basic first aid training.

The applicant may find it beneficial in developing the operating schedule for a premises licence or certificate to have undertaken a security risk assessment in order to determine the resources necessary to meet the licensing objectives.

## **2.5 Dispersal policy**

Every venue whether a pub, club or bar should prepare and implement a dispersal policy working in partnership with other venues within the vicinity through mechanisms such as Pubwatch. Applicants should consider how the venue will minimise the potential for disorder and disturbance as customers leave the premises. This should be prepared in consultation with the licensing authority and police and reviewed regularly and staff should be trained in how to implement this policy.

## **2.6 Outside drinking**

Some premises may wish to supply alcohol for consumption in an outside area such as on the pavement adjacent to the premises or in a beer garden. In such circumstances, we expect applicants to include all outside areas within their proposed plan, and to consider the risk associated with outside drinking and include measures in their operating schedule to uphold the licensing objectives.

The licensing authority also expect licence holders to exercise control over their customers, particularly in instances where the outside drinking takes place on the pavement to which the public has access. If the licence holder fails to exercise such control, enforcement action may take place and the licence be reviewed.

## **2.7 Drugs in premises**

The licensing authority recognises that the supply and use of illegal drugs by individuals is not relevant to all licensed premises, but it is recognised that conditions may need to be attached to the premises licences for certain venues if representations are received. The aim will be to endeavour to reduce the availability, sale, and consumption of illegal drugs and to create a safer environment for those who may have taken them. Any conditions will take into account the relevant guidance and advice from appropriate bodies.

The licensing authority expects licensees to permit the access and use of drug dogs within the public and staff areas of the premises upon request of the licensing authority and/or police involved in such an initiative.

The licensing authority expects licensees to permit access for drugs analysis equipment and staff so that random drug tests can be carried out on the skin of persons wishing to have access to the licensed premises, in addition to the staff and contractors employed at

the premises.

Psychoactive substances are those intended for human consumption that is capable of producing a psychoactive effect. These substances prior to May 2016 were more commonly known as “legal highs” and included items such as Nitrous Oxide (NOS), Spice and Black Mamba amongst others. It is a criminal offence to produce, supply or sell psychoactive substances. The Psychoactive Substances Act 2016 amends the Licensing Act 2003, creating new powers of entry relating to any of the offences mentioned above. These offences are also considered “relevant offences” in relation to Personal licences.

It is expected that licensees have a written drugs policy for their premises or event which staff are fully trained in.

## 2.8 Drink Spiking

Drink ‘spiking’ is when alcohol or drugs are added to someone’s drink without their knowledge. Spiking a drink is illegal and subject to high maximum sentences if a person is found guilty. The UK has seen a recent rise in the incidences of spiking in licensed premises.

The Licensing Authority expect applicants and licence holders to consider the risk associated with spiking on their premises and recommend that measures to deal with this risk are included within their existing drug policies such as:

- Offering drink spiking preventative measures, such as drink covers, serving drinks direct to customers (not leaving these unattended before being provided to customers), and keeping an eye on or clearing drinks left unattended.
- Providing customers with information on keeping safe from drink spiking.
- Operating schemes such as ‘Ask for Angela’ to encourage customers to seek help if they suspect drink spiking has occurred.
- Training for door and bar staff to identify where drink spiking may be taking place, how to respond to any reported or observed instances of drink spiking, and how to report to Police.

## 2.9 Immigration and modern slavery

Modern slavery is the recruitment, movement, harbouring or receiving of children, women or men through the use of force, coercion, and abuse of vulnerability, deception or other means for the purpose of exploitation. Individuals may be trafficked into, out of or within the UK, and they may be trafficked for a number of reasons including sexual exploitation, forced labour, domestic servitude and organ harvesting

Forced labour is a situation in which victims are forced to work against their own will under the threat of violence or some other form of punishment. Labour exploitation is placing a worker under extremely poor conditions such as very low wages, being forced to work long hours, having their movements supervised, living in very poor conditions and having their identification documents taken away to prevent them from leaving.

As of April 2017, the Immigration Act 2016 introduced a “Right to Work” test for personal licence and individual premises licence holders (where the licence permits alcohol sales and late-night refreshment). The Home Office Immigration Enforcement department became a responsible authority of the Licensing Act 2003.

Premises licence holders, as employers, have a duty to ensure that their employees have a

right to work in the UK. The Licensing Authority will work with Immigration Enforcement to ensure that people are not illegally brought into the UK to be exploited as cheap labour in licensed premises.

Any offences committed under the Immigration Act are considered relevant offences for the purposes of a personal licence and are notifiable to the Home Office in the same way that other relevant offences are notifiable to the Police.

### **3.0 Promotion of public safety**

The public safety objective is concerned with the physical safety of the people performing in and staff and customers using the relevant premises. Applicants should carefully consider how they intend to promote the public safety objective in their operating schedule.

Where applicants consider that the public safety objective could be compromised by their intended activities, they are encouraged to contact the Wiltshire Council's Health and Safety Section and/or Dorset and Wiltshire Fire and Rescue Service as the most relevant responsible authorities for guidance. Other organisations such as the Event Safety Advisory Group will be able to offer advice. Contact details for these authorities/groups are available from the licensing authority.

Wiltshire Council promotes the use of community initiatives such as Purple Flag which has been awarded to Chippenham. Wiltshire Council aspires to support similar schemes across the county.

#### **3.1 CCTV**

CCTV has a role to play in stopping and deterring crime and anti-social behaviour in certain hotspots and is also used as an evidence and detection tool. However, surveillance cameras should only be used if necessary and proportionate, in addition:

- When considering the use of surveillance camera systems, either as part of the conditions attached to a licence or certificate, or within an operating schedule the licensing authority or applicant must in particular have regard to Code of Practice on CCTV published by the Information Commissioner's Office. Any proposed blanket requirement to attach surveillance camera conditions to a licence or certificate is likely to give rise to concerns about the proportionality of such an approach and will require an appropriately strong justification and must be kept under regular review.
- Applications in relation to licensed premises must take into account the circumstances surrounding that application and whether a requirement to have a surveillance camera system is appropriate in any particular case. For example, it is unlikely that a surveillance camera condition would be justified for a trouble-free community pub. Where a licence responsibility of the licensee to comply with any data protection considerations that may arise from the use of such a system.
- The public must have confidence that surveillance is appropriate and proportionate, and that those who operate the camera systems, or use the images and information they capture, demonstrate integrity in doing so and can be held to account.
- CCTV recordings should be kept for a minimum of 31 days and shared with the licensing authority and Wiltshire Police upon request.

### 3.2 Martyn's Law (Protect Duty)

Martyn's Law will improve protective security and organisational preparedness across the UK by mandating, for the first time, those responsible for certain premises and events to consider the terrorist risk and how they would respond to an attack.

The bill is the legislative response to the findings of the Manchester Arena Inquiry. It is designed to reduce the risk to the public from terrorism by the protection of public venues – increasing national security and personal safety.

The proposed Bill will place a requirement on those responsible for certain publicly accessible locations used for purposes such as entertainment and leisure, retail, food and drink, museums and galleries, sports grounds, public areas of local and central Government buildings (e.g., town halls), visitor attractions, temporary events, Places of Worship, health, and education to consider the threat from terrorism and implement appropriate and proportionate mitigation measure.

The government have indicated that publicly accessible locations with a capacity of more **than one hundred people** will need to undertake simple yet effective activities to improve protective security and preparedness.

Those activities will include completing free training, raising awareness and cascading information to staff. As well as completing a preparedness plan.

Publicly accessible locations with a capacity greater than **eight hundred people** will also be required to produce a risk assessment and security plan, considered to a 'reasonably practicable' standard.

Please see the following website sites for up-to-date information regarding the possible implications and / or requirements for your premises / location:

- [counter terrorism pages on GOV.UK](#)
- training and resources available from the [Protect UK website](#)

### 3.3 Alcohol consumption

The council expects all premises licence holders to take all necessary steps to control consumption and drunkenness on their respective alcohol licensed premises. This will reduce the risk of anti-social behaviour and violent crime occurring both on and away from the premises after customers have departed. Premises licence holders are expected to be able to demonstrate a general duty of care to customers using their premises and others affected by their activities. The premises licence holders must also be aware of the dangers of over consumption of alcohol and the risk of vulnerability to their customers.

### 3.4 Alcohol harm reduction

Communities, agencies and businesses are ultimately best placed to identify and deal with alcohol-related problems in their area. It is important to maximise the benefits of partnership working, focusing and co-ordinating the efforts of local agencies, industry and the voluntary sector in tackling alcohol-related problems. Budgets and expertise can be pooled, providing the right services at the right time, making town centres safer and in doing so encourage more people to enjoy a night out, thus promoting economic growth.



Information is a powerful tool in tackling alcohol-related problems. It is vital to strengthen data sharing within local partnerships, in particular between crime and health agencies and licensing authorities.

The licensing authority will continue to work alongside their partners on a countywide and local level. Groups such as licensing tasking will continue to formulate the basis of partnership work and will have clear aims and objectives to ensure they are fit for purpose. This group will sit within the governance of Wiltshire Community Safety Partnership and will feed into local initiatives such as Pubwatch, Purple Flag, and other new schemes as and when required.

### **3.5 Public health**

The inclusion of the health service as a responsible authority under the Licensing Act 2003, which occurred in 2012, enables health bodies to have a say in alcohol licensing. The Licensing and Public Health teams work together within the council to ensure that the health impacts of alcohol licensing are considered.

As there is not a specific licensing objective related directly to health within the current legislation, health bodies, when making a representation, are most likely to relate such representations to the objectives on public safety and protecting children from harm. This is likely to include the prevention of accidents, injuries and other immediate harms that can result from alcohol consumption, such as unconsciousness or alcohol poisoning. Anonymised data can be collected about incidents relating to specific premises or areas when representations are made.

Health bodies hold valuable information which may not be recorded by other agencies, including analysis of data on attendance at emergency departments and the use of ambulance services following alcohol related incidents. Sometimes it may be possible to link ambulance callouts and attendance to irresponsible practices at specific premises.

The Director of Public Health is responsible for making representations and observations on applications on behalf of health bodies.

### **3.6 Health and safety**

By law the applicant or operating company must have a health and safety policy when five or more persons are employed. This policy must be brought to the attention of those employees.

Employers must also record the results of risk assessments and ensure a robust tailor-made health and safety action plan, is in place for both staff and customers. Applicants should have these documents available at the request of licensing authority or any other responsible authority.

### **3.7 Occupancy limits**

It is recommended that the applicant or operating company assess and set occupancy limits following a risk assessment of the planned activities being carried out at the premises. The licensing authority may set an occupant capacity following representations received in order to meet the licensing objectives. It is recommended that premises assess and set limits appropriate to their premises/event.

### 3.8 Positive campaigns to promote public safety

The Licensing Authority will actively promote campaigns which help to reduce or remove risks to vulnerable people who visit or work in licensed premises. Examples of this would be the “Safety at Night Charter” and “Ask for Angela” schemes. The voluntary safety charters aim is about taking practical steps together to make Wiltshire and Swindon safer at night. Ask Angela scheme aim is to reduce sexual violence and vulnerability by providing customers with a non-descript phrase they can use to get the attention of staff members who can help separate them from the company of someone with whom they feel unsafe due to that person's actions, words or behaviour.

Licensing Officers seek to work closely with landlords to encourage positive engagement with such campaigns and to help promote and explain the importance of keeping the public safe.

## 4.0 Prevention of public nuisance

Public nuisance is a broad concept, which concerns how the activity of one person (or business) affects the rights of others, for example, how noise from playing music interferes with another person’s right to sleep.

The Act requires, and the licensing authority expects, applicants to demonstrate within their operating schedule how they intend to prevent public nuisance arising. This will be of particular importance where there are residential properties in the vicinity of the licensed premises.

When appropriate on application or review the licensing authority will consider the adequacy of proposed measures to remove or effectively manage the potential for public nuisance, anti-social behaviour and other crime which may impact on the promotion of the licensing objectives.

When an operating schedule does not sufficiently address the prevention of public nuisance the licensing authority will consider all reasonable conditions recommended by responsible authorities to prevent public nuisance. In some locations it may be necessary to limit opening hours or the times of other licensable activities.

Where considerations apply to late night refreshment premises, they shall only be taken to apply to their operation between the hours of 11pm and 5am when a premises licence would be required.

Applicants should carefully consider how they intend to promote the prevention of public nuisance objective in their operating schedule. This can include several considerations:

### 4.1 Odour

The applicant should consider any odour that maybe emitted from the premises. This can include the generation of odour from food preparation, waste, bottle storage and/ or from smoking areas. Steps should be taken or proposed to be taken by the applicant to prevent odour from the premises causing nuisance.

Most commercial kitchens will require a mechanical extraction system, and the type and size will depend on the size of the cooking facility, type of food prepared and type of

cooking appliances used. The applicant may need to get advice from specialist air handling engineers about controlling odour from kitchen air extraction systems.

Controlling odour from waste and bottle storage areas is entirely down to good management practice which involves using sealed waste bins big enough to hold all waste, which can be thoroughly cleaned and are regularly emptied.

When designating a smoking area outside it is important to consider who will be affected by the smoke, the possible number of persons using the area and ensuring a facility to safely dispose of lit cigarettes.

## **4.2 Lighting**

Outdoor artificial lighting is used for a number of reasons, including work, recreation, security, safety, advertising, display and to create a pleasant atmosphere where people gather socially. As many of the premises operating under the Licensing Act will use outdoor lighting late at night, it is important to ensure that it does not become a nuisance to others. Light 'spilling over' onto other property can cause annoyance, distraction and discomfort and may cause driving problems by glaring into drivers' eyes or competing with signs and other traffic signals.

## **4.3 Waste/litter**

Licensed premises of all types can potentially cause public nuisance from litter and waste. There are a number of laws relating to proper waste collection and disposal, not least of which is the "duty of care" to ensure any waste is properly contained and controlled while in the operator's possession, and that it is collected by a reputable waste carrier. The Licensing Act does not duplicate these laws, but licence holders will need to apply good waste management practice in order to prevent public nuisance.

Uncontrolled litter, waste and street fouling is unsightly and can lead to a negative image of the area. It can cause offensive odour, may attract rats and insects and therefore be a public health risk, it may cause people to slip, trip and injure themselves, and it may harm the reputation of the licence holder's business.

Typical examples of litter, waste and street fouling that may cause problems include take-away packaging and food dropped by customers, wind-blown waste and litter from refuse storage areas, discarded and broken bottles, glasses and cans, promotional leaflets (flyers) and posters, cigarette ends and chewing gum discarded by customers and people who have consumed too much alcohol urinating and vomiting in the street.

## **4.4 Noise**

Noise can come either directly or indirectly from licensed premises. Direct noise, such as that from entertainment activity, will be under the premises' direct control. Indirect noise, such as that from vehicles and customers coming to and from the premises may not be under direct control, but the premises can strongly influence it. Both direct and indirect noise will be of greater importance between 11pm and 7am. Specific types of noise each need different consideration when reducing their impact on public nuisance.

Small outdoor multiday music festivals (often where camping is also involved) can quickly become a source of public nuisance, organisers of such events are advised to contact the Environment Control and Protection noise team at an early stage. Organisers are encouraged to employ event management techniques similar to larger scale events to

avoid public nuisance, these can include considering the suitability of the location, the geography, limiting amplifier output, duration or direction.

#### **4.5 Entertainment**

Appropriate control measures are needed for premises that operate late at night (after 11pm) and/or have regular entertainment or when the entertainment takes place in the open air or within a marquee. Steps should be taken or proposed to be taken to prevent noise and vibration from entertainment causing nuisance. This may include noise from music, human voices and other forms of entertainment whether amplified or not. Specific consideration of control measures must be given to sensitive locations such as dwellings, hospitals, hotels and other business premises. Any noise should also not cause unreasonable disturbance to the wider public, such as passers-by and people using public facilities.

#### **4.6 Disturbance from customers**

Appropriate steps must be taken or proposed to be taken to prevent noise and disturbance from customers causing nuisance and anti-social behaviour. This may include noise and disturbance from customers on the premises and customers in outdoor areas such as terraces, beer gardens and smoking areas. It will also include noise, disturbance and obstruction from customers in the vicinity of the premises including customers congregating outside premises to smoke or drink, customers arriving, leaving or queuing outside a premises.

Particular consideration now has to be given to the potential for public nuisance arising from outside areas following the implementation of smoke free laws in July 2007. It must be noted that there is no legal requirement for licensed premises to provide an outdoor smoking area. However, Wiltshire Council encourages premises where practical to do so to minimise congestion on pavements.

Noise and disturbance from people outside can cause public nuisance even when those people are not behaving badly. This will be of more significance in areas with residential accommodation and will usually, but not exclusively, be of greater importance between 11pm and 7am. However it must be noted that noise and disturbance from customers outdoors can cause public nuisance outside of these times.

#### **4.7 Plant and equipment**

Steps should be taken or proposed to be taken to prevent noise and vibration from plant or equipment causing nuisance. This includes noise and vibration from ventilation, air conditioning and refrigeration equipment.

#### **4.8 Servicing**

Steps should be taken or proposed to be taken to prevent noise from servicing of the premises causing nuisance. This may include noise from deliveries, collections and the onsite disposal of bottles and other waste or recyclable materials.

#### **4.9 Fly posting, flyers and graffiti**

Steps should be taken to prevent fly posting and litter problems arising from the distribution

of flyers advertising the premises or events at the premises. The applicant should endeavour to reduce the use of promotional leaflets and only hand flyers directly to the public. Flyers should not be left on vehicle windscreens. Ensure a litter bin is near to the distribution point and clear discarded flyers afterwards. The applicant should also remove any graffiti and fly posting from their surfaces as soon as it appears.

## 5.0 Protection of children from harm

For the purposes of this policy the licensing authority considers anyone less than 18 years of age to be a child or young person unless otherwise agreed.

The licensing authority expects that, whether or not alcohol is supplied or proposed to be supplied on or in the vicinity of the premises, operating schedules will identify:

- the extent to which it is proposed that children be admitted to the premises;
- whether it is proposed that unaccompanied children will be admitted;
- if they are, the type of regulated entertainment provided whilst children are present;
- The specific steps undertaken to ensure the safety of children and to further ensure that no products or services are sold to children that are not appropriate for their use or consumption.
- That an unaccompanied young person (i.e. somebody under the age of 16 who is not accompanied by a person over the age of 18) must not be allowed into any premises which are "exclusively or primarily used for the supply of alcohol for consumption on the premises".
- That staff are aware of their responsibility to ensure that an adult should not become over intoxicated if accompanied by a young person or child as to inhibit their ability to safeguard that young person.

Whether or not premises with a mixed use are "exclusively or primarily used" is a matter of judgment and will depend upon the particular circumstances of the case. The guidance makes it clear that this does not mean that where the supply of alcohol is not the exclusive or primary use then young people should automatically be given access.

Where it is appropriate and permissible within the law the Licensing Committee should impose conditions that restrict young people from entering all or part of any premises licensed to supply alcohol:

- at certain times of the day and/or;
- when certain licensable activities are taking place and/or;
- where there is an age limitation (over 18);
- unless accompanied by an adult
- where there is a history of crime and disorder
- where the premises are in a high risk area e.g. close to school; in an area with a history of underage sales; in an area with anti-social and criminal behaviour linked to persons under 18.

Applicants, who propose to admit children, particularly where they would not require them to be accompanied by a responsible adult, should be especially careful in ensuring they meet the requirement that their schedule fully and clearly sets out the nature of the activities for which permission is sought. Further, the schedule should specify in sufficient detail the measures and management controls proposed to protect children from harm.

The licensing authority expects that staff are trained and aware of their responsibility for ensuring that customers are old enough to purchase alcohol. This requirement is particularly relevant for bar staff working at premises where door supervisors control entry to a premise. Particular care and appropriate measures should be in place for venues that, due to the nature of the events, attract both over and under 18-year-old patrons.

### 5.1 Safeguarding the Vulnerable

It is an expectation that premises operators consider safeguarding for all vulnerable people both children and adults and consider including appropriate conditions which support / assist keeping vulnerable people safe.

## **5.2 Age verification underage sales on/off premises**

There is now a mandatory condition on all premises licenses (in the case of alcohol supply) to have adequate age verification systems in place. This could be through the use of a Challenge scheme i.e. “challenging anyone who looks under 25 to prove their age by use of an approved means of identification”; such a scheme to be advertised and enforced on the premises.

The licensing authority supports and may condition an appropriate age policy in licensed premises. Licensees will need to demonstrate that their staff receive regular and adequate training on the law and practice relating to age restricted sales (including challenging purchasers and checking identification). The training provided should be properly documented so that there is an adequate audit trail and records are available for inspection.

The following are examples of identification used:

- Passport
- Photo-card driving licence
- PASS card
- Official identity card issued by HM forces

Details of training provided to members of staff to prevent underage sales should be recorded in a log. Additionally, when a retailer does refuse the sale of alcohol this should be recorded in a ‘refused sales log’. These documents should be kept available for inspection by a police officer or authorised officer of the licensing authority.

## **5.3 Proxy sales**

Adequate procedures must be in place to ensure that all members of staff working at the premises are routinely trained and regularly reminded of their responsibilities in relation to the issue of proxy sales of alcohol, and shall ensure that all reasonable steps and procedures are in place and implemented to prevent adults purchasing alcohol for those underage.

Steps must be in place to ensure that any designated premises supervisors and members of staff involved with the delivery of alcohol to residential addresses are made fully aware of their responsibilities to ensure that no alcohol is sold to persons underage

## **5.4 Children and cinemas/theatres**

The licensing authority will expect licensees or clubs to include in their operating schedules their arrangements for restricting children from viewing age restricted films according to the recommendations of the British Board of Film Classification (BBFC) or the licensing authority itself. In the event that the licensing authority is asked to stipulate an age category for a film, video etc. that has not been dealt with by the BBFC, the licensing sub-committee or its delegated officers may view the film etc. and use the BBFC published guidelines on categorisation as a ‘benchmark’ in reaching their decision, which will then become a condition.

In considering any application, the licensing authority will take into account any evidence that age restrictions for cinema exhibitions are not being properly observed.

Where performances are for unaccompanied children in theatres and cinemas and relevant representations are received in response to an application/review, the licensing authority may impose conditions requiring an adequate ratio of adult attendants (over 18 years and relevant criminal record check).

## **5.5 Child Sexual Exploitation (CSE)**

Licensed Premises are often used as a place to exploit and abuse victims of CSE. They provide an ideal environment for the grooming and sexual exploitation of children and young people. As part of the grooming process adults may meet young people or take them to licensed premises, to develop a relationship of trust and make them feel special by giving them 'treats' such as meals or alcohol, or by involving them in adult parties. A premise could be misused for this kind of activity by the people who are socialising or working there.

Under the Licensing Act 2003, premises licence holders and designated premises supervisors have a legal responsibility to make sure that children and young people are protected from harm at their premises.

It is expected that licence holders will take all reasonable steps to promote safeguarding from CSE in their premises. Such steps may include but are not limited to; having a written children and young person's risk assessment to be used in conjunction with the premises operating schedule. It is important for staff to be mindful of areas that are not always supervised or covered by CCTV, for example toilets, beer gardens and play areas. For premises that provide a delivery service (e.g. a takeaway under a licence for late night refreshment), licence holders should enforce a code of conduct to promote safeguarding when deliveries are made to unaccompanied children.

Staff should be trained on how to recognise indicators of CSE and be confident in their knowledge on how and what to report to the Police. It is expected that any incidents or suspicions are also recorded by the licence holder or their managers in the premises' incident book if appropriate to do so.

It should be noted that not all exploitation of children in licensed premises is of a sexual nature and children and young people may also be exploited criminally, which could involve children being coerced or manipulated into criminal activity such as drug dealing. Licence holders can find more information regarding child exploitation from the Wiltshire Safeguarding Vulnerable People Partnership [www.wiltshiresvpp.org.uk](http://www.wiltshiresvpp.org.uk)

## **6.0 Licensing process**

A licensing committee, sub-committee, or licensing officers acting under delegated authority, may carry out the powers of the licensing authority under the Act, in accordance with the council's scheme of delegation.

Many of the licensing procedures are largely administrative with no perceived areas of contention. In the interests of efficiency and effectiveness licensing officers generally carry these out.

The licensing authority ensures that all officers and members who deal with applications have received adequate training for their role under the Licensing Act 2003.



A sub-committee of the licensing authority deals with applications and the review of a licence, where there are relevant representations.

When determining applications the licensing authority has regard to any guidance issued by the relevant government department. In particular, account is taken of the need to encourage and promote live music, dancing and theatre for the wider cultural benefit of the community as a whole. If representations are made concerning the potential for limited disturbance in a particular neighbourhood, the licensing authority's consideration will be balanced against the wider benefits to the community e.g. single or multiple day events at outdoor event arenas in Wiltshire. Any conditions imposed on licences do not seek to discourage such entertainment, but are aimed solely at promoting the licensing objectives.

## **6.1 Application for premises licences and club premises certificates**

The licensing authority will expect individual applicants to address the licensing objectives in their operating schedule having regard to the location and type of premises, the licensable activities to be provided, and the operational procedures.

Applicants should make themselves aware of the council's statement of licensing policy, in particular the issues that will need to be addressed in formulating the operating schedule.

Applicants will be encouraged to make themselves aware of any relevant planning policies, tourism, cultural or local crime prevention, alcohol reduction strategies; and to have taken them into account, where appropriate, when formulating their operating schedule.

When determining applications the licensing authority will have regard to Section 182 (of the act) and other relevant guidance issued.

Prospective holders of new premises licences and those seeking variations to existing premises licences are advised to consult with the council's licensing team and the various responsible authorities early in the planning stages in order to reduce the risk of confusion and disputes arising. The licensing authority will endeavour to work in full co-operation with licensees and applicants to minimise the number of disputes that may otherwise arise in this area.

The Section 182 guidance 8.35-8.37 makes reference to outdoor spaces and whether they are used for off sales or on sales. There is no requirement to show consumption areas for off sales on the plan of the premises, but consumption areas for off sales must be made clear on the application form. For consideration by all parties it is recommended that all areas of consumption are marked on the plans. Areas used but not marked on the plans could have the potential for undermining the prevention of public nuisance.

## **6.2 Electronic applications**

Applications with the exception of personal licences and review applications can be submitted online. The applicant needs only to submit one application to the licensing authority. Once the application is deemed valid and fee paid then the licensing authority is responsible for circulation the application to the other statutory/ responsible authorities.

Paper applications will need to be copied by the applicant and submitted to the responsible authorities by post.

### 6.3 Licence conditions

Licensing relates to the control of licensed premises, and other events within the terms of the Act. As part of this control, conditions may be attached to licences, and the various other permissions, which focus on matters falling within the control of individual licence holders.

Any conditions will relate to the premises and other places being used for licensable activities, and the impact of those activities in the vicinity. In this regard the licensing authority primarily focuses on the direct impact of any activities taking place on those living, working, or otherwise engaged, in the area concerned.

The licensing function is not a mechanism for the control of anti-social behaviour by individuals once they are beyond the direct control of the licence holder of any premises concerned. Conditions attached to licences must only seek to impact on the behaviour of customers on, or in the immediate vicinity of the premises as they seek to enter or leave. The licensing authority may impose conditions following a hearing. These conditions must not be disproportionate or over burdensome. The licensing authority does not implement any standard conditions. Conditions may be attached as appropriate given the circumstances of each individual case. Conditions will not be attached where adequate legislative control exists.

### 6.4 “Shadow” Licences

Nothing within the 2003 Act prevents two or more authorisations having effect concurrently in respect of the whole or a part of the same premises or in respect of the same person. (Section 2, Licensing Act 2003). The s.182 Guidance further provides at paragraph 8.19, “There is nothing in the 2003 Act which prevents an application being made for a premises licence at premises where a premises licence is already held.”

Shadow Licences may occur where for example a Landlord seeks to protect the Premises Licence by creating a ‘shadow licence’ where the licensed premises is operated by a tenant. Shadow licences are usually created on the same terms as the existing premises licence. When granting a licence on a premises that already holds a premises licence, the responsible authorities may seek to add conditions to the additional licence, that mirror the current premises licence or may seek to impose a ‘cooling off’ period before trading can begin. Responsible authorities are also able to review the shadow licence whenever the original licence is under review. It must always be clear to the responsible authorities as to which licence is in operation to avoid two individuals trading within the same licensed area at the same time under a different premises licence.

Similarly, premises such as village halls, which already hold a premises licence, may wish to permit the use of the facilities but do not wish to be responsible for the licensable activities. The premises licence holders may therefore request a person to use a Temporary Event Notice (see 6.6) to authorise the licensable activities instead of utilising the premises licence. In such situations the premises licence holder should assure themselves that the premises user has sufficient measures in place to appropriately manage the activities.

### 6.5 Licensing hours

The licensing authority deals with the issue of licensing hours on the individual merits of each application. However, when issuing a licence with hours extending beyond 11pm, higher standards of control generally need to be included in operating schedules in order to promote the licensing objectives, especially for premises, which are situated in, or near,

residential areas or in areas where crime and / or anti-social behaviour takes place. There is no presumption within the legislation for longer opening hours.

In considering all licence applications, the licensing authority takes into account the adequacy of the measures proposed to deal with the potential for nuisance and/or public disorder and has regard to all the circumstances of the case.

Where no representations are received an application is approved as applied for. Where a hearing or a review takes place the licensing authority may set an earlier terminal hour where it considers this is appropriate to the nature of the activities and the amenity of the area. In addition the licensing authority may in the case of an application refuse to grant a licence and at a review, revoke an existing licence. Throughout the application process consultation with relevant partners is welcomed and encouraged.

The licensing authority recognises that having fixed and artificially early closing times in certain areas can lead to peaks of disorder and disturbance on the streets when large numbers of people leave licensed premises at the same time. The licensing authority aims, through the promotion of the licensing objectives, to reduce the potential for concentrations of people and thus achieve a slower dispersal of people from licensed premises through longer opening times when appropriate.

The licensing authority does not seek to adopt fixed terminal hours in designated areas (known as “zoning”), as this can lead to the significant movement of people across boundaries in search of premises opening later.

Shops, stores and supermarkets are generally permitted to sell alcohol for consumption off the premises during their normal trading hours, unless there are exceptional reasons relating to the licensing objectives, in particular the prevention of crime and disorder and public nuisance.

## **6.6 Permitted temporary activities (TENS)**

The Licensing Act 2003 provides a simplified process for small-scale events (no more than 499 people in attendance at any one time) which can be held under the authority of a Temporary Event Notice (TEN).

The system for TENs is intended as a light touch process. The carrying on of licensable activities within the statutory permitted limits of a TEN is not carried out by way of an application, but by way of the premises user giving notice to the licensing authority of the event.

There are various restrictions in respect of both individuals and premises, and event organisers are strongly advised to obtain advice well in advance of the event. If restrictions are exceeded a Counter Notice (refusal) will be issued and the event will not be acknowledged. The guidance notes and form are available on the Council’s website:- [Temporary event notices - Wiltshire Council](#).

In practice the minimum statutory timescales for TENs are unlikely to be sufficient. If the notice is not submitted early enough, then there may not be time for any concerns to be resolved. Event organisers are therefore advised to give as much notice as possible. The licensing authority recommends that at least one month’s notice is given to help organisers plan their events safely. In the event that a hearing is held, and a Counter Notice is issued by the Licensing Authority, it is unlikely that there will be sufficient time for any appeal to be heard by the Magistrates.

The premises user should consider the licensing objectives when giving a TEN. The police and environmental health can intervene where they consider that any of licensing objectives may be undermined. In such circumstances, the police or environmental health may issue an Objection Notice and the Licensing Sub-Committee will consider the objection by way of a hearing. If the Objection Notice relates to a “late TEN” a Counter Notice will be issued making the TENs notice-invalid, as there is not sufficient time to hold a hearing for a late TEN. The licensing authority may only otherwise intervene if the statutory permitted limits are exceeded.

Persons intending to use premises under a TEN are encouraged to discuss their proposals with the community that may be affected before submission. If there is a history of complaints, following investigation, this may lead to future events being objected to by either the police or environmental health.

The responsibility of the event lies with the organisers, who are therefore strongly advised to ensure that adequate safety measures (including the recorded findings of a fire risk assessment) are in place in relation to any temporary event.

Event organisers should be aware that authorisation of licensable activities under a TEN does not remove their requirement to ensure that all other permissions are in place, e.g. consent to use the land or relevant planning permission.

A flow chart for TENs is attached as Appendix C.

## **6.7 Large scale events**

These are events that are temporary but more than 499 people are expected to attend. Much larger crowds may be attracted to large-scale events and the risk to public safety and to crime and disorder, as well as public nuisance, may be considerable. The licensing authority and all other statutory consultees, should be given at the earliest opportunity, notice of such major events to discuss operating schedules with the organiser, prior to a formal application being submitted. It is the responsibility of the event organizer/ applicant to provide the licensing authority and all other statutory consultees, at the earliest opportunity, notice of such major events. This will enable discussion about operating schedules prior to a formal application being submitted.

It is expected that the applicant will consider how their event will take place safely and how it will impact on the surrounding area. For large events such as festivals the licensing authority will expect to receive an event management plan to be submitted with their application for a licence. An event management plan should be a working document to include information which outlines how the premises will be run during the event. Details should be provided of (although not limited to):

- 6.7.1.1 Roles and responsibilities of the event organiser
- 6.7.1.2 Crowd management
- 6.7.1.3 Contractor management
- 6.7.1.4 Electrical, gas and water supply
- 6.7.1.5 Temporary structures
- 6.7.1.6 Fire safety
- 6.7.1.7 Medical and first aid provision
- 6.7.1.8 Site accessibility
- 6.7.1.9 Traffic Management (including blue routes)

- 6.7.1.10 Security staff/stewards/marshals
- 6.7.1.11 Incident management
- 6.7.1.12 Health and Safety management for members of the public
- 6.7.1.13 Welfare provision for members of the public

The licensing authority strongly recommends they are given at least six months' notice to allow for a sufficient lead in time. Failure to consult in sufficient time may result in an objection on the grounds that insufficient time has been allowed to properly assess and consult to ensure that, in particular, public safety is not undermined.

Wiltshire Council has an established Events Safety Advisory Group (ESAG). This includes relevant council officers, representatives of the emergency services and the voluntary first aid sector. ESAG's aim is to advise on safety at public events held throughout Wiltshire, regardless of whether or not a premises licence or a temporary event notice is required. Event organisers are encouraged to make contact with the Licensing team for advice at the earliest opportunity when planning their community events.

## **6.8 Delegation of decision making**

One of the major principles underlying the Licensing Act 2003 is that the licensing functions contained within the Act should be delegated to an appropriate level so as to ensure efficient and cost-effective service delivery.

The Act itself requires that applications be granted unless a representation or objection is raised. Where a function is delegated to an officer, they will be responsible for liaising with the applicant, interested parties and the responsible authorities to ensure that any licence granted is subject to proportionate and necessary conditions. Where objections/representations are made, the officer will liaise with the applicant, those making the representation and the responsible authorities to see if a settlement is possible to overcome the representations without the need for the matter to go before the licensing subcommittee. Only where issues are raised which cannot be agreed will the application be referred through to the licensing sub-committee for determination.

Whilst contested licensing applications are quasi-judicial in nature, the licensing sub-committee will try to keep the proceedings as informal as possible. However, some degree of formality is needed to ensure that all parties receive a fair hearing. The procedures are designed to ensure that all parties are able to express their views openly and fairly. The procedure is inquisitorial rather than adversarial and, whilst applicants, individuals and businesses who may be affected, and responsible authorities are entitled to bring legal representation with them if they wish, this is not a requirement.

Whilst the licensing sub-committee usually meets in public, it does have power to hear certain applications in private and to receive legal advice similarly. A decision is made publicly when the matter has been determined.

The licensing sub-committee will determine each case on its individual merits whilst taking into consideration the terms of this policy document. Where the licensing sub-committee determines that it is appropriate to attach conditions to a licence or certificate it will ensure that those conditions are focused on the direct impact of the activities taking place at the premises concerned. Such conditions will be proportionate to the activity to be controlled and will only be imposed in the interests of the licensing objectives.

The licensing authority will expect the applicant to have had due regard to the contents of

this policy and the attached appendices that provide guidance only.

A decision of the licensing authority can be the subject of an appeal at the magistrates' court. As a consequence, the licensing authority will record full reasons for any decision(s) made. The refusal of an application does not prevent a further application being made, but the licensing authority would expect the applicant to carefully consider the issues of concern before doing so.

## **6.9 Application for personal licences**

The Police and Home Office Immigration will have the right to object to a person applying for a personal licence if that person has a relevant unspent conviction (at the time of application) or if they obtain a relevant conviction during the application period of their licence.

An individual may seek a personal licence regardless of whether they have current employment or business interests associated with the use of the licence. Applications cannot be made in the name of a corporate body.

Holders of a personal licence must hold a recognised licence qualification be over 18 and not have any relevant convictions and have the right to work. Proof of a licensing qualification together with a basic disclosure not older than 4 weeks, 2 endorsed photos of the applicant are required as part of the application process.

Applicants with unspent criminal convictions for the relevant offences set out in the Licensing Act 2003 are encouraged to first discuss their intended application with the police and licensing authority before making an application.

Where an applicant has unspent convictions for relevant offences the licensing authority must notify the Police. The licensing authority must grant a personal licence where the Police do not object to the application and the application meets all the requirements.

The licensing authority and police may arrange a joint interview with a prospective personal licence holder(s) to discuss the circumstances surrounding their conviction(s). Ultimately, the police may be minded to object to the grant of the personal licence. In these circumstances, the applicant is entitled to a hearing before the licensing sub-committee who will determine the application.

Wiltshire licensing authority will be the 'relevant licensing authority' for all personal licences when first granted to the applicant residing in Wiltshire, regardless of the subsequent place of residence of the holder. It will maintain all notified changes of address on its database.

The Policing and Crime Act 2017 amended the Licensing Act 2003 to allow the Licensing Authority to suspend, for up to 6 months, or revoke a Personal Licence upon a Personal Licence Holder being convicted of a relevant offence, foreign offences, or civil penalties for immigration offences.

The Licensing Authority has adopted these discretionary powers.

If the licensing authority becomes aware that a personal licence holder has been convicted of a relevant offence, a foreign offence or paid an immigration civil penalty the licensing authority would normally seek to suspend the licence for a period of up to six months or consider revoking the licence

## 6.10 Delegation to premises supervisors

The designated premises supervisor need not be physically on the premises at all times when there is a supply or sale of alcohol but the licensing authority expects that there will be an appropriate authorisation system in place in line with the Section 182 (or other) guidance regarding the sale of alcohol at the licensed premises.

Where a designated premises supervisor is to be newly specified, the premises licence holder will apply to the licensing authority (including an application for immediate effect) and show that the individual concerned consents to taking on this responsible role, and notify the police of the application.

The police are able to object to the designation of a new premises supervisor where in exceptional circumstances, they believe the appointment would undermine the crime prevention objective. Similarly, the police are able to object where a designated premises supervisor is first appointed or transfers to a particular premises, and this combination gives rise to exceptional concerns; such as where a personal licence holder who has been allowed by the courts to retain their licence, despite convictions for selling alcohol to minors transfers to premises which has a degree of notoriety for underage drinking.

The Act provides that the applicant may apply for the individual to take up the post of designated premises supervisor immediately, and in such cases the issue would be whether the individual should be removed. The licensing sub-committee considering the matter must confine their consideration to the issue of crime and disorder. They will give comprehensive reasons for their decision and either party would be entitled to appeal if their argument is rejected.

## 7.0 Enforcement

The licensing authority will seek to work actively with the police in enforcing licensing legislation. It expects the police (subject to public interest immunity) to share relevant information about licensees and licensed premises under the Crime and Disorder Act 1998 and its common law powers, and to consult closely with the licensing authority when any enforcement action may be required. A joint enforcement protocol is in place with the police and other statutory agencies. These protocols provide for the targeting of agreed problem and high risk premises, but with a lighter touch being applied to those premises which are shown to be well managed and maintained.

The licensing authority recognises that balancing the interests of owners, employees, customers and neighbours of pubs, clubs and off-licences will not always be straightforward, but it will always have regard to the licensing objectives.

The licensing authority will promote 'good practice' in relation to the operation of licensed premises. It will work closely with stakeholders so as to achieve on-going improvements in standards over reasonable periods of time, in the belief that this is in the long term interests of owners, operators, employees, customers and neighbours alike.

In general, action is taken in accordance with agreed enforcement principles and in line with the enforcement policies of the licensing authority and all responsible authorities. The key principles of consistency, transparency and proportionality are acknowledged. Any government advice or requirement in relation to enforcement will be taken into account. A graduated response is affected where there is evidence of contravention of licensing

legislation or licence conditions. Whilst an isolated or minor breach might be dealt with by way of an oral or written warning, more serious breaches and consistent lower level pattern of continued problems are likely to attract prosecution and/or a review of the licence. Where contraventions or concerns as to compliance with regulations enforced by other agencies are identified during enforcement activities, these matters will be reported to the relevant agency. Complaints against licensed premises, allegations of unlicensed activities, and the breach of licence conditions will be investigated by Public Protection Officers

The licensing authority will refer to the Public Protection Enforcement Policy when considering enforcement. This policy is reviewed every two years and can be found on the council's website: [www.wiltshire.gov.uk](http://www.wiltshire.gov.uk).

Under the Licensing Act 2003 as amended by the Police Reform and Social Responsibility Act 2011 the licensing authority must suspend a premises licence or club premises certificate if the holder has failed to pay the authority the annual fee. This does not apply if the failure to pay the fee when it was due was because of administrative error or the holder informed the authority in writing at or before the fee was due that they were disputing liability.

### **7.1 Inspection of licensed premises**

The licensing authority aim to inspect premises on a risk based approach to secure compliance with the Licensing Act and to promote the licensing objectives.

Authorised officers will have the discretion as to which premises require a 'during performance' inspection and the frequency when they are undertaken. Where appropriate, joint visits will take place encompassing a number of relevant agencies.

Licensed premises will be risk-rated by the licensing authority so as to develop a proportionate and targeted inspection program.

### **7.2 Complaints regarding licensed premises**

The licensing authority will investigate or refer to other relevant agencies/council services complaints received against licensed premises where appropriate, normally providing that the complainant's personal details and the nature of the issue(s) must be provided from the outset. For certain matters the complainant may be encouraged to raise the issue of concern directly with the licensee.

In exceptional circumstances the personal details referred to above may not be required, whilst the facts of the complaint are referred onto the police.

### **7.3 Reviews of licences**

The Act sets out the arrangements to enable a review of a premises licence where it is alleged that the licensing objectives are not being promoted. This arrangement will follow an application from a responsible authority or any other person. The Section 182 guidance will be used to ensure that all matters for review are considered appropriately. The process shall not be subject to abuse by disaffected parties. Matters for consideration must be relevant, and not vexatious, frivolous or repetitious. However, matters involving the following may be considered as serious shortcomings by the licensing sub-committee at their hearings:



- use of licensed premises for the sale and distribution of Class A drugs and/or the laundering of the proceeds of drug crimes
- use of licensed premises for the sale and/or distribution of firearms
- evasion of copyright in respect of “pirated” films and music
- underage purchase and/or consumption of alcohol
- use of licensed premises for prostitution or the sale of unlawful pornography
- use of licensed premises for unlawful gaming
- use of licensed premises as a base for organised criminal activity
- the closure of the premises by a senior police officer, or an environmental health officer due to noise nuisance
- use of licensed premises for the organisation of racist, homophobic or sexual abuse or attacks
- use of licensed premises for the sale of smuggled tobacco or goods
- the use of licensed premises for the sale of stolen goods
- where the police are frequently called to attend to incidents of disorder
- prolonged and/or repeated instances of public nuisance
- where serious risks to public safety have been identified, and the management is unable or unwilling to correct those
- where serious risks to children have been identified e.g. repeat underage sales
- significant or repetitive breaches of licence conditions/licensing law
- failure to act on previous warnings/advice/uncooperative attitude towards authorised officers.

In a hearing to determine an application for a licence or consider a review application, the overriding principle adopted by the licensing authority is that each application will be considered on its own individual merits. Licence conditions applied at such a hearing will be tailored to the individual premises and activities and only those necessary to meet the licensing objectives will be applied.

Upon review of a premises licence, the licensing authority must, having regard to the application for review and any relevant representations, take such steps as it considers necessary for the promotion of the licensing objectives. Such steps might be:

- the modification of the conditions of the licence
- the exclusion of a licensable activity from the scope of the licence
- the removal of the designated premises supervisor
- the suspension of the licence for a period not exceeding three months
- the revocation of the licence.

#### **7.4 Other powers and legislation**

A senior police officer, of the rank of superintendent or higher, or an inspector of weights and measures, may issue a closure notice where there is evidence that a person has committed the offence of persistently selling alcohol to children at the premises in question, and the officer considers that the evidence is such that there would be a realistic prospect of conviction if the offender was prosecuted for it. A closure notice will prohibit sales of alcohol at the premises in question for a period not exceeding 48 hours; and will offer the opportunity to discharge all criminal liability in respect of the alleged offence by the acceptance of the prohibition proposed in the notice. The premises licence holder will have fourteen days to decide whether or not to accept the proposed prohibition or to elect to be tried for the offence. Where the licence holder decides to accept the prohibition, it must

take effect not less than fourteen days after the date on which the notice was served at a time specified in the closure notice. Closure notices may be served by police officers, trading standards officers and community support officers.

Anti-Social Behaviour, Crime and Policing Act 2014 permits an authorised officer acting on behalf of the council, to require the immediate closure, for a period of up to 24 hours of any licensed premises if it is considered that noise emanating from within its curtilage is causing a public noise nuisance. The 'test' is a lesser one than required to determine a statutory noise nuisance and the statutory defence of 'best practicable means' is not available.

The licensing authority also recognises that there are other tools and powers at their, and their partner agencies', disposal. All powers are subject to change and amendments, in particular by the Anti-Social Behaviour, Crime and Policing Act 2014. More details can be made available on request to the licensing authority.

Other statutory requirements and opportunities for control, for example relating to planning, building regulations, fire safety, nuisance and health and safety, may apply to the provision of any regulated activities at a premises and the responsibility for compliance lies with the licence holder. Advice may be obtained from the appropriate enforcing authority or from the licensing authority's Licensing Officers.

Premises referred to in an application for a licence or certificate should have planning permission granted for that use and be compliant with, or have arrangements in place to be compliant with any conditions attached to the planning permission. It is however recognised that licensing applications should not be a re-run of a planning application and the two regimes are entirely separate.

The licensing team will liaise with the relevant planning authority as appropriate.

The Immigration Act 2016 amends the Licensing Act 2003 to provide Immigration Officers enforcement powers. An Immigration Officer will be able to issue an "illegal working closure notice" for up to 48 hours if he or she is satisfied, on reasonable grounds, that an employer operating at the premises is employing a person who does not have the correct work status.

The closure notice prohibits access to the premises unless authorised in writing by the immigration officer.

An application to the Court for a compliance order must be made by the immigration officer and heard within 48hrs after service of the closure notice. The Court may issue the compliance order if satisfied, on the balance of probabilities, that an illegal worker was working on the premises and that it is necessary to make the order to prevent the employer at the premises from employing illegal workers.

The Court can make an order which includes, prohibiting the access to the premises; requiring right to work checks to be carried out; requiring right to work documents to be produced and specifying times for an immigration officer to enter the premises. A compliance order can have effect for a maximum of 12 months, but the immigration officer may apply for this to be extended.

The Court will notify the licensing authority of the order and the licensing authority must then review the premises licence.

If an offence is committed in relation to the compliance order, the court can impose a prison

sentence for up to 51 weeks or a fine.

The licensing authority will have regard to the European Convention on Human Rights particularly:

- Article 6- entitlement to a fair and public hearing within a reasonable time by an independent and impartial tribunal and
- Article 8 - the right to respect for home and private life; and
- Article 1 of the First Protocol - that every person is entitled to the peaceful enjoyment of their possessions, as they may interface with the licensing objectives.

## **8.0 Other licensing authority powers**

### **8.1 Cumulative impact policy**

In the Secretary of State's Section 182 guidance on the Licensing Act 2003, 'Cumulative Impact' is defined as 'the potential impact on the promotion of the licensing objectives of a significant number of licensed premises concentrated in one area'. The number, type and density of licensed premises within an area may be such as to give rise to serious problems of crime, disorder and/or public nuisance.

The locality within which licensed premises are, or may be, located is a major consideration in determining whether a licence should be granted and what conditions should be attached to it. Primary consideration will be given to the direct impact of the licensed activity on those living, working or enjoying the local environment.

Licensing law is not a mechanism for the general control of any anti-social behaviour being displayed by patrons once they have left the curtilage of the licensed premises. Other more specific legislation should be used. However when issues can be linked to customers from a particular premise or area then the licensing authority may consider it relevant to the licensing framework.

In some areas there may be concentrated numbers of licensed premises that can lead to problems with the licensing objectives in the area itself or even some distance away. In such circumstances the impact of those premises when taken as a whole can be far greater than that arising from individual premises. It may not be possible to distinguish individual premises as being the sole cause, or even a major contributory factor to, a particular problem; it is the cumulative impact of all the premises that causes problems for a wider area.

All applications will be considered on their own merits, and no restriction of numbers will be imposed by this policy.

However the licensing authority may receive representations from a responsible authority or an interested party that the cumulative impact of the existing licensed premises or the granting of new licences will lead to an area becoming 'saturated' to the detriment of the locality because of impact on the licensing objectives over and above the impact of the individual premises. In these circumstances the licensing authority may consider that it needs to have a special policy in place.

### **8.2 Late night levy**

Following the introduction of the Police Reform and Social Responsibility Act 2011 the licensing authority may introduce a late-night levy. The levy would relate to a late-night supply period which begins at or after midnight and ends at or before 6am. Any premises which are not subject to an exemption who supply alcohol during the supply period on any night of the year would be required to pay the late-night levy, the level of which is based on rateable value.

After a night out, members of the public will often migrate to premises offering late night refreshment on their way home. The culmination of over-intoxicated people in a small space often leads to public nuisance from people fighting, shouting and dropping litter. Under the Policing and Crime Act 2017, the government can implement legislation to bring late night food venues into the scope of late-night levies. Late night levies are a means through which local councils and police forces can raise funds to help pay for additional enforcement required to deal with increased public nuisance around these premises.

The late-night levy will not be introduced without the required consultation as detailed in the legislation and accompanying guidance.

### **8.3 Early morning restriction order (EMRO)**

Following the introduction of the Police Reform and Social Responsibility Act 2011, if the licensing authority considers it appropriate for the promotion of the licensing objectives they can make an early morning alcohol restriction order.

An order would mean that any premises licence, club premises certificate or temporary event notice that authorises the sale of alcohol during the period specified in the order would not have effect. The period specified must begin no earlier than midnight and end no later than 6am.

## **9.0 Links to strategies and plans**

The Wiltshire Community Safety Partnership is a statutory partnership, which includes a number of local partners. Together the partnership oversees the development of various Wiltshire strategies, in particular:

- Wiltshire Drugs and Alcohol Strategy
- Health and Wellbeing Strategy
- Joint Strategic Needs Assessment
- Strategy to prevent and tackle serious violence
- Wiltshire Domestic Abuse Strategy.

To obtain a copy of any of these documents please contact the licensing authority.

## 10.0 Further advice and guidance

Can be obtained from Wiltshire Council's Licensing Team and on the licensing pages of the council's website: [www.wiltshire.gov.uk](http://www.wiltshire.gov.uk)

Home Office

[www.gov.uk/government/organisations/home-office](http://www.gov.uk/government/organisations/home-office)

The Purple Guide

The Events Industry Forum

[The Events Industry Forum](http://www.theeventsindustryforum.com)

British Institute of Inn keeping (BII)

[www.bii.org.uk](http://www.bii.org.uk)

British Beer & Pub Association (BBPA)

[www.beerandpub.com](http://www.beerandpub.com)

Association of Licensed Multiple Retailers (ALMR)

[www.almr.org.uk](http://www.almr.org.uk)

Association of Convenience Stores

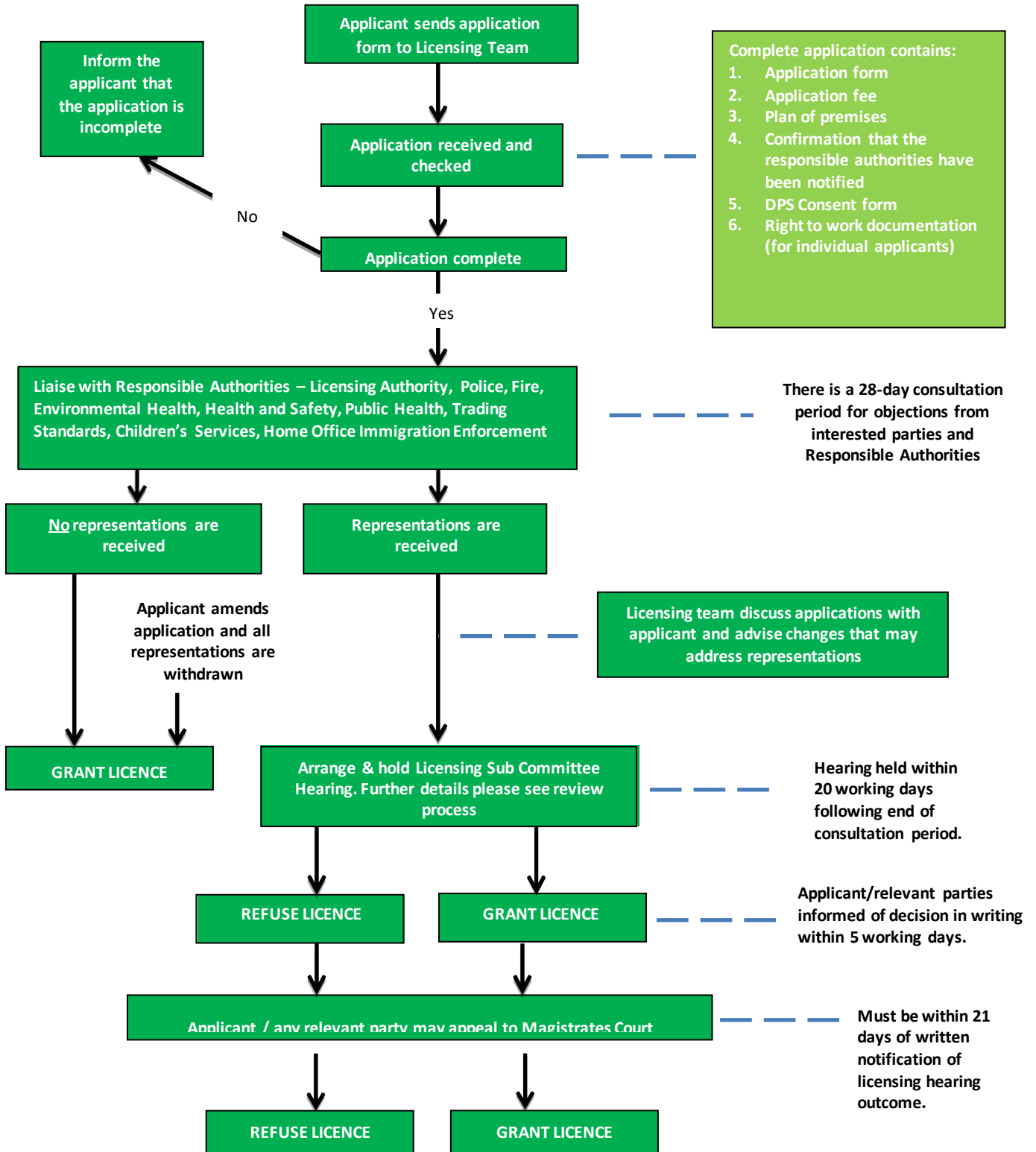
[www.acs.org.uk](http://www.acs.org.uk)

Portman Group

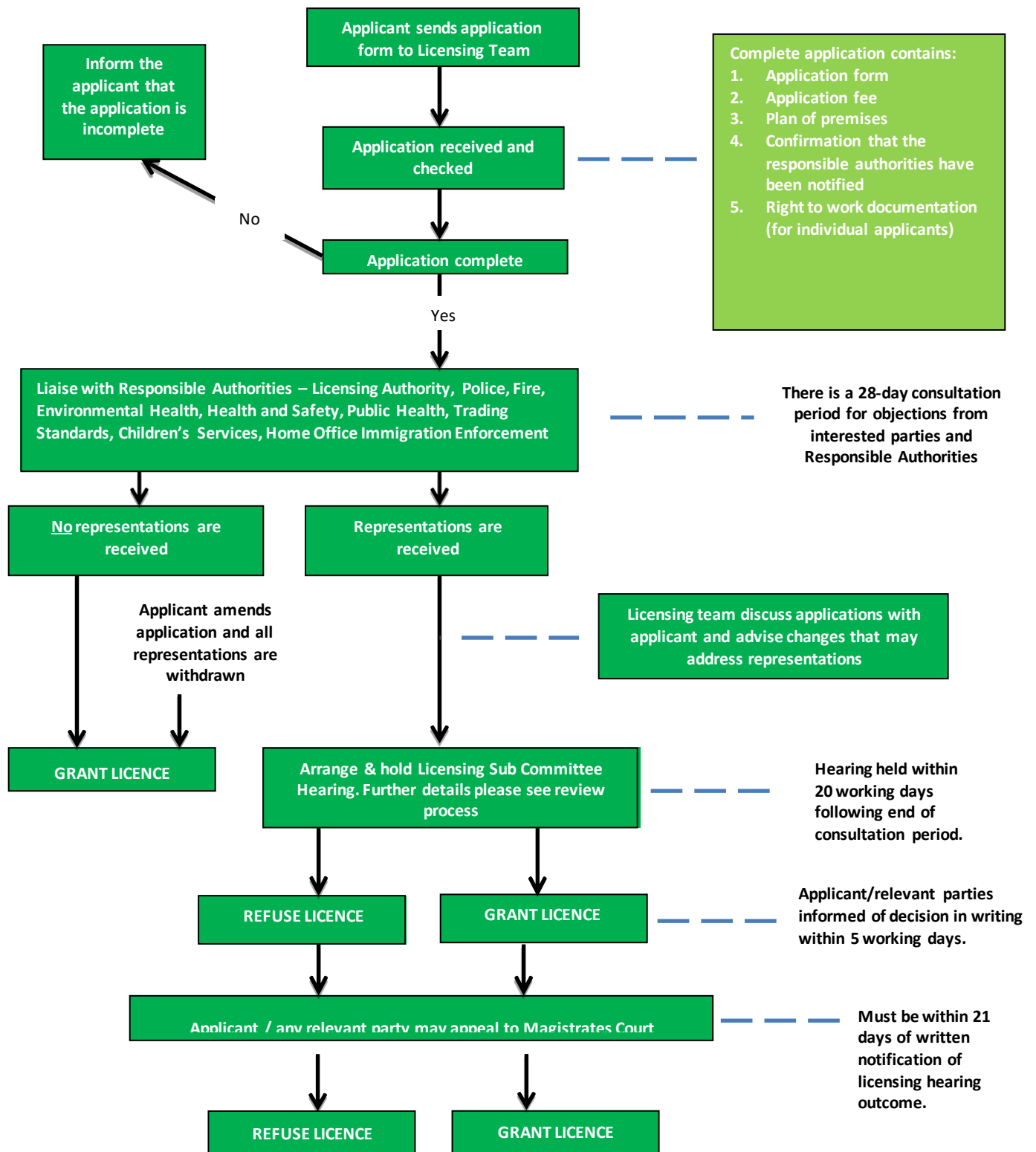
[www.portmangroup.org.uk](http://www.portmangroup.org.uk)

# 11.0 Appendices

## APPENDIX A – Premises Licence/Club Premises Certificate – New Applications

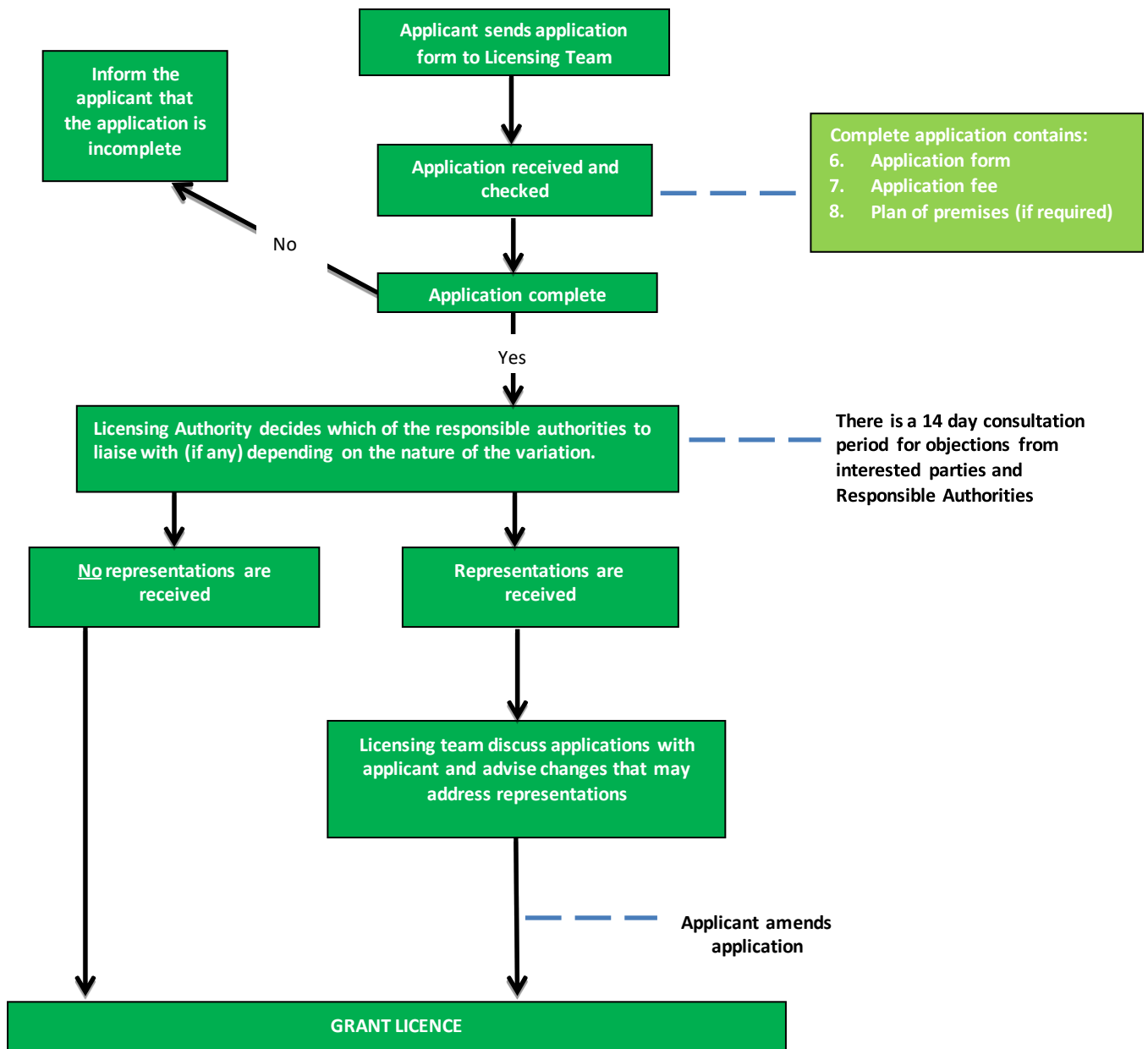


## APPENDIX B – Premises Licence/Club Premises Certificate – Variations



If the request is to substantially change the original licence – a new application must be submitted. Variations of name, address or DPS are covered by a separate process.

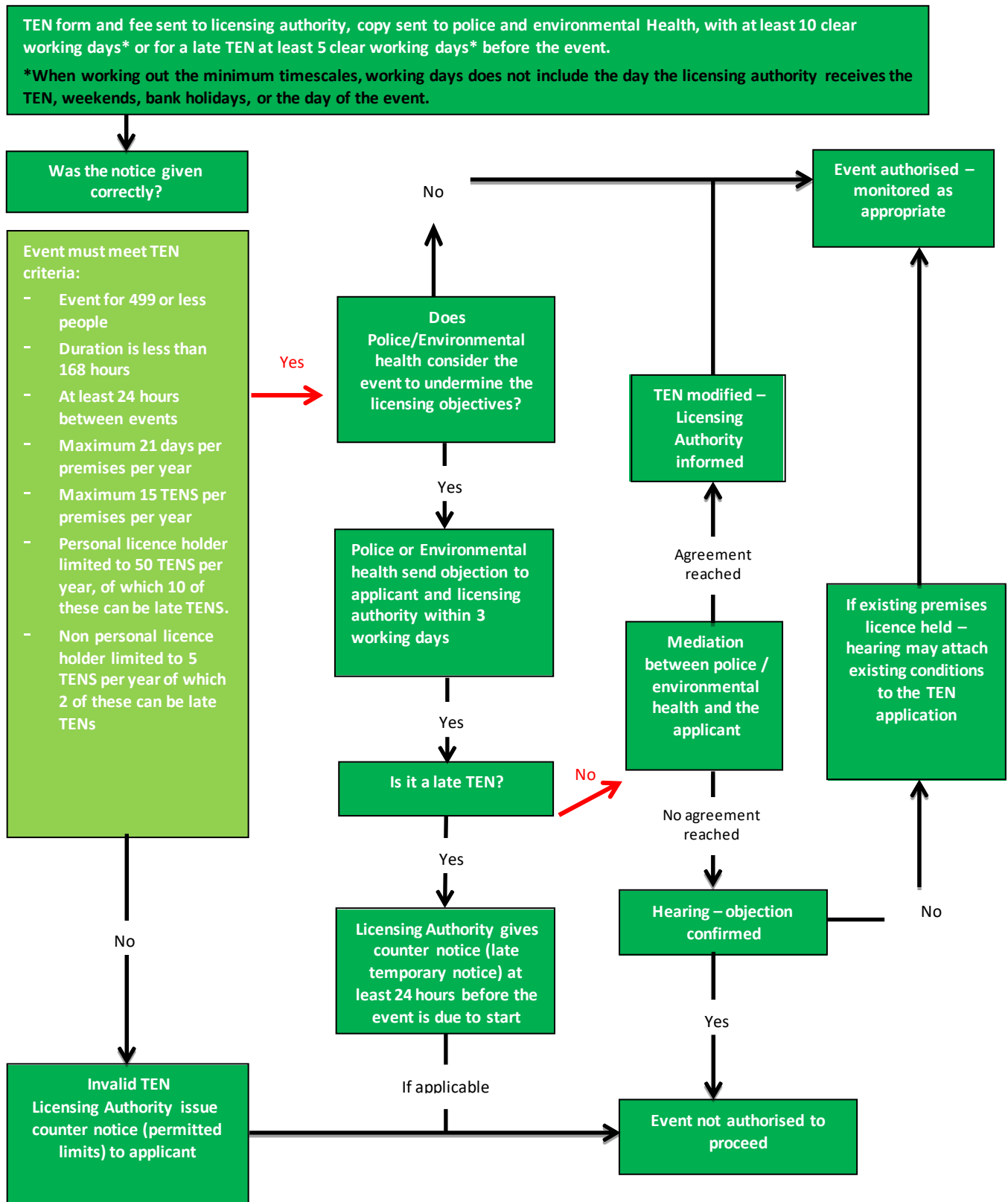
## APPENDIX Ba – Premises Licence/Club Premises Certificate – Minor Variations



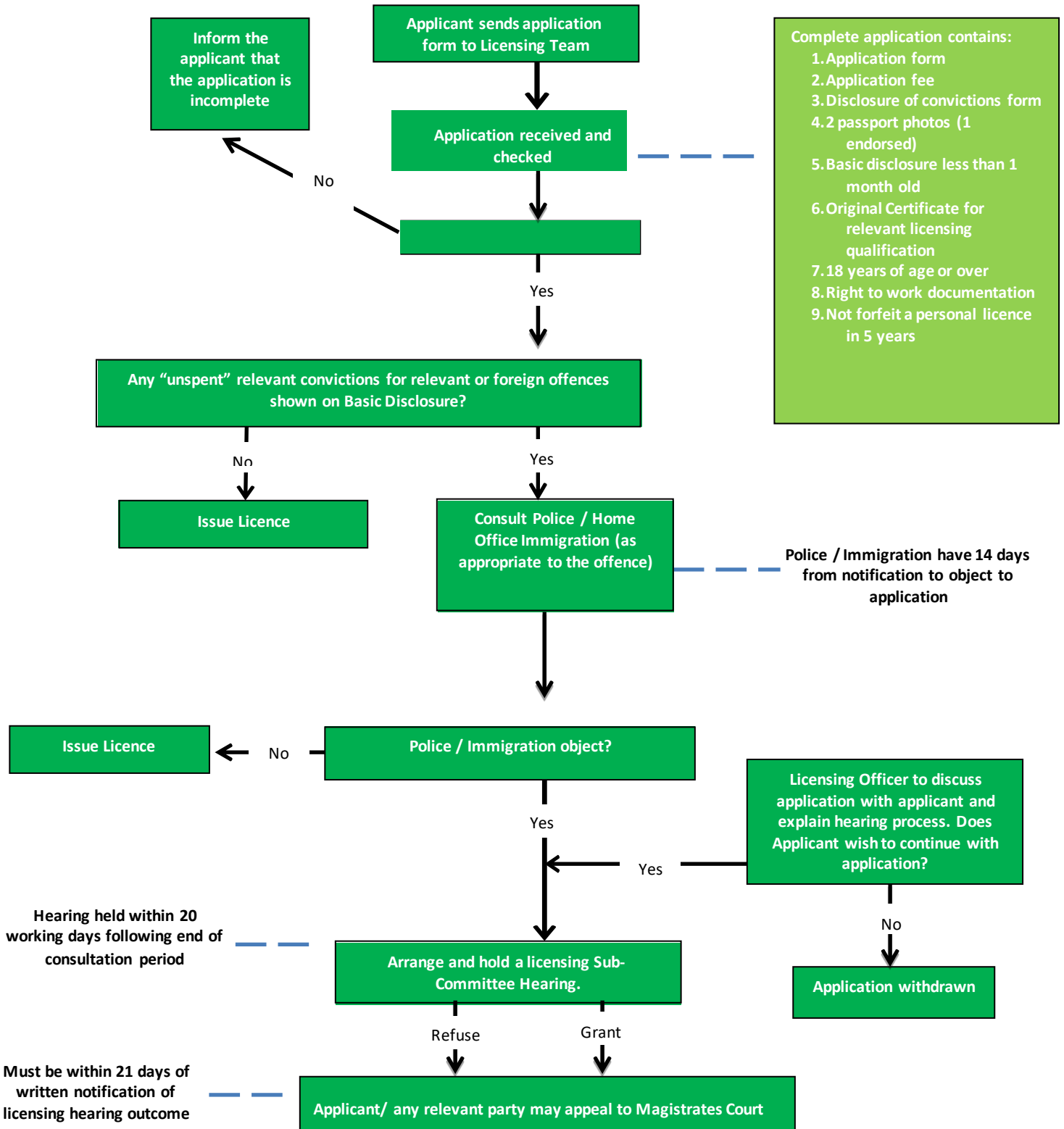
It is important to note that there is no hearing process for minor variations; however Licensing Officers should give regard to any representations received.



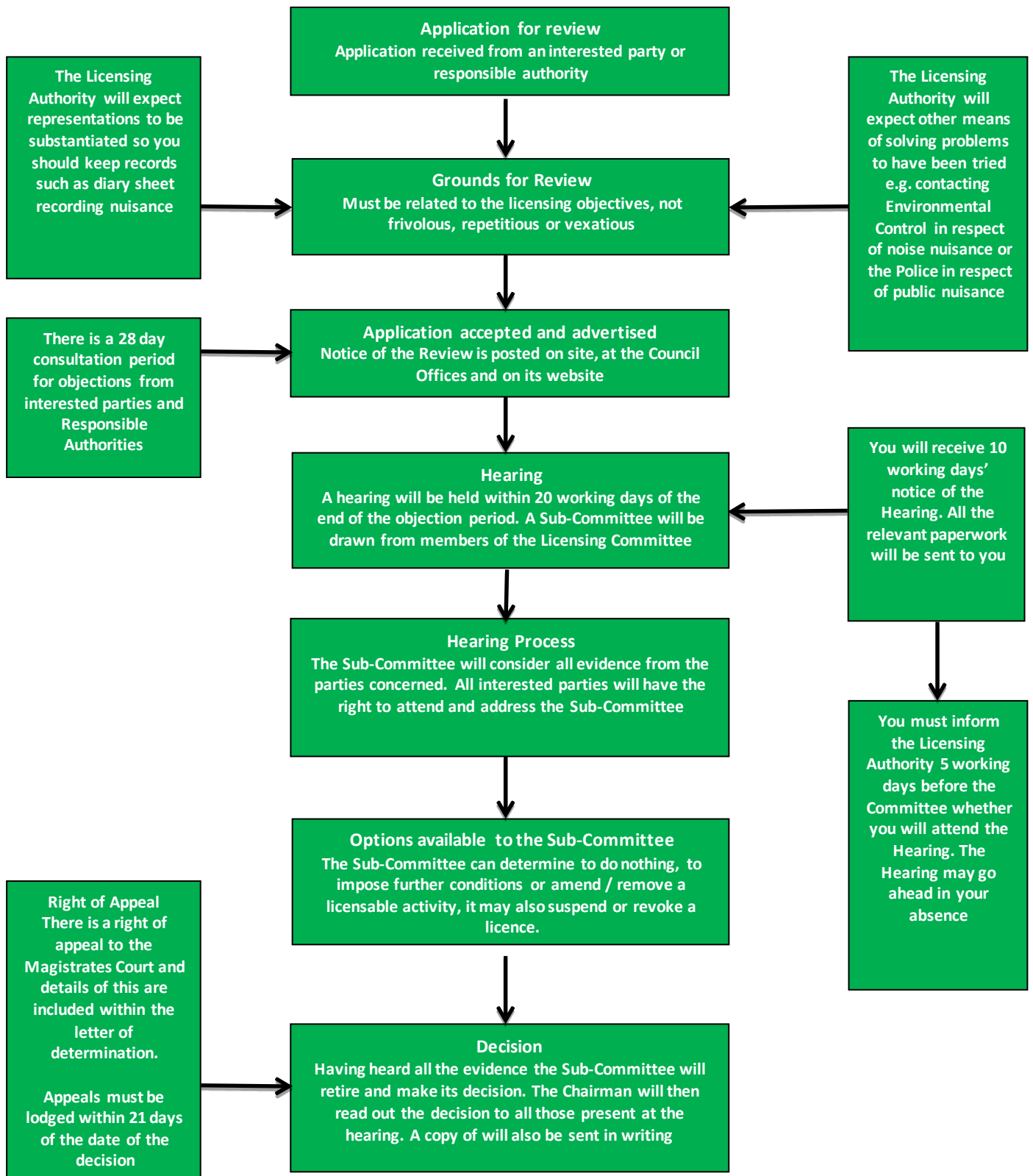
## APPENDIX C – Temporary Event Notice



## APPENDIX D – Personal Licence – New Applications



## APPENDIX E – Review Process for Licensed Premises and Club Premises Certificates



## **APPENDIX F – The Legislation Reform (Entertainment Licensing) Order 2014**

In April 2015 the Legislation Reform Order was introduced to remove the regulatory burden of the Licensing Act 2003 so that certain entertainment activities in defined circumstances no longer require a licensing authority to have granted an authorisation before they can take place. As such the Licensing Act 2003 was amended to deregulate the following entertainment:

### **Live music in relevant alcohol licensed premises and workplaces**

The audience limit for a performance of live amplified music in relevant alcohol licensed premises or in a workplace between 08.00-23.00 on the same day will be raised from 200 to 500.

### **Recorded music in relevant alcohol licensed premises**

Any playing of recorded music in relevant alcohol licensed premises will be deregulated (on a conditional basis) when it takes place between 08:00-23:00 on the same day for audiences of up to 500.

### **Live and recorded music exemptions**

- Local authorities, health care providers and schools will be exempt from entertainment licensing when making their own defined premises available to third parties for live and recorded music activities between 08:00-23:00 on the same day for audiences of up to 500.
- Community premises not licensed to supply alcohol will be exempt from entertainment licensing requirements for live and recorded music between 08:00-23:00 on the same day for audiences of up to 500

### **Travelling circuses**

Travelling circuses will be exempt from entertainment licensing in respect of all descriptions of entertainment, except an exhibition of a film or a boxing or wrestling entertainment, where the entertainment or sport takes place between 08:00-23:00 on the same day, with no audience limit.

### **Greco-Roman and freestyle wrestling**

Greco-Roman and freestyle wrestling will be deregulated between 08:00-23:00 for audiences of up to 1000 people.

### **Cross-activity exemption**

The provision of regulated entertainment by or on behalf of local authorities, health care providers, or schools on their own defined premises will be exempt from entertainment licensing between 08.00-23.00 on the same day, with no audience limit.

A licence to sell or supply alcohol would still be required, and any controls in place in relation to the alcohol licence would remain. Furthermore, the exemptions will not extend to adult entertainment. The background and policy position on adult entertainment was set out in the 2011 consultation, and there was a strong consensus in the consultation responses that existing restrictions on sexual entertainment should be maintained.

## APPENDIX G – Live Music Act 2012

The Live Music Act took effect from 1 October 2012, and since 6th April 2015 now applies to recorded music, and covers larger audiences.

The Act disapplies live music related conditions if the following criteria are satisfied:

- There is a premises licence or club premises certificate in place permitting 'on sales';
- The premises are open for the sale or supply of alcohol for consumption on the premises;
- Live or recorded music is taking place between 8am and 11pm;
- If the live music is amplified or recorded, the audience consists of no more than 200 people

Live music also ceases to be classed as regulated entertainment under the Licensing Act 2003 if the above criteria are satisfied.

"Live Music" includes vocal and instrumental music and also karaoke singing. Pre-recorded videos played on karaoke machines are likely to require authorisation for "Films" but if only the words to the song are displayed then no authorisation is required.

The Act also creates a general exemption that live unamplified music provided anywhere shall not be regarded as the provision of regulated entertainment under the Licensing Act 2003 if it takes place between 8am and 11pm, regardless of the number of people in the audience.

There are a number of mechanisms for the protection of residents and these are:

- Upon a review of the premises licence the Licensing Authority can determine that conditions on the premises licence relating to live or recorded music will apply even between 8am and 11pm;
- If the Premises Licence doesn't presently authorise live or recorded music the Licensing Authority can add conditions to the Premises Licence as though the live or recorded music were regulated entertainment authorised by that Premises Licence, again to apply between 8am and 11pm
- The Licensing Authority can determine that live or recorded music at the premises is a licensable activity and live or recorded music can no longer be provided without permission on the Premises Licence or a Temporary Event Notice
- Other noise legislation, for example in the Environmental Protection Act 1990, will continue to apply. The Live Music Act does not allow licensed premises to cause a noise nuisance

The Live Music Act removed the need to licence entertainment facilities completely - regardless of time or audience size. This means that dance floors, microphone stands, pianos made available for use by the public etc. will not be licensable once the Act comes into effect. Health & safety law will of course continue to apply.

The Live Music Act does not remove the requirement for permission to play live and recorded music from PPL PPR.

## **APPENDIX H – Glossary**

The following comprises a glossary of terminology used within the statement of licensing policy. Terms defined at length within the Licensing Act 2003 have generally not been included.

### **Alcohol harm reduction strategy**

A strategy issued by the Government aimed at identifying initiatives and priorities, which may help in the promotion of the licensing objectives.

### **Appropriate representations**

See 'Relevant Representation'.

### **Basic disclosure check**

The Criminal Records Bureau (CRB) and the Independent Safeguarding Authority (ISA) have merged to become the Disclosure and Barring Service (DBS). CRB checks are now called DBS checks. A DBS check may be needed for certain jobs or voluntary work particularly when working with children.

### **Club premises certificate**

A certificate authorising the use of premises by a qualifying club for one or more club activities.

### **Community Safety Partnership**

A partnership comprising relevant sections of the council, the police and other interested parties, established to develop a strategy for the reduction of crime and disorder in the area.

### **Cumulative impact**

The potential impact on the promotion of the licensing objectives of a significant number of licensed premises concentrated in one area.

### **Designated premises supervisor**

The individual specified in the premises licence as the premises supervisor.

### **High volume vertical drinking establishments**

A licensed premise that targets, persons wishing to consume a number of drinks, often with minimal seating to maximise room for customers.

### **LACORS/TSI code of best practice on test purchasing**

The Code of Best Practice on Test Purchasing issued by the Local Authorities Co-ordinators of Regulatory Services (LACORS) and the Trading Standards Institute (TSI). The code gives guidance as to the test purchasing of alcohol by trading standards officers.

### **Licensing committee**

The committee established by the licensing authority to discharge the licensing functions of the authority.

### **Licensing hours**

The hours during which authorised licensable activities, take place.

### **Licensing tasking**

A Wiltshire based multi-agency meeting where premises causing issues are raised, discussed and

actions decided.

### **Natural justice**

In English Law this is the technical term for a rule against bias and the right to a fair hearing.

### **Operating schedule**

A prescribed document which must accompany any application for a premises licence or a club premises certificate, setting out the nature of the proposed licensable activities, the proposed trading hours, and the steps envisaged promoting the licensing objectives, amongst other things.

### **Personal licence**

A licence which authorises an individual to supply or authorise the supply of alcohol in accordance with the premises licence.

### **Premises licence**

A licence authorising premises to be used for one or more licensable activities.

### **Proportionality**

The principle under which, in the licensing context, only appropriate conditions can be imposed on licensable activities, taking specific account of the size, style, and characteristics of such activities taking place at the premises concerned.

### **Pubwatch scheme**

An agreement reached by a group of licence-holders in a particular locality to counter, on a collective basis, those who threaten damage, disorder, and violence or use or deal in drugs in their premises. Normally, action consists of agreeing not to admit or serve individuals who cause such problems.

### **Purple Flag**

Purple Flag is the “gold standard” for town centres at night, it aims to raise standards and improve the quality of our towns and cities between 5pm and 5am.

### **Qualification approved by DCMS**

A licensing qualification accredited by the Secretary of State.

### **Quasi-judicial**

Is an entity or a function, generally of a public administrative agency, which has powers and procedures resembling those of a court of law or judge, and which is obligated to objectively determine facts and draw conclusions from them so as to provide the basis of an official action.

### **Relevant offence**

Any offence listed in Schedule 4 of the Licensing Act 2003.

### **Relevant representation**

A representation regarding the likely effect of the grant of a licence on the promotion of one or more of the licensing objectives.

### **Responsible authorities**

The public bodies that must be fully notified of applications and that are entitled to make relevant representations to the licensing authority in relation to the grant, variation or review of a premises

licence. 1 April 2019:

- the chief officer of police
- the local fire and rescue authority
- the local authority with responsibility for public health
- the local enforcement agency for the Health and Safety at Work etc. Act 1974
- the local authority with responsibility for environmental health
- the local planning authority
- a body that represents those who are responsible for or interested in matters relating to the protection of children from harm
- the local weights and measures authority (trading standards)
- the Home Office Immigration Service
- the relevant licensing authority and any other licensing authority, in whose area part of the premises are situated.

### **Safer clubbing**

Guidance issued by the Home Office giving advice to nightclub owners, dance event promoters and local authority licensing departments on how to ensure the health and safety of persons attending dance events.

### **Special policy**

A policy setting up a rebuttable presumption that applications for new premises licences or club premises certificates will normally be refused whenever relevant representations are received as to the cumulative impact on the licensing objectives.

### **Terminal hours**

The times at which authorised licensable activities should cease.

### **Zoning**

The adoption of fixed terminal hours in designated areas.



**Wiltshire Council**

**Full Council**

**15 October 2024**

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## **Gambling Act 2005 – Gambling Statement of Principles**

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### **Executive Summary**

This report describes the amendments made to the Gambling Statement of Principles (2025-2027) for Wiltshire Council.

Following the Licensing Committee's consideration of the amendments to the Gambling Statement of Principles on 16 September 2024 the committee approved the policy and referred it on to Council for approval.

### **Proposals**

That Full Council approves the Gambling Statement of Principles (2025 -2027) (Appendix 1) under the Gambling Act 2005 which will come into effect from 1 January 2025.

### **Reason for Proposals**

The Council must review its Gambling Statement of Principles every three years. The Policy is due for review and must be consulted on and approved by Council prior to it being published and coming into force.

Sarah Valdus

**Director – Environment**

**Gambling Act 2005 – Gambling Statement of Principles**

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**Purpose of Report**

1. The Council must review its Gambling Statement of Principles every three years. The Policy is due for review and must be consulted on and approved by Council prior to being published and coming into force. Following amendments considered by the Licensing Committee on 16 September 2024 a final draft version of the Statement is submitted to Council for approval.

**Relevance to the Council's Business Plan**

2. The Gambling Statement of Principles recognises the importance of safeguarding our residents from harm by working with regulators and partners to reduce risks and ensuring our communities are protected from gambling harms. This aligns with the Councils Business Plan 2022-32 mission "We are safe".

**Background**

3. Wiltshire Council is the Licensing Authority, and is required to discharge its responsibilities in relation to the Gambling Act 2005 with a view to promoting the three licensing objectives, namely:
  - Preventing gambling from being a source of crime or disorder, being associated with crime or disorder or being used to support crime,
  - Ensuring that gambling is conducted in a fair and open way,
  - Protecting children and other vulnerable persons from being harmed or exploited by gambling.
4. Social responsibility is an important element of the Gambling Statement of Principles, and this was taken into consideration in the previous revision following guidance from the Gambling Commission.
5. In order for the Licensing Authority to discharge its licensing functions it is required to draw up a Statement of Principles in relation to the Gambling Act 2005. This policy is to be reviewed every three years and be subject to a consultation process.
6. On 17 June 2024 the Licensing Committee gave approval for officers to consult on the draft Gambling Statement of Principles (2025 – 2027) and for the outcome of the consultation to be brought to the Licensing Committee on 16 September 2024. As a comprehensive review of the statement was undertaken in 2018 and as there have been no relevant changes to the legislation or guidance, no significant amendments were required.

7. Ten updates were proposed as detailed below.

- **Contents** Small Society – the word Lotteries has been added.
- Removal of Appendix “Local Area Profile” and renumbering 4.0 spelling
- **Introduction** - update to the current number and type of Gambling Premises in Wiltshire.
- **2.3 Update that Councillors will not participate in sub-committee for their own areas.**
- **3.3 Licensing objectives and Social responsibility** - Clarification on vulnerable groups.
- **4.0 Local Area Risk Assessment** – additional paragraph regarding The Gambling Commission’s License Conditions and Codes of Practice.
- **4.2 New/Variation of a Premises Licence** -Clarification about when a local area risk assessment is required.
- **4.4 Significant changes to the premises** - Removal and replacement of a paragraph regarding significant change and Licensing Act 2003 premises.
- **4.9 Local area profile** - Wording updated to remove the requirement for the local authority to undertake a local area profile and to require applicants and gambling operators to make their own assessments where necessary.
- **6.0 Permits** - Insertion of hyperlink to the Code of Practice.
- **7.0 Small Society Lotteries** - Updated on what is an exempt lotteries and link to the gambling commission guidance website and advice for organisers to ensure lottery arrangements are legal by taking their own legal advice.
- Additional paragraph regarding cancelling the small society registration if annual fee is not paid.
- **Appendices** - Removal of Appendix “Local Area Profile” and renumbering

8. The Act provides that functions in relation to the three-year Gambling Statement of Principles cannot be delegated and must be approved by Council.

9. A four-week consultation on the draft policy took place from 9 July – 5 August 2024. Fourteen responses were received with additional responses from the Public Health team and Chippenham town council. The comments support the Statement, with some concerns about Gambling in Wiltshire however these did not impact upon the consultation for the statement.

10. Following the consultation amendments were made to the Council’s draft Gambling Statement of Principles 3.3.1 Gambling and Public Health to update the wording and reference document, these were considered and agreed by the Licensing Committee. At the Licensing Committee meeting on 16 September 2024, the draft was accepted

by the Committee and referred on to Council for approval.

### **Main Considerations for the Council**

11. The Gambling Statement of Principles is a document setting out the Council's proposals to ensure a balanced approach towards the licensing of Gambling Premises. It is a statutory requirement that the Gambling Statement of Principles must be approved by Council as this is not a function that can be delegated to the Licensing Committee.

### **Safeguarding Implications**

12. One of the key objectives of the Gambling Act 2005 is 'The Protection of Children from Harm': Wiltshire Council's Families and Children's Directorate has been designated as the Responsible Authority under the Gambling Act 2005. In this capacity they are required to ensure that decisions about licensing are taken with due regard to the need to safeguard and promote the welfare of children.

### **Public Health Implications**

13. The Licensing and Public Health teams work together within the Council to ensure that the health implications of gambling are considered.
14. The Statement of Gambling Principles 2025-27 includes an update to section 3.1 written by the Public Health team.

### **Procurement Implications**

15. There are no additional procurement implications of the proposals contained within this report.

### **Equalities Impact of the Proposal**

16. The impact of these proposals is assessed as 'low' against the Council's statutory responsibilities. There are potential implications with respect to human rights.

### **Environmental and Climate Change Considerations**

17. There is minimal environmental impact of these proposals.

### **Workforce Implications**

18. There are no additional impacts on the current workforce as this policy will be continuing with the current workforce.

### **Risks that may arise if the proposed decision and related work is not taken**

19. The Council would be in breach of its duties to prepare and publish a Gambling Statement of Principles in relation to the exercise of its functions under the Gambling Act 2005. The Council could be criticised and there would be a potential reputational risk to the Council.

## **Risks that may arise if the proposed decision is taken and actions that will be taken to manage these risks**

20. There are no risks identified as no substantive changes are being made in the proposed draft Statement of Gambling Principles.

### **Financial Implications**

21. There are no additional financial implications of the proposals contained within this report.

### **Legal Implications**

22. The Council is required under the Gambling Act 2005, to prepare and publish a Gambling Statement of Principles in relation to the exercise of its functions under the Gambling Act 2005. Once adopted, the Statement must be regularly reviewed and is a material consideration to be considered when the Council is exercising any of its functions under the Gambling Act 2005. When preparing its Statement, the Council is required to consult the Police, Persons representing Gambling businesses and Persons representing the interests of the people likely to be affected by Gambling. In accordance with the Gambling Act 2005 and the Council's constitution, the Gambling Statement of Principles must be approved by Council.
23. The Licensing Authority is a high-profile regulatory service important for protecting the public but also for ensuring the balance between development of the leisure industry and economic viability and the protection of communication. The fair application of licensing functions is critical for the reputation of the Council and for building trust and confidence in its service provision.

### **Overview and Scrutiny Engagement**

24. There has been no engagement with the Council's Overview and Scrutiny function, as there is no mandatory review of the Statement of Licensing Policy.

### **Options Considered**

25. The adoption of a revised Gambling Statement of Principles by 31 December 2024 is a statutory requirement, so there are no other legal options apart from adoption.

### **Conclusions**

26. That Council approves the Gambling Statement of Principles (2025 -2027) (Appendix 1) under the Gambling Act 2005 which come into force on 1 January 2025.

### **Sarah Valdus – Director of Environment**

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### **Appendices**

Appendix 1 – Wiltshire Council Gambling Statement of Principles (2025-27)

## Background Papers

- [Gambling Act 2005 \(legislation.gov.uk\)](https://www.legislation.gov.uk)
- [Guidance to licensing authorities - Consultation \(gamblingcommission.gov.uk\)](https://www.gamblingcommission.gov.uk)
- Wiltshire Council's Current Gambling Statement of Principles [Gambling - Wiltshire Council](#)

# Wiltshire Council

## Gambling Act 2005

### Statement of Principles

2025 - 2027

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## 1.0 Introduction

Wiltshire is a predominantly rural county with a population of approximately 510,300, situated in the Southwest of England. Wiltshire Council is made up of 18 area boards and has 98 elected Councillors’.

Although centrally divided by the large expanse of Salisbury Plain there are highly populated areas such as Salisbury, Chippenham and Trowbridge contrasting the many hamlets and villages spread across the county.

The county of Wiltshire has three National Landscapes: part of the Cotswolds to the north, Cranborne Chase & West Wiltshire Downs in the southwest and the North Wessex Downs in the central and eastern parts of the county. It is home to world renowned cultural and heritage destinations such as Stonehenge and Avebury Stone Circle as well as a number of National Trust properties and other important stately and country homes. It is also home to internationally established World of Music Arts and Dance Festival (WOMAD) along with a number of other long-established events.

There are currently 34 licensed gambling premises in Wiltshire comprising of: five Adult Gaming Centres, 27 Betting Shops, a Bingo premises and Salisbury Racecourse. There are also three Unlicensed Family Entertainment Centres and numerous premises with permits or notifications for Gaming Machines.



## 2.0 Overview

The Gambling Act 2005 provides the regime for the licensing and regulation of commercial gambling in the UK. It is intended to regulate the provisions for gambling and the use of premises for gambling.

The Act defines three types of gambling;

- Gaming,
- Betting, and
- Promoting a lottery.

A variety of licences and permits allow for these gambling activities to take place.

The task of granting these is shared between the Gambling Commission and licensing authorities. The Gambling Commission approves the operating and personal licences; the licensing authorities approve the premises licences and other permissions.

The licensing authority is not responsible for online (remote) gambling. This is regulated by the Gambling Commission.

When carrying out its responsibilities in relation to the Gambling Act 2005, the licensing authority will always take into account the three licensing objectives;

- preventing gambling from being a source of crime and disorder, being associated with crime and disorder or being used to support crime,
- ensuring that the gambling is conducted in a fair and open way, and
- protecting children and other vulnerable persons from being harmed or exploited by gambling.

Wiltshire Council licensing officers recognise the potential impact that gambling could have and will seek to maintain safe environments for the communities of Wiltshire. We will work closely with partner agencies and Premises Licence Operators/ Holders to not only assist with the growing local economy, but to also ensure that together we do all we can to protect vulnerable persons from harm.

### 2.1 Statement of Gambling Principles

The licensing authority's approach to exercising its functions under the Gambling Act 2005 is set out in this 'Gambling Statement of Principles'.

It is a requirement of the Gambling Act 2005 to publish and consult on a statement of the principles which we propose to apply when exercising our functions. This policy statement will remain responsive to emerging risks and can be reviewed at any time prior to the statutory three-year deadline.

In reviewing this Statement of Principles all necessary bodies and relevant stakeholders were consulted. The consultation process was conducted between 9 July 2024 and 5 August 2024 by way of direct e-mail communication to those identified and also via press releases, updates on Wiltshire Council's website.

It should be noted that this statement of principles does not override the right of appropriate persons to make an application, make representations about an application, or apply for a review of a licence, in accordance with the statutory requirements of the Gambling Act 2005.

## 2.2 Licensing Authority Functions

The functions, under the Gambling Act 2005, will be carried out by the Licensing Committee, the Licensing Sub-Committee, and/or officers acting under the delegated authority of the council.

Licensing authorities are required under the Gambling Act 2005 to:-

- Be responsible for the licensing of premises where gambling activities are to take place by issuing Premises Licences;
- Issue Licensed Premises Gaming Machine Permits for premises licensed to sell/supply alcohol for consumption on the licensed premises, under the Licensing Act 2003, where there are more than two machines;
- Regulate Members' Clubs and Miners' Welfare Institutes who wish to undertake certain gaming activities by issuing Club Gaming Permits and/or Club Machine Permits;
- Issue Club Machine Permits to Commercial Clubs;
- Grant Permits for the use of certain lower stake gaming machines at Unlicensed Family Entertainment Centres;
- Issue Prize Gaming Permits;
- Register Small Society Lotteries below prescribed thresholds;
- Receive notifications from Alcohol Licensed Premises (under the Licensing Act 2003) for the use of two or fewer gaming machines;
- Receive and Endorse Temporary Use Notices;
- Receive Occasional Use Notices;
- Issue Provisional Statements;
- Provide information to the Gambling Commission regarding details of licences issued;
- Maintain registers of the permits and licences that are issued under these functions.

When regulating gambling within Wiltshire, the licensing authority will take into consideration the interests of the public, guidance from the Gambling Commission and the three licensing objectives; but will not take into account demand, need or moral objections for gambling when considering applications submitted. The premises location, layout and size are factors that will be considered, along with the style of the operation.

### 2.3 Delegated Powers

Wiltshire Council licensing officers will be responsible for issuing licences and permits for applications where no representations are received; and when representations are received but it was agreed upon by all parties that it would be unnecessary for a hearing to take place.

Licensing officers will also be responsible for determining whether a Licensing Sub-Committee is needed to decide upon applications and reviews of premises licences or permits when representations have been received. For those instances where representations have been made by an Interested Party and/or a Responsible Authority a hearing will be arranged, and a Licensing Sub-Committee will sit to determine the outcome of the application.

The Licensing Sub-Committee will be made up of three Councillors from the Licensing Committee. Councillors will not participate in Licensing Sub-Committee hearings for applications within their own areas.

For the full table of Delegated Powers see Appendix A.

### 2.4 Exchange of Information

The licensing authority will act in accordance with the provisions of the Gambling Act 2005 in relation to the exchange of information; it will also ensure that the Data Protection Act 2018 is not contravened.

As permitted in the Gambling Act 2005, the licensing authority will work closely and share information with Wiltshire Police, HM Revenues and Customs, the Secretary of State and other enforcement officers.

Those wishing to make a representation will be informed that their details will be forwarded to the Applicants, in accordance with the Local Government Act 1972 and the Freedom of Information Act 2000, in order to allow negotiation between the parties. If a hearing is held, it should be noted that their details will form part of the public document.

### 2.5 Declaration

In producing the final Statement of Gambling Principles, the licensing authority declares that it will consider the licensing objectives of the Gambling Act 2005, guidance issued by the Gambling Commission and any responses from those consulted.

### 3.0 Licensing Objectives and Social Responsibility

The licensing authority will have regard to the licensing objectives as set out in the Gambling Act 2005 when exercising its functions.

The licensing objectives are:-

- Preventing gambling from being a source of crime or disorder, being associated with crime or disorder or being used to support crime,
- Ensuring that gambling is conducted in a fair and open way, and
- Protecting children and other vulnerable persons from being harmed or exploited by gambling.

There is an expectation that gambling operators work together with the licensing authority to ensure compliance with the licensing objectives. If an operator fails to satisfy the licensing authority that risks are sufficiently mitigated, it may be considered appropriate for there to be a review.

An individual is responsible for their own gambling; however, this Licensing Authority wishes to stress that although it acknowledges this, there are many factors that could impact on the individual's decision to gamble, such as substance use, poor mental health and financial difficulties therefore, it also recognises that the Applicant/Operator has a "duty of care" to patrons.

#### 3.1 Preventing gambling from being a source of crime and disorder, being associated with crime and disorder or being used to support crime

The Gambling Commission will take the lead role in the prevention of gambling being a source of crime. The Gambling Commission are responsible for ensuring the suitability of an operator before issuing an operating licence.

If the licensing authority becomes aware of any information whilst carrying out its delegated functions, which could question the appropriateness of an applicant, it will ensure that this information is shared with the Gambling Commission.

The location of a premises will be given great consideration by the licensing authority when looking at promoting this licensing objective. If there are concerns over a premises location, due to problems with disorder or high crime levels for example; in order to prevent that premises from becoming a source of crime, the licensing authority will consider whether additional conditions should be attached to the licence. While determining the additional conditions consideration will be given to the operator's own risk assessment and/or the local area profile for that area.

If the licensing authority feels that the operator of any given premises is not doing all they could or should do to prevent persistent or serious disorder in the vicinity of their premises, it will bring it to the attention of the Gambling Commission.

### 3.1.1 Money Laundering

Money laundering in the gambling sector takes two main forms:

- Exchanging money acquired criminally for money that appears to be legitimate or 'clean' by gambling on low risk outcomes.
- The use of criminal proceeds to fund gambling as a leisure activity (so called criminal or 'lifestyle' spend).

It is expected that all Gambling Premises are aware of risk factors in relation to this activity, for example to be mindful of a pattern of increasing spending, the spending being inconsistent with the apparent source of income or unusual patterns of play and have procedures in place to comply with The Proceeds of Crime Act 2002 and other relevant legislation.

### 3.2 Ensuring the gambling is conducted in a fair and open way

The Gambling Commission is primarily responsible for ensuring that not only is gambling fair in the way it is played, but also that the rules are transparent to players, and they know what to expect. It achieves this by working to ensure that:-

- Operating and Personal Licences are issued only to those who are suitable to offer gambling facilities or work in the industry;
- easily understandable information is made available by Operators to players about, for example, the rules of the game, the probability of losing or winning, and the terms and conditions on which business is conducted;
- the rules are fair;
- advertising is not misleading;
- the results of events and competitions on which commercial gambling takes place are made public;
- machines, equipment and software used to produce the outcome of games meet standards set by the Gambling Commission and operate as advertised.

The licensing authority does not deal with issues related to fairness and openness frequently. This is due to the fact that they are usually matters concerning the management of the gambling business (and therefore subject to the operating licence), or the suitability and actions of an individual (and therefore subject to a personal licence). These permissions both fall within the remit of the Gambling Commission.

This will differ with Tracks, as Track owners will not necessarily hold an operating licence, therefore the licensing authority will adopt a different role.

If the licensing authority suspects that a gambling activity in Wiltshire is not being conducted in a fair and open way, the information regarding the concern will be brought to the attention of the Gambling Commission.



### 3.3 Protecting children and other vulnerable persons from being harmed or exploited by gambling

The Gambling Act 2005 is intended to ensure that children and vulnerable persons should not be allowed to gamble and should be prohibited from entering those gambling premises which are adult-only environments.

This licensing objective refers to protecting children from being ‘harmed or exploited by gambling’; meaning that they should be prevented from taking part in gambling and for there to be restrictions on advertising so that gambling products are not aimed at children or advertised in such a way that makes them particularly attractive to children, with the exception of Category D gaming machines. The ability of the licence holder to ensure supervision of the premises, in particular the use of the machines is considered of great importance to the licensing authority.

The Gambling Commission does not seek to disallow particular groups of adults from gambling in the same way that it does children, therefore the Gambling Commission has not sought to define ‘vulnerable persons’, but it does for regulatory purposes assume that this group includes people who spend more money and/or time gambling than they want to; people who gamble beyond their means; and people who may not be able to make informed or balanced decisions about gambling, for example, because of health problems, learning disability, or substance use relating to alcohol or drugs.

The licensing authority will consider, on a case-by-case basis, whether any further unique considerations are required in relation to protecting vulnerable persons at a particular premises. These will be balanced against the aim to permit the use of premises for gambling.

While carrying out its delegated functions this licensing authority will look at the physical attributes of a premises, to ensure that these do not inhibit the operator’s ability to comply with this licensing objective. An applicant/operator may be requested by this Licensing Authority to make changes to their premises (structure or layout) or put in place additional measures to mitigate the perceived risks. This Licensing Authority will ensure that any changes contemplated are proportionate.

#### 3.3.1 Gambling and Public Health

Gambling is now widely recognised as a public health concern due to its potential to cause significant individual and societal harms.

Problem or harmful gambling is defined by the Gambling Commission as “gambling to a degree that compromises, disrupts or damages family, personal or recreational pursuits.” There is a growing evidence base for the risk factors of harmful gambling (Public Health England Evidence Review on Gambling Related Harms, 2023). While causality is difficult to establish, harmful gambling has been found to be associated with:

- Proximity to and accessibility of gambling opportunities;
- Density of gambling opportunities;
- Advertising and marketing;
- Peer influence.

Certain individual characteristics also increase the risk of harmful gambling such as mental ill health, substance use, and some neurological conditions (e.g. ADHD).

Gambling harms are adverse effects from gambling that most commonly include negative impacts on peoples' finances, relationships, and health. The negative impact can be temporary and short-term but Public Health England's evidence review highlights the risk of substantive and long-term – even intergenerational – harms associated with gambling. Gambling harms often extend beyond the person who gambles and impacts their family, their social network, the community, and society. Gambling harms are often complex, and one type of harm can lead to or exacerbate other harms. There is evidence to suggest that gambling behaviours of adults create financial and other harms for children and young people.

Although Public Health are not currently a Responsible Authority for the Gambling Act 2005, this Licensing Authority will consult with the Public Health Team within Wiltshire Council when considering risks associated with gambling within the local communities. There is an expectation that all gambling premises within Wiltshire do all they can to manage their social responsibility commitments in protecting patrons from harm.

### 3.4 Social Responsibility

The licensing authority is committed to ensuring that all gambling facilities offered within the county are delivered with full commitment to social responsibility and public protection.

It will take particular regard to the below points, when looking at whether a premises is being socially responsible when providing gambling facilities:

- The way the premises manages the prevention of underage gambling and supervises its patrons in the use of the gambling facilities;
- Supporting those who wish to self-exclude, including the potential use of the Multi Operator Self Exclusion Scheme, and providing suitable problem gambling materials;
- Premises having meaningful customer interactions with all customers and recording the incidents of this;
- Having a robust local area risk assessment that staff are aware of and that is reviewed on a regular basis;
- Staff receiving training on social responsibility ensuring the importance is understood.

Wiltshire Council is aware that Child Sexual Exploitation (CSE) and Grooming are becoming more evident in today's society. It is the expectation of the licensing authority that gambling premises staff are mindful when promoting the third licensing objective and raise or share any concerns to ensure that we are doing all we can to protect the vulnerable in our community.

## 4.0 Local Area Risk Assessment

The Gambling Commission's current [Licence Conditions and Codes of Practice](#) requires that, under the social responsibility code, licensed operators assess the local risks to the licensing objectives posed by the provision of gambling facilities at each of their premises, and to have policies, procedures and control measures in place to mitigate those risks. In undertaking their risk assessments, operators must take into account relevant matters referred to in this policy document.

See Appendix C for guidance on the licensing authority's expectation on how a local area risk assessment should be completed.

### 4.1 Risk Assessment Triggers and Reviews of Assessment

During the lifetime of a gambling premises there will be times when the risk assessment needs to be reviewed and amended following the initial risk assessment. It is the licensing authority's expectation that the gambling operator conducts a review at regular intervals or following certain prompts, such as; a variation of a premises licence, when a significant change has occurred in the local area, when the Licensee has made a significant change to the premises that would impact the risk the premises could pose or that may vary the management of those risks. A significant change could be a temporary change however despite the temporary nature of the change the risk assessment would need to be amended accordingly. The licensing authority may also request a review of a risk assessment if it is felt necessary.

The licensing authority will not request an up-to-date risk assessment each time it is reviewed by the operator however it considered best practice if the operator share their risk assessment if asked.

The risk assessment provided by the gambling operator should clearly state the present areas of concern at the premises and the measures introduced to counteract them. If completed diligently and comprehensively, this will assist both the premises and the licensing authority by reducing the concerns that we may have with a premises.

### 4.2 New/Variation of a Premises Licence

Each time an application for a new premises licence or an application to vary an existing premises licence is submitted, a local area risk assessment must be provided with the application.

### 4.3 Significant changes in local circumstances

Changes can occur in the local area regularly. The licensing authority would consider the following to be significant changes in local circumstances (this list is not exhaustive):

- Any building developments or conversions in the local area that would change the number of people visiting the area and the makeup of those people.
- Any increase or decrease in Military accommodation, facilities or training centres.

- Any educational facilities in the area or the building of new facilities whether it be a significant extension or conversion of a current school/college etc. or a new build.
- Any changes to the local provisions of public transport;
  - Changes to timings of buses or train services for example services going later into the evening;
  - Changes to the type of services in the area for example school bus stop being moved in closer proximity to gambling premises.
  - Any changes to the location of taxi ranks in the area.
  - Road diversions which involve the re direction of traffic.
- Other gambling premises in the area or new gambling premises seeking permission to open in an area.
- Any current pawn brokers or pay day loan businesses in the area or the opening of a new facility.
- Any facilities for vulnerable groups or the development of facilities for vulnerable groups in close proximity to a gambling premises.

#### 4.4 Significant changes to the premises

It is highly likely that cosmetic improvements will take place throughout the lifespan of a premises, it would be up to the gambling operator to decide whether these changes would be classed as significant.

The following would be considered by this licensing authority as significant changes to a premises, some of which could result in the need for a variation to the premises licence (this list is not exhaustive):

- A refurbishment of a premises or building works in a premises that would result in the relocation of facilities.
- A change to the entrances or exits of a premises;
  - Location of the entrances or exits,
  - Change in the direction the doors open,
  - Change in the way round the doors are used i.e. a swap of an entrance to become an exit or vice versa.
  - Change in the material used to make the door.
- A change to the internal policies or procedures of the operator which could result in the need to amendments of control measures and/or staff retraining.
- A change to the levels of staff in the premises or the opening times of the premises.
- The operator makes an application for a licence to undertake activities at that premises in accordance with other legislation. For example, this may include an application for the sale/ supply of alcohol, the provision of regulated entertainment and/ or the provision of late-night refreshment (Licensing Act 2003)
- A difference in the gambling facilities that are available at a premises;
  - Increase or decrease in self-service machines,
  - The use of hand held gaming devices,
  - Different category of gaming machines.
- The transfer of a licence to a different gambling operator, consideration will be required in relation to the policies and procedures of the new operator.

## 4.5 Local area risk factors

It is essential for this licensing authority that the gambling operator understands their local area and those who frequent it. The sphere of influence of the premises also needs to be considered when looking at the risk assessment, as this could increase what is meant by local area.

The list below shows some examples the operator that may wish to consider (this list is not exhaustive):

- Makeup of the local area surrounding the gambling premises;
  - Residential/commercial,
  - Other gambling operators in the area,
  - Large scale events held in the area that could increase the number of people or vary the makeup of population for a time.
- Demographic of population;
  - Residents/workers/visitors/professionals/families/young or ageing population,
  - Socio-economic make-up of the area.
- Facilities in the local area;
  - Transport and parking facilities i.e. bus stops, taxi ranks, train station,
  - Educational/community buildings,
  - Hospitals/mental health facilities,
  - Job centres,
  - Children's homes or care facilities,
  - Specialised housing for vulnerable people,
  - Gambling addiction support facilities/ alcohol or drug support facilities,
  - Hostels or support services for the homeless,
  - Pawn brokers or pay day loan businesses,
  - The area is frequented by children or young people at varying times of day.
  - Presence of rough sleepers.
  - Unemployment rates for the area and within a certain age group.
  - Type and rates of crime in the area that could impact the premises.
  - High number of people who have self-excluded themselves from other gambling premises.

## 4.6 Gambling operational risks

The risks associated with the gambling operation relate to the policies and procedures the business has in place. These should take into consideration all relevant legislation and guidance. Due to the potential generic nature of such documents, the licensing authority considers it important that these risks are looked at on an individual premises basis.

The list below shows some examples that the licensing authority would wish the operator to consider (this list is not exhaustive):

- Hours of operation for a premises - possible impact in the night time economy,
- Number of staff employed at a premises at any one time/lone working policy,
- Training provided to staff,

- The operation of the gambling business;
  - Policies and procedures,
  - Use of account/loyalty cards,
  - Support provided to customers, any intervention programmes,
  - Security provision in place at the premises,
- What local advertising will take place for the premises,
- What products and facilities the premises are going to provide for gambling.

## 4.7 Premises design risks

The design of a premises can assist greatly in the operators' ability to manage identified local risks. Lack of planning in layout and design can result in an increase in risks at a premises.

### 4.7.1 Interior design risks

Depending upon the type of gambling premises and the facilities on offer, the licensing authority believes that the internal layout of the premises is a very important factor to consider. A simple design of the internal area can lessen a number of risks and offer the premises vital opportunities to better manage their business.

The list below shows some examples the operator that may wish to consider (this list is not exhaustive):

- Position of internal CCTV cameras, the length of which recordings are kept.
- Use of mirrors in a premises to be able to view all areas of the premises and around obstructions, such as support pillars, machines or advertising screens.
- Positioning of gaming activities in the premises.
- The segregation of different gambling activities in the premises.
- Design of premises to allow gaming machines to be in line of sight of staff.
- Location of the staff area where money is taken for gambling activities.
- Distances between gambling facilities within a premises.
- Number of and locations of cash machines.
- The location of information displayed in the premises by the operator.
- The location and use of marketing materials within the premises.
- Fixtures and fittings used in the premises.

### 4.7.2 Exterior design risks

The external area of a premises can offer the operator valuable advertising therefore the design and frontage of the premises needs to be taken into consideration for this risk assessment. The licensing authority would wish the operator to have particular regard to the licensing objectives when determining the risks related to the exterior of the premises.

The list below shows some examples the Operator that may wish to consider (this list is not exhaustive):

- Use of glass in the shop frontage,
- Use of shutters on the entrances/exits or window frontage,
- Use of external CCTV cameras covering entrances/exits,
- Use of high quality CCTV to enable identification of banned persons.
- Use of CCTV or other aids i.e. mirrors
- Fitting screens or other materials to obscure the view from the street into the premises to prevent vulnerable persons having sight of the gambling activities,
- Use of advertising/marketing materials.

When undertaking any changes to the premises, the operator may need to consult with Wiltshire Council's Planning Department to determine whether planning permission is required. Building Control may also need to be involved for structural alterations.

As with any changes that occur within a premises layout, all relevant risk assessments should be updated, for example Fire and Health and Safety.

#### 4.8 Control measures

When risks are identified, control measures must be considered and put in place to lessen the potential impact the risk will have. The level of the risks identified will directly impact what type of control measures should be put in place; some risks may require a combination of systems, design and physical measures.

The licensing authority expects that gambling operators ensure that staff are aware of the measures that are put in place and are trained adequately to guarantee compliance. Records may be kept by the operator in relation to this as part of their due diligence defence.

##### 4.8.1 Systems

When looking at systems as a control measure, reference is made to the policies and procedures established at the premises by the gambling operator. Some of the systems put in place will be specific to the company and therefore generic to all premises held by them, however others may be created purposely for an individual premises in order to alleviate the risks in that local area.

##### 4.8.2 Design

It is expected by the licensing authority that the design of a premises is thoroughly considered and changes made as necessary in order to mitigate potential risks; such changes could be the location of certain facilities such as gaming machines, cashier counters, positioning of cameras and general layout.



### 4.8.3 Physical

The licensing authority expects an operator to consider physical measures to address an identified risk factor, these could be;

- Intruder/panic alarm system
- CCTV cameras
- Mirrors
- Window and door shutters or security doors
- Safes with time locks
- UV lights in toilets
- Lighting in all areas of premises (not to allow any dark corners).

### 4.8.4 Licence conditions

As all new or variation applications for a premises licence require a local risk assessment to be submitted as part of the application, any control measures stated within the risk assessments may form part of the conditions on a gambling licence.

### 4.9 Local Area Profile

There is no statutory requirement for licensing authorities to undertake a local area profile and this authority has decided not to do so at the time of producing this policy statement.

This decision will, however, be reviewed should it be determined by the licensing authority that risks identified within Wiltshire deem it necessary.

Applicants and existing gambling operators should, therefore, take their own steps to identify risks, for example, by consulting with any relevant responsible authorities and liaising with other gambling operators in the area where necessary.

## 5.0 Types of Premises

The definitions of premises are correct at the time of publishing this document.

### 5.1 Adult Gaming Centres (AGC)

An Adult Gaming Centre (AGC) is a gambling premises, for those over the age of 18, that makes available gaming machines of Category B, C and D.

For the licensing authority to accept an application for an AGC, the operator must already hold a “Gaming Machines General Operating Licence (Adult Gaming Centre)” with the Gambling Commission.

The licensing authority will need to be satisfied that there will be sufficient measures to meet the licensing objectives and comply with all mandatory conditions and the Gambling Commission Codes of Practice. As no one under the age of 18 is permitted to enter an AGC, the licensing authority will specifically have regard to the need to protect children and vulnerable persons from harm or being exploited by gambling.

Where an AGC is located in a Motorway Service Station the licensing authority will pay particular attention to entry points and how an operator will control these to safeguard children who are using the site and therefore may be able to gain access to gambling.

### 5.2 Betting Premises

The Gambling Act 2005 defines betting as the making or accepting of a bet on the outcome of a race, competition or other event or process. Whether this is for the likelihood of anything occurring or not occurring; or whether anything is or is not true. A transaction may still be a bet despite the fact the race, competition or event has already taken place and one party to the transaction knows the outcome.

The most common form of betting is ‘fixed odds betting’ whereby the customer bets a stake to win a fixed amount calculated by the odds available.

For the licensing authority to accept an application for betting premises, the operator must already hold the appropriate operating licence with the Gambling Commission.

The licensing authority expects betting premises to have particular regard to social responsibility and the protection of children and vulnerable persons from harm, and that this is reflected in any application submitted.

#### 5.2.1. Gaming Machines

Betting Premises are permitted to have a total of four gaming machines available for use. These can be Category B2, B3, B4, C or D; the total number can either be all the same category or a mixture of categories.

### 5.2.2. Self Service Betting Terminals (SSBTs)

Under the Gambling Act 2005 a machine is not a gaming machine if it is designed or adapted for use to bet on future real events. These SSBTs are often made available in Betting Premises as a substitute for placing a bet, on live events, over the counter. As SSBTs merely automate the process that can be conducted in person, the Gambling Act 2005 exempts them from regulation as a gaming machine. They therefore do not count towards the number of gaming machines a premises is allowed, they also do not have to comply with any stake or prize limits.

As stated in Section 181 of the Gambling Act 2005, licensing authorities have the power to restrict the number of SSBTs, their nature and the circumstances in which they are made available in a premises by attaching a condition to the Licence.

The licensing authority will exercise this power if it was felt that the premises was not able to demonstrate that it was promoting the licensing objectives, namely the protection of children and vulnerable persons, or acting in accordance with the social responsibility codes.

### 5.3 Bingo

Bingo does not have a statutory definition in the Gambling Act 2005, however there are two types of bingo most frequently played, cash bingo and prize bingo.

#### 5.3.1. Children and Young Persons

If the licence holder allows, children and young persons are permitted to enter Bingo premises; however, they are not permitted to take part in Bingo or play on category B or C machines.

Anyone under the age of 18 years old cannot be employed in providing any facilities for gambling on a Bingo premises. However, young persons, aged 16 and 17, may be employed in Bingo premises (while bingo is being played), provided the activities on which they are employed are not connected with the gaming or gaming machines.

#### 5.3.2. Gaming Machines

A premises licence granted for a Bingo premises will permit the holder to make available for use a number of Category B3/B4 machines equal to 20% of the total number of machines available for use. There is no limit on the number of Category C and D machines that can be made available.

As stated above, if the licence holder permits children and young persons into the premises and Category B or C machines are made available for use, the licensing authority will require that the premises does the following;

- The category C and/or B machines must be separated from the rest of the premises by a physical barrier which is effective to prevent access, other than through a designated entrance;
- The access to the area where the machines are located is supervised at all times;
- It is arranged so that the area can be observed by persons responsible for supervision, or CCTV which is monitored;

- The gaming machines area must also have a notice at the entrance stating that no person under the age of 18 years is permitted to enter the area.

#### 5.4 Casinos

The licensing authority has not passed a resolution not to issue Casino Licences under Section 166 of the Gambling Act 2005 but is aware that it has the power to do so. Should the licensing authority decide in the future to pass such a resolution, it will update this policy statement with details of that resolution. Any such decision will be made by the Full Council.

#### 5.5 Licensed Family Entertainment Centres

The Gambling Act puts Family Entertainment Centres (FECs) into two classes; Licensed and Unlicensed. Unlicensed Family Entertainment Centres are covered by a permit (See the Permit Section for further details).

A licensed FEC is classified as 'premises' and only premises that are wholly or mainly used for making gaming machines available may hold an FEC premises licence.

The Gambling Commission considers that it is not permissible for gaming machines which should be contained within the FEC premises, to be located in corridors and walkways which form part of the larger building. As a result, it is generally not permissible for such premises to correspond to an entire shopping centre, airport, and motorway service stations or similar, as this exposes young people to ambient gambling that the Act was designed to prevent.

For the licensing authority to accept an application for an FEC, the operator must already hold a "Gaming Machine General Operating Licence (Family Entertainment Centre)" with the Gambling Commission.

A premises licence granted for a licensed FEC will authorise the holder to make available for use any number of category C and D machines.

If category C gaming machines are made available for use on the premises of an FEC then the gaming machines must be;

- separated from the rest of the premises by a physical barrier to prevent access other than via an entrance designed to be the entrance,
- supervised at all times to ensure children or young persons do not enter the area, and/or,
- arrange so that the area can be observed by persons responsible for supervision, or CCTV which is monitored.

The licensing authority will specifically have regard to the need to protect children and vulnerable persons from harm or being exploited by gambling and will expect the applicant to satisfy the authority, for example, that there will be sufficient measures to ensure that under 18 year olds do not have access to the adult only gaming machine areas. Clear separation between machines is needed in licensed FECs to make certain that children are not permitted access to Category C machines.

There is an expectation from the licensing authority that all applicants of an FEC will demonstrate that they can promote the licensing objectives and comply with the Codes

of Practice issued by the Gambling Commission as well as all relevant mandatory conditions.

## 5.6 Tracks

The Gambling Act defines a track as a horse racecourse, greyhound track or other premises on any part of which a race or other sporting event takes place or is intended to take place. The Act does not give a list of premises that are officially recognised as 'tracks' but there are a number of venues where sporting events do or could take place, and accordingly could accommodate the provision of betting facilities. Examples of tracks include:

- a horse racecourse
- a greyhound track
- a point-to-point horse race meeting
- football, cricket and rugby grounds
- an athletics stadium
- a golf course
- venues hosting darts, bowls, or snooker tournaments
- a premises staging boxing matches
- a section of river hosting a fishing competition
- a motor racing event.

The licensing authority is aware that tracks differ greatly from other premises and may be subject to one or more premises licence. The track operator themselves may not be required to hold an operating licence; this may be due to the fact that the individual bookmakers at the track will be required to hold their own operating licences.

The licensing authority will especially consider the impact upon the protection of children and vulnerable persons from being harmed or exploited by gambling. It is noted that children will be permitted to enter track areas where facilities for betting are provided on days when dog racing and/or horse racing takes place, but that they are still prevented from entering areas where gaming machines (other than category D machines) are provided. It is therefore expected that the premises licence applicant demonstrates suitable measures to ensure that children do not have access to adult-only gaming facilities. The need to ensure that entrances to each type of premises are distinct and that children are excluded from gambling areas where they are not permitted to enter.

The individual applicant will need to be mindful when applying for a licence of offering measures to meet and promote the licensing objectives. This list is not exhaustive, and is merely indicative of example measures:-

- Proof of age schemes;
- CCTV or Notices/Signage;
- Location and supervision of entrances/machine areas;
- Physical separation of areas;
- Specific opening hours;
- Self-exclusion schemes;

- Provision of information leaflets/helpline numbers for organisations such as GamCare;
- Data sharing e.g. the number of self-exclusions and underage attempts to gamble;
- Operators actively participate in safety and security schemes such as Bet Watch.

It may be appropriate for the applicant to provide the following to support an application and to assist the licensing authority to fully understand the application they have submitted:-

- Proof that measures are in place to promote the third licensing objective and to guarantee compliance;
- Specify what proposals have been made to administrate betting (it would be recommended that specific areas are set aside for this function)
- Detailed plan of the track and grounds which identify;
  - any fixed betting facilities;
  - areas that will be specifically used by 'on course' operators on race days;
  - the location of any gaming machines;
  - any temporary structures that will offer betting facilities;
  - mobile betting facilities and other proposed gambling facilities that are not already marked.

Plans should make clear what is being sought for authorisation under the track betting premises licence and what, if any, other areas are to be subject to a separate application for a different type of premises licence.

### 5.6.1. Gaming Machines

The presence of a premises licence on a track does not provide automatic entitlement for gaming machines. This licence can be held without any corresponding operator's licence. However, track owners holding both a track premises licence and a Gambling Commission operators licence – pool betting (in effect Dog tracks only) may site up to four gaming machines within categories B2 to D.

Some tracks qualify for an alcohol licence and therefore have automatic entitlement to two gaming machines category C to D, subject to a notification (see 8.1).

Each application will be decided upon on a case-by-case basis, as due to the size and nature of a track premises there are significant problems with the potential abundance of machines that could be located. The licensing authority may look to moderate the number of machines or change the location of machines in order to meet the licensing objective which protects children from harm. Children are allowed to play Category D machines at tracks; however, the location of any adult gaming machines throughout the track premises will need to guarantee that they are situated where children would be excluded.

## 6.0 Permits

The Gambling Act 2005 introduces a range of permits for gambling. Permits are required when premises provide a gambling facility but either the stakes and prizes are very low, or gambling is not the main function of the premises. The permits regulate gambling and the use of gaming machines in a specific premises.

The licensing authority may only grant or reject an application for a permit and cannot impose or attach any conditions.

### 6.1 Alcohol Licensed Premises Gaming Machine Permits

The licensing authority may issue gaming machine permits for any number of category C or D machines in alcohol licensed premises. Where a permit authorises the making available of a specified number of gaming machines in particular premises, this will effectively replace, and not be in addition to, any automatic entitlement to two machines under section 282 of the Gambling Act 2005. This is covered in Section 7 of this document.

If a premises wishes to have more than two gaming machines, then it needs to apply for a permit. The licensing authority will consider each application based upon the licensing objectives, any guidance issued by the Gambling Commission issued under Section 25 of the Gambling Act 2005, and “such matters as they think relevant.” The licensing authority considers that “such matters” will be decided on a case-by-case basis, but generally there will be regard to the need to protect children and vulnerable persons from being harmed or exploited by gambling.

The licensing authority has an expectation that the applicant will put sufficient measures in place to ensure that under 18 year olds do not have access to the adult only gaming machines.

In relation to the protection of vulnerable persons, applicants may wish to consider the provision of information leaflets/helpline numbers for organisations such as GamCare.

In determining an application, the licensing authority will have regard to the licensing objectives. They may also take account of any other matters that are considered relevant to the application. It should also be noted that the holder of the permit must comply with the codes of practice issued by the Gambling Commission about the location and operation of the machine [Codes of practice - Section C - Gaming machines in clubs and premises with an alcohol licence \(gamblingcommission.gov.uk\)](https://www.gamblingcommission.gov.uk/codes-of-practice-section-c-gaming-machines-in-clubs-and-premises-with-an-alcohol-licence)

The application does not require notification to the Gambling Commission or police before determination, however, the licensing authority will on occasion notify the Gambling Commission and police should there be cause to do so.

The licensing authority may grant or refuse an application. In granting the application, it may vary the number and category of gaming machines authorised by the permit. It should be noted that the licensing authority can decide to grant the application with a smaller number of machines and/or a different category of machines than that applied for. Conditions (other than these) cannot be attached. When the application has been granted, the licensing authority will issue the permit as soon as possible.

When an application is going to be refused the applicant will be notified as soon as possible, setting out the reasons for refusal. The licensing authority will not refuse an

application or grant it for a different number or category of machines, without notifying the applicant of the intention to do so and given the applicant an opportunity to make representations, orally, in writing, or both.

As well as issuing permits, the licensing authority is also able to cancel permits. It may only do so in specified circumstances which include if the premises are used wholly or mainly by children or young persons or if an offence under the Gambling Act 2005 has been committed. Before it cancels a permit, the licensing authority will notify the holder, giving 21 days' notice of the intention to cancel, consider any representations made by the holder, hold a hearing if requested, and comply with any other prescribed requirements relating to the procedure to be followed.

When the licensing authority cancels the permit, the cancellation does not take effect until the period for appealing against that decision has elapsed or, where an appeal is made, until the appeal is determined. A permit will also be cancelled by the licensing authority if the holder fails to pay the annual fee unless failure is the result of an administrative error.

Where a person applies to the licensing authority to transfer the alcohol premises licence under the Licensing Act 2003, they will also need to apply separately for the transfer of the gaming machine permit.

## 6.2 Club Gaming and Club Machine Permits

The Gambling Act 2005 creates a separate regime for gaming in clubs from that in other relevant alcohol licensed premises. It defines two types of club for the purposes of gaming:

- Members clubs (including Miners' Welfare Institutes) and;
- Commercial clubs

This is an important distinction in respect of the gaming that may take place.

The Gambling Commission Guidance states: "Members Clubs must have at least 25 members and be established and conducted "wholly or mainly" for purposes other than gaming, unless the gaming is permitted by separate regulations. It is anticipated that this will cover bridge and whist clubs, which will replicate the position under the Gaming Act 1968. A Members' Club must be permanent in nature, not established to make commercial profit, and controlled by its members equally. Examples include Working Men's Clubs, branches of Royal British Legion and clubs with political affiliations."

A Commercial Club is a club established for commercial gain, whether or not they are actually making a commercial gain; for example, these could be commercial snooker clubs or clubs established as private companies and clubs established for personal profit.

The Commission and the police may object to the permit being granted. If any valid objections are made, the licensing authority will hold a hearing (unless consent has been given to dispense with it).

The licensing authority may only grant or refuse a permit but may not attach any conditions to a permit. The licensing authority will inform the applicant, the Commission and the Police of the outcome of the application and of any objections



made.

The application may only be refused on the grounds that:

- a) the applicant does not fulfil the requirements for a members' or commercial club or miners' welfare institute and therefore is not entitled to receive the type of permit for which it has applied
- b) the applicant's premises are used wholly or mainly by children and/or young persons
- c) an offence under the Act or a breach of a permit has been committed by the applicant while providing gaming facilities
- d) a permit held by the applicant has been cancelled in the previous ten years
- e) an objection has been lodged by the Commission or the police.

If the authority is satisfied that (a) or (b) is the case, it must refuse the application.

If a premises already holds a Club Premises Certificate under the Licensing Act 2003, they may apply for Club Gaming and Club Machine permits under the fast-track procedure. Fast track means that there is no opportunity for the Gambling Commission or Police to object to the application and this Licensing Authority has reduced grounds upon which it could refuse the application.

The grounds on which an application under this process may be refused are that:

- a) the club is established primarily for gaming, other than gaming prescribed by regulations under section 266 of the Gambling Act 2005,
- b) in addition to the prescribed gaming, the applicant provides facilities for other gaming,
- c) a club gaming permit or club machine permit issued to the applicant in the last ten years has been cancelled.

Unless a permit is surrendered, lapses, or is renewed, it will have effect for ten years. However, a permit granted under the fast-track procedure does not expire, unless it ceases to have effect because it is surrendered, cancelled or forfeited, or it lapses. A permit will lapse if the holder of the permit stops being a club, or if it no longer qualifies under the fast-track system for a permit. The licensing authority will inform the police and the Commission when a permit has been surrendered or lapsed.

Permits may be amended to meet changing circumstances. The licensing authority will only refuse a variation if on consideration of a completely new application it would refuse the permit.

The licensing authority will cancel the permit if it is found that:

- the premises are used wholly by children and/or young persons, or
- an offence or breach of a permit condition has been committed in the course of gaming activities by the permit holder.

Before cancelling a permit, the permit holder will be given at least 21 days' notice of the intention to cancel by this licensing authority and will consider any representations that may be made. The licensing authority will hold a hearing if it is requested by the permit holder and will comply with any other procedural requirements set out in

regulations.

If there is no appeal, the cancellation will take effect 21 days after notice of the intention to cancel was given. The licensing authority will notify the permit holder, the Commission and the police that the permit has been cancelled and the reasons for the cancellation.

Neither a club gaming permit nor club machine permit can be issued for a vessel or vehicle.

### 6.2.1 Club Gaming Permit

A Club Gaming Permit is available to members' clubs but not commercial clubs. It allows the club to offer equal chance gaming, games of chance and up to three gaming machines in total of categories B3A, B4, C or D, only one machine can be of category B3A.

When applying for a club gaming permit (without the fast-track process), the club must provide considerable evidence to the licensing authority of activities other than gaming taking place in order to prove that it meets the requirements of a Club under the Gambling Act 2005.

The licensing authority expects that holders of club gaming permits comply with the statutory conditions having regard to the code of practice concerning the location and operation of gaming machines to ensure that no child uses a category B or C machine on the premises - [Codes of practice - Section C - Gaming machines in clubs and premises with an alcohol licence \(gamblingcommission.gov.uk\)](https://www.gamblingcommission.gov.uk/codes-of-practice-section-c-gaming-machines-in-clubs-and-premises-with-an-alcohol-licence)

A licensing officer may visit the premises, if necessary, before granting the permit in order to better understand how the club will operate.

### 6.2.2 Club Machine Permit

A Club Machine Permit is available to members' clubs and commercial clubs. It allows the club to offer equal chance gaming and up to three gaming machines in total of categories B3A, B4, C or D, only one machine can be of category B3A (B3A not permitted for commercial clubs).

The licensing authority will need to be satisfied that the gaming on offer meets the conditions set out in the Gambling Act 2005 and the relevant regulations;

- participation fees must be within the limits prescribed in the regulations,
- prizes must be within the limits prescribed in the regulations.

Club Machine Permit Holders need to comply with the code of practice issued by the Gambling Commission in relation to the location and operation of machines - [Codes of practice - Section C - Gaming machines in clubs and premises with an alcohol licence \(gamblingcommission.gov.uk\)](https://www.gamblingcommission.gov.uk/codes-of-practice-section-c-gaming-machines-in-clubs-and-premises-with-an-alcohol-licence)

### 6.3 Prize Gaming Permits

Gaming is defined in the Gambling Act 2005 as prize gaming if the nature and size of the prize is not determined by the number of people playing or the amount paid for or raised by the gaming.

An application for a permit can only be made by a person who occupies or plans to occupy the relevant premises and if the applicant is an individual, he must be aged 18 or over. An application for a permit cannot be made if a premises licence or club gaming permit is in effect for the same premises.

The licensing authority will require an applicant to set out the types of gaming that they are intending to offer and demonstrate that they understand the limits to stakes and prizes that are set out in regulations and the gaming offered is within the law.

Further information may be sought from an applicant who applies for a prize gaming permit, such as:-

- the location of the machines along with any notices that may be positioned throughout the premises on a scaled plan;
- age verification scheme;
- confirmation that Fire Safety and Health and Safety legislation has been complied with by the applicant;
- information regarding opening times for the premises;
- details of number of staff employed;
- evidence of public liability insurance documents;
- other policies or procedures in place to promote safeguarding of children and vulnerable persons from harm;
- commitment to enable data sharing e.g. the number of self-exclusions and underage attempts to gamble.

The licensing authority can grant or refuse an application for a permit but cannot add conditions. The permit may only be granted if the police have been consulted on the application, as the police may wish to object to the application.

In making its decision on an application for this permit the licensing authority does not need to have regard to the licensing objectives but must have regard to any Gambling Commission guidance.

Relevant considerations would include the suitability of the applicant in terms of any convictions that they may have that would make them unsuitable to operate prize gaming; and the suitability of the premises in relation to their location and any issues concerning disorder.

If a permit is granted, the licensing authority will issue it as soon as is reasonably practicable. The permit will have effect for ten years, unless it ceases to have effect, lapses, or is renewed. The permit may also cease to have effect if it is surrendered by the holder.

The licensing authority will not refuse an application until notification has been given to the applicant of the intention to refuse and the reasons for it, and they have been given the opportunity to make representations orally or in writing or both.

If the permit holder is convicted of a relevant offence under the Gambling Act 2005, the court may order the forfeiture of the permit. The court must notify the licensing authority that it has made a forfeiture order as soon as is reasonably practicable after making the order.

#### 6.4 Unlicensed Family Entertainment Centre

Unlicensed Family Entertainment Centres (uFEC) can offer any number of category D machines. UFECs are premises which are 'wholly or mainly' used for making gaming machines available a permit cannot therefore be granted for an entire shopping centre for example. Permits cannot be issued in respect of vessels or vehicles.

An application for a permit can only be made by a person who occupies or plans to occupy the premises; if the applicant is an individual, he or she must be aged 18 or over, also applications for a permit cannot be made if a premises licence is in effect for the same premises.

Due to the nature of uFECs and their appeal to children and young persons, the licensing authority will give consideration to the suitability of the applicant and what measures are being proposed to mitigate the risk associated with protecting children from being harmed or exploited by gambling.

As part of this it is expected that the applicant ensures that children do not have 'direct access' to adult premises and are not attracted to adult only areas. Although there is no definition of 'direct access' the licensing authority will consider what is appropriate on a case-by-case basis. It may consider the below as proportionate;

- Partitions should be permanently fixed between premises and should not be transparent;
- A gaming/skills with prizes machine or any other machine should not form the partition or any part of the partition;
- Minimum height for partitions should be 1.75 metres and a maximum of 0.15 metres from the floor.

The licensing authority may grant or refuse an application for a permit but cannot add conditions.

When the licensing authority considers an application for an uFEC it shall have regard to the Gambling Act 2005 guidance and the licensing objectives. Further information may be sought from the applicant so that the licensing authority can be assured that they can demonstrate:

- a full understanding of the maximum stakes and prizes of the gambling that is permissible in uFECs,
- that the applicant has no relevant convictions (those that are set out in Schedule 7 of the Act),
- that employees are trained to have a full understanding of the maximum stakes and prizes.

The additional information requested could include;

- the location of any cash machines and category D machines along with any notices that may be positioned throughout the premises on a scaled plan (1:100);
- information regarding the number of category D machines (space between machines needs to be considered for public safety);
- confirmation that applicants are aware of the limits of stakes and prizes that comply with the regulations and the law;
- proof of staff training that will be undertaken and records kept, covering how staff would deal with unsupervised young children being on the premises or children causing perceived problems on or around the premises or suspected truant school children on the premises;
- demonstrate that policies or procedures in place to promote safeguarding of children from harm, in this instance the harm does not refer solely to harm from gambling but also to include harm from any child protection issues;
- confirmation that Fire Safety and Health and Safety legislation has been complied with by the applicant;
- information regarding opening times for the premises and the appearance of the premises externally;
- details of the number of staff employed;
- evidence of public liability insurance documents,
- commitment to data sharing e.g. the number of self-exclusions etc.

An application for a permit may be granted only if the licensing authority is satisfied that the premises will be used as an uFEC, and if the police have been consulted on the application. When a permit has been granted the licensing authority will issue it as soon as reasonably practical.

An application may be refused by the licensing authority if the applicant is unable to meet the requirements. If it is the intention of the licensing authority to refuse the application the applicant will be notified in writing setting out the reasons why. The applicant will be given opportunity to make representations orally or in writing or both. Applicants will have the right to appeal against the licensing authority's decision of refusal.

If the permit holder is convicted of a relevant offence the Court may order the forfeiture of the permit, in this instance the Court will inform this Licensing Authority of the forfeiture order.

This Licensing Authority will only refuse to renew a permit on the grounds that:

- an authorised local authority officer has been refused access to the premises without reasonable excuse,
- renewal would not be reasonably consistent with the licensing objectives.

The licensing authority will consult with the police and will if applicable be made aware of any concerns that have arisen during the life of the permit.

## 7.0 Small Society Lotteries

A lottery is a form of gambling that has three essential elements; a payment is required to participate; one or more prizes are awarded; and those prizes are awarded by chance. There are two categories that they can fall into; licensed lotteries that require an operating licence from the Gambling Commission and exempt lotteries (including small society lotteries registered with the licensing authority).

Exempt lotteries are defined as:

- Small society lotteries.
- Incidental non-commercial lotteries.
- Private lotteries.
- Work lotteries.
- Residents' lotteries.
- Customer lotteries.

Advice regarding the definitions of the above exempt lotteries is available from the Gambling Commission guidance and the website - [Types of lottery you can run without a licence \(gamblingcommission.gov.uk\)](https://www.gamblingcommission.gov.uk/types-of-lottery-you-can-run-without-a-licence).

Organisers of raffles or lotteries must follow the legislation contained within the Gambling Act 2005 to ensure that the lottery arrangements are legal. The licensing authority recommends those seeking to run lotteries take their own legal advice on which type of lottery category they fall within.

Small Society Lotteries are promoted for the benefit of a non-commercial society. Such societies are organisations that have distinct aims and objectives. For a society to be non-commercial it needs to be established and conducted:-

- for a good cause;
- for the purpose of enabling participation in, or of supporting, sport, athletics, or a cultural activity; and
- for any other non-commercial purpose other than that of private gain.

When an application is made, the applicants will need to inform the licensing authority of the purpose in which the society was originally established, and the society will need to declare that they represent a bona fide non-commercial society and have no relevant convictions. Further information may be sought from a society by the licensing authority.

An application will be refused by the licensing authority if:-

- an applicant has held an operating licence that has been revoked in the preceding 5 years;
- or they have applied for registration of an operating licence in the preceding 5 years that has been refused.

Applications may also be refused by the licensing authority if they are of the opinion that:-

- The applicant is not a non-commercial society;

- A person who will or may be connected with the promotion of the lottery has been convicted of a relevant offence; or
- Information provided in or with the application for registration is false or misleading.
- Previous lottery returns have not been provided as required.

When an application is going to be refused the society will have an opportunity to make a representation against the decision. The licensing authority will notify the society of the reasons for the refusal in writing.

The licensing authority will seek advice from the Gambling Commission if they are unsure about a refusal of an application.

If the licensing authority is of the opinion that the lottery registration of a society needs to be revoked, due to a reason that they would refuse the application if it were being made at the time, they will inform the society in writing. They will outline the evidence that has led to the decision being reached to allow the society the opportunity to make a representation.

The licensing authority will keep a register of all applications for Small Society Lotteries and will provide information to the Gambling Commission on all lotteries registered by the Licensing Authority.

Where the required annual fee is not paid by the due date, the licensing authority may cancel the small society lottery registration. It is the society's responsibility to ensure the annual fee is paid by the due date.

## 8.0 Other types of Gambling

### 8.1 Notification of Gaming Machines

There is provision in the Gambling Act 2005 for premises licensed to sell alcohol for consumption on the premises, to automatically have two gaming machines of categories C and/or D. The Premises Licence Holder (under the Licensing Act 2003) is required to notify the licensing authority by completing the requisite application form and paying the prescribed fee. A new notification needs to be submitted after every transfer of Premises Licence Holder.

The Designated Premises Supervisor is responsible for the supervision of gaming and there needs to be compliance with the Gambling Commissions code of practice - [Codes of practice - Section C - Gaming machines in clubs and premises with an alcohol licence \(gamblingcommission.gov.uk\)](http://gamblingcommission.gov.uk)

The licensing authority will look to remove the automatic authorisation in respect of any particular premises if:-

- provision of the machines is not reasonably consistent with the pursuit of the licensing objectives;
- gaming has taken place on the premises that breaches a condition of section 282 of the Gambling Act 2005;
- the premises are mainly used for gaming; or
- an offence under the Gambling Act 2005 has been committed on the premises.



## 9.0 Temporary and Occasional Use Notices

### 9.1 Temporary Use Notices

It is an offence to provide facilities for gambling unless either the required permissions are in place, or an exemption applies. One such exemption is for the holder of an operating licence to notify a Temporary Use Notice (TUN) to the relevant licensing authority. This is not a permanent arrangement, but allows premises such as hotels, conference centres or sporting venues to be used temporarily for providing facilities for gambling. A TUN may also apply to a vessel, whether moored or moving. A TUN may not be given in respect of a vehicle.

A Temporary Use Notice permits the use of a premises for gambling where there is no premises licence, but where a gambling operator wishes to use the premises temporarily for providing facilities for equal chance gaming, where the gaming is intended to produce a single overall winner. Such as;

- operate a casino,
- provide facilities for the playing of bingo,
- make a gaming machine available for use,
- provide other facilities for gaming, or
- provide facilities for betting (whether by making or accepting bets, by acting as a betting intermediary or by providing other facilities for the making or accepting of bets).

A TUN may only be granted to a person or company holding a relevant operating licence and there are a number of statutory limits as regards TUNs as set out in the Gambling Act 2005 and Gambling Commission guidance.

#### 9.1.1 Meaning of premises

Section 218 of the Gambling Act 2005 refers to a 'set of premises' and provides that a set of premises is the subject of a Temporary Use Notice if 'any part' of the premises is the subject of a notice.

The maximum period by which a "set of premises" may be the subject of a Temporary Use Notice is 21 days within a period of 12 months. A set of premises may be the subject of more than one Temporary Use Notice in a period of twelve months provided the maximum aggregate for which the Temporary Use Notices have effect does not exceed 21 days.

In considering whether a place falls within the definition of 'a set of premises', the licensing authority will look at, amongst other things, the ownership/occupation and control of the premises.

### 9.1.2 Objections to TUNs

The licensing authority will be minded to object to a TUN if they feel that the licensing objectives would be undermined. If it is felt that Temporary Use Notices are resulting in allowing regular gambling to take place in a place that could be described as one set of premises, the licensing authority will object. Consideration will be taken as to whether the gambling should not take place, or only with modifications.

The licensing authority will ensure that such notices are considered without delay so that, where appropriate, the opportunity to lodge an objection is not missed.

If objections are received, the licensing authority will hold a hearing to listen to representations from the person who gave the TUN, all the objectors and any person who was entitled to receive a copy of the notice.

If the licensing authority considers that the TUN should not have effect, after a hearing has taken place or has been dispensed with, it will issue a counter-notice. The licensing authority will apply the same principles for issuing a counter notice as when determining premises licence applications.

If the licensing authority gives a counter-notice, it will give reasons for doing so and will copy the counter-notice to all those who received copies of the TUN. If the licensing authority decides not to issue a counter-notice, the TUN will take effect.

### 9.1.3 Endorsement of the notice

If no objections are made within 14 days of the date of the notice, the licensing authority must endorse the notice as valid and return it to the person who gave it.

The person who gives a TUN may notify the Licensing Authority that it is withdrawn at any time up to and during the time it has effect. In those circumstances the notice will have no effect, and any unelapsed period of time will not count towards the 21-day maximum for a TUN having effect on the premises.

The TUN needs to be prominently displayed at the premises when the gambling is taking place. It would be considered an offence not to produce the notice endorsed by the licensing authority when requested to do so by a Constable, an officer of HM Revenue and Customs, an enforcement officer, or an authorised local authority officer.

### 9.1.4 Maximum period

The licensing authority may issue a counter-notice which limits the number of days that the TUN comes into effect, bringing it within the 21-day limit. The applicant will be consulted if a counter notice is to be required in order to ensure that the restrictions being imposed do not result in an unworkable event or a failure to comply.

## 9.2 Occasional Use Notices (OUN)

Where there is betting on a Track, on eight or less days in a calendar year (1st January to 31st December), the Gambling Act 2005 allows this to be undertaken by an Occasional Use Notice instead of a full premises licence.

### 9.2.1 Definition of a track

The Gambling Act 2005 defines a track as any premises on any part of which a race or other sporting event takes place or is intended to take place. This means it is not restricted to just horse racecourses or dog tracks. They also do not need to be a permanent fixture, land only used temporarily can qualify provided that races or sporting events either do take place there or will take place there. Land that has a number of uses can also qualify for an OUN as long as one of those uses is for a track. The definition of what constitutes a track will be considered on a case-by-case basis by the licensing authority.

### 9.2.2 Use (and misuse) of OUNs

Occasional Use Notices are intended to be able to permit Gambling Commission licensed betting operators, to use tracks for conducting betting, provided that the event upon which the betting is to take place is of a temporary, infrequent nature. The use of an OUN means that the track does not require a betting premises licence. However, an OUN does not allow betting operators to provide gaming machines at the track. Non-commercial, fund-raising race nights can be run as betting events at sporting venues under the authority of an OUN, whether or not the sporting event on which the bets are taken is held at that venue. The sporting event on which the bets are or will be taken also need not be taking place at the same time as the betting under the OUN.

## 9.3 Travelling Fairs

The Gambling Act 2005 defines a Travelling Fair as 'wholly or principally' providing amusements. A Travelling Fair may provide facilities for gambling via gaming machines without a Permit as long as it is purely an ancillary amusement.

An unlimited number of Category D machines are permitted however the higher Category B and C are not allowed. The machines must be sourced from a Gambling Commission licensed supplier and those working with the gaming machines at the Travelling Fair must be at least 18 years old.

A Travelling Fair cannot be on a site that has been used for fairs for more than 27 days. The statutory maximum of 27 days is per calendar year and not a 12-month period. It applies to the piece of land on which the fairs are held, regardless of whether it is the same or different travelling fairs occupying the land. The licensing authority will work with its neighbouring authorities to ensure that land which crosses our boundaries is monitored so that the statutory limits are not exceeded.

### 9.3.1 Prize Gaming and Travelling Fairs

Travelling Fairs, under the Gambling Act 2005, are also able to provide equal chance gaming without a Permit as long as it is purely an ancillary amusement. Young persons and children may participate in equal chance gaming.

Conditions for Travelling Fairs offering equal chance gaming;

- the limits on participation fees must be complied with, as set out in regulations;
- all chances to participate in the gaming must be allocated on the premises on which the gaming is taking place and on one day;
- the game must be played and completed on the day the chances are allocated;
- the result of the game must be made public in the premises on the day that it is played;
- prize amounts must not exceed the amount set in the regulations if a money prize or the prescribed value if a non-monetary prize; and,
- the participation in the gaming must not entitle the player to take part in any other gambling.

The licensing authority will be responsible for making the following decisions in relation to Travelling Fairs;

- a) whether the statutory definition of a Travelling Fair is met,
- b) whether the gambling facilities provided at the fair are in fact an ancillary amusement,
- c) whether Category D machines and/or equal chance prize gaming without a Permit is to be made available for use at Travelling Fairs in this county.

## 10.0 Premises Licence Applications

The Gambling Act 2005 defines a premises as “any place”. It is possible for a single building to be subject to more than one premises licence, provided they are for different parts of the building and the different parts of the building can be reasonably regarded as being different premises. Areas of a building that are artificially or temporarily separate cannot be properly regarded as different premises.

The licensing authority will pay particular attention to applications where access to the licensed premises is through other premises (which themselves may be licensed or unlicensed). Applicants should be aware that entrances and exits from parts of a building covered by one or more licences should be separate and identifiable so that the separation of different premises is not compromised and that people do not ‘drift’ into a gambling area.

### 10.1 Provisional Statements

Section 204 of the Gambling Act 2005 provides for a person to make an application to the licensing authority for a provisional statement in respect of premises that is:-

- Expected to be constructed
- Expected to be altered; or
- Expected to acquire a right to occupy

Provisional statements are dealt with in the same way as premises licence applications. Representations may be made by responsible authorities and interested parties, and there is a right to appeal.

An application for a provisional statement differs from an application for a premises licence in as much as those applying for a provisional statement do not have to fulfil the same criteria as those applying for a premises licence. In order to apply for a premises licence the applicant must hold or have applied for an operating licence from the Gambling Commission (except in the case of a track), and they must have the right to occupy the premises. These criteria do not have to be in place at the time of submitting a provisional statement application.

As a provisional statement can be applied for without the applicant having the right to occupy the premises the licensing authority will accept more than one provisional statement for a premises.

Once a provisional statement has been granted, the licensing authority will be restricted by what it will consider when the premises licence application is submitted for the same premises.

When a premises licence application is made following the grant of a provisional statement, no further representations from responsible authorities or interested parties can be taken into account unless they concern matters which could not have been addressed at the provisional statement stage, or they reflect a change in the applicant’s circumstances.

In addition, the licensing authority may refuse the provisional statements (or grant it on terms different to those attached to the provisional statement) only by reference to matters:-

- which could not have been raised by objectors at the provisional licence stage; or
- which, in this authority's opinion, reflect a change in the operator's circumstances;
- where the premises has not been constructed in accordance with the plan and information submitted with the provisional statement application. This must be a substantial change to the plan and the licensing authority will discuss any concerns they have with the applicant before making a decision.

## 10.2 New/Variation Applications

There is an expectation that the applicant offers their own suggestions for how they intend to promote the licensing objectives on their application. These may be used as conditions and placed on the licence if appropriate. This list is not exhaustive, and is merely indicative of example measures:-

- Proof of age schemes;
- CCTV;
- Supervision of entrances/machine areas;
- Physical separation of areas;
- Location of entry;
- Notices/signage;
- Specific opening hours;
- Self-exclusion schemes;
- Provision of information leaflets/helpline numbers for organisations such as GamCare;
- Data sharing e.g. the number of self-exclusions and underage attempts to gamble;
- Operators actively participate in safety and security schemes such as Bet Watch.

The licensing authority will take into the consideration the following factors when looking at premises licence applications, however they will be considered on a case by case basis:-

- Premises location including its immediacy to local schools; children's centres or centres used by vulnerable persons; residential areas that have a high population of children and vulnerable persons; and areas of deprivation where children and vulnerable persons reside;
- Premises layout and design;
- Installation of security features, such as CCTV or location of cash registers and safes;
- Staff training in all areas that are appropriate to the promotion of the licensing objectives;
- Policies and procedures for age verification;

- Possibility of crime and disorder associated with a licence being granted at a given premises;
- Local Area Risk Assessment for premises (came into force April 2016).

### 10.3 Fees

Licence fees are set within the prescribed maximum levels in accordance with [The Gambling \(Premises Licence Fees\) \(England and Wales\) Regulations 2007 \(legislation.gov.uk\)](#). Fees for permits and other services will be as set by the Secretary of State.

Information concerning the fees charged by Wiltshire Council for premises licence applications, permits and other permissions will be made available to the public via Wiltshire Council's website – <http://www.wiltshire.gov.uk/licences-permits-gambling-fees-charges>.

In accordance with the Gambling Act 2005, failure of a premises to pay the prescribed fee will result in this licensing authority revoking the licence. In relation to permits, the licensing authority will cancel the permit if the holder fails to pay the annual fee due. This will not occur however, if the failure of payment is attributed to an administration error.

### 10.4 Conditions

The licensing authority's decisions regarding placing conditions onto an individual premises licence will be made on a case-by-case basis. Any conditions attached to licences will be:-

- relevant to the need to make the proposed building suitable as a gambling facility;
- directly related to the premises and the type of licence applied for;
- fairly and reasonably related to the scale and type of premises; and
- reasonable in all other respects.

In a hearing, the licensing authority may also consider it appropriate to add further conditions to the licence that are proportionate to the application, each application being considered on its own merits. Licence conditions applied at a hearing will be tailored to the individual premises and activities and only those necessary to meet the licensing objectives will be applied.

### 10.5 Plans

The licensing authority is minded to consider the [Premises Licence and Provisional Statements Regulations](#), guidance issued under section 153 of the Act, and the Commission's codes of practice when considering what it will accept in relation to a plan.

The Gambling Act 2005 states that a premises, except a track, needs to provide a plan that 'must show the location and extent of any part of the premises which will be used to provide facilities for gambling in reliance on the licence'.

The licensing authority will require more information than this to be included on the plan so that it can make an informed decision on applications, the plan is a way for the applicant to demonstrate how they intend to meet the requirements and promote the licensing objectives, therefore applicants will be asked to provide further information or resubmit plans if they are felt to be insufficient.

It is expected that as well as what is required in the Regulations, the applicant may also include the locations of the following where appropriate (this list is not exhaustive);

- Counter and other staff areas;
- Gaming machines and the location of the different categories;
- Self-service machines;
- Cash machines;
- Toilets accessible to the public;
- The position of gaming activities in the premises and any potential segregation between different types of gaming;
- Any obstructions i.e. pillars, advertising boards, machines etc.;
- Position of internal CCTV cameras/monitor or mirrors that may be used for line of sight;
- Any fixtures within the premises.

## 10.6 Door Supervision

Section 178 of the Gambling Act 2005 sets out a definition of 'door supervisor' and provides that where a person employed in such a role is required to hold a licence issued by the Security Industry Authority (SIA), that requirement will have force as though it were a condition on the premises licence.

If the licensing authority is concerned that a premises may attract disorder or be subject to attempts at unauthorised access, for example, by children and young persons, then it may require that the entrances to the premises are controlled by a door supervisor. In this instance the licensing authority will impose a condition on the premises licence to this effect.

In relation to Casinos and Bingo premises, contract staff that are to be employed as door supervisors will need to be licensed by the SIA. However, in house employees working as door supervisors are exempt from that requirement.

## 10.7 Representations

For a representation to be relevant it needs to relate to one of the three licensing objectives and be made by a responsible authority or interested party. Wiltshire Council licensing officers will make the decision as to whether representations received for applications are irrelevant, frivolous or vexatious.

Representations made in relation to demand or competition will not be accepted as relevant. Moral objections to gambling will also not be accepted. Representations will not be considered relevant if the issues raised can be dealt with by other legislation.



When a valid representation against an application has been received by the licensing authority, we may arrange for a meeting to take place with the applicant and the person who made the representation in order to try to reach an agreement.

If this is not an appropriate course of action or an agreement cannot be reached, then the matter will be taken to a licensing sub-committee hearing for a decision.

If it is the case that a representation is rejected, then the person who made the representation will be informed in writing that it will not be considered. The decision of the licensing officer that the representation is not accepted cannot be appealed against.

### 10.8 Responsible Authorities

Responsible authorities will be notified by the licensing authority of all premises licence applications and are entitled to make representations in relation to these applications if they are relevant to the licensing objectives.

Section 157 of the Gambling Act 2005 defines those authorities as:

- Gambling Commission
- Police
- Fire Service
- Local Planning Authority
- Environmental Health
- Child Protection Services
- HM Revenue and Customs
- In relation to a vessel;
  - a Navigation Authority,
  - the Environment Agency,
  - the British Waterways Board,
  - the Secretary of State.
- A licensing authority in whose area the premises is situated that is, the council itself and also any adjoining council where premises straddle the boundaries between the two.

The contact details of all the responsible authorities under the Gambling Act 2005 are available via Wiltshire Council's website – <http://www.wiltshire.gov.uk/licences-permits-gambling> or attached as Appendix B.

## 10.9 Interested Parties

Interested parties can make representations in respect of licence applications or apply for a review of an existing licence. These parties are defined in the Gambling Act 2005 as:-

- a) a person or persons who lives sufficiently close to the premises and is likely to be affected by the authorised activities,
- b) a business or businesses whose interests might be affected by the authorised activities, or
- c) an individual or group who represents persons who satisfy paragraph (a) or (b).

Councillors and Town/Parish Councils that cover the area that would be likely affected by the specific premises will be considered as interested parties. If individuals wish to approach their local Councillor to ask them to represent their views no specific evidence of being asked to represent an interested person will be required by the licensing authority.

Other than these however, the licensing authority will require written evidence that a person/body (e.g. an advocate/relative) 'represents' someone who either lives sufficiently close to the premises to be likely to be affected by the authorised activities and/or has business interests that might be affected by the authorised activities.

## 11.0 Compliance and Enforcement

### 11.1 Inspection

The licensing authority inspects premises in Wiltshire to ensure compliance using a risk-based approach. We will inspect those premises that are a higher risk or have a history of complaints more frequently than those premises with lower perceived risks. However, licensing officers are also-permitted to use their discretion.

Inspections may be carried out on Temporary Use Notices and Occasional Use Notices to ensure that the licensing objectives are being promoted.

Joint visits may take place with responsible authorities or other agencies where relevant.

### 11.2 Powers of Entry

Wiltshire Council licensing officers are authorised to inspect gambling premises in order to assess compliance with the terms and conditions of the premises licence.

Licensing officers have powers to;

- Enter any gambling premises or premises where gambling is believed to be taking place,
- Use reasonable force in order to enter the premises for inspection purposes, should it be necessary,
- Inspect any part of the premises, any machine or other thing,
- Question any person on the premises,
- Access any written or electronic record which is kept on the premises, or require that a copy is provided,
- Remove or retain anything if they reasonably believe that it constitutes or contains evidence of the commission of an offence under the Gambling Act 2005, or a breach of a term or condition of the premises licence.

It should be noted that it is an offence if a person, without reasonable excuse, obstructs or fails to cooperate with an authorised local authority officer who is exercising powers under Part 15 ('Inspection') of the Gambling Act 2005.

It is also an offence to provide false information without reasonable excuse to the authorised licensing officer.

### 11.3 Complaints

The licensing authority will investigate all complaints received related to gambling activities or premises.

Licensing officers will refer complaints to or liaise with other relevant agencies/council services, as appropriate, in order to address complaints.

## 11.4 Enforcement

The licensing authority is responsible for ensuring the compliance of licences and permits, along with any relevant Gambling Commission codes of practice, in Wiltshire. The Gambling Commission is the enforcement body for operating and personal licences and is responsible for regulating online (remote) gambling.

The licensing authority is guided by the Gambling Commission's guidance for local authorities when it comes to the enforcement action to be taken against premises. The action will be:-

- Proportionate
- Accountable
- Consistent
- Transparent
- Targeted

## 11.5 Reviews

The Gambling Act 2005 sets out the arrangements to enable a review of a premises licence where it is alleged that the licensing objectives are not being promoted. Requests for a review of a premises licence can be made by interested parties or responsible authorities; however, it is for the licensing authority to decide whether the application for review is accepted.

The request for a review will be determined as appropriate if it is in accordance with, any relevant code of practice or guidance issued by the Gambling Commission, with Wiltshire Council's Gambling Statement of Principles and is relevant with the licensing objectives.

The licensing authority will also initiate a review of a licence if;

- it has reason to suspect that premises licence conditions are not being observed
- the premises is operating outside of the principles set out in the licensing authority's statement of policy
- there is evidence to suggest that compliance with the licensing objectives is at risk
- for any other reason which gives them cause to believe that a review may be appropriate, such as a complaint from a third party.

Upon review of a premises licence, the licensing authority will have regard to the application for review and any relevant representations and take such steps as it considers necessary for the promotion of the licensing objectives. Such steps might be:-

- add, remove or amend a licence condition imposed by the licensing authority
- exclude a default condition imposed by the Secretary of State (for example, relating to opening hours) or remove or amend such an exclusion
- suspend the premises licence for a period not exceeding three months
- revoke the premises licence.

## Appendix A – Table of Delegations of Licensing Functions

Matter to be dealt with	Full Council	Licensing Committee or Licensing Sub Committee	Officers
Three year licensing policy	X		
Policy not to permit casinos	X		
Fee Setting - when appropriate	X		
Application for premises licences		Where representations have been received and not withdrawn	Where no representations received/representations have been withdrawn
Application for a variation to a licence		Where representations have been received and not withdrawn	Where no representations received/representations have been withdrawn
Application for a transfer of a licence		Where representations have been received from the Commission	Where no representations received from the Commission
Application for a provisional statement		Where representations have been received and not withdrawn	Where no representations received/representations have been withdrawn
Consideration for calling a review			X
Review of a premises licence		X	
Application for club gaming /club machine permits		Where representations have been received and not withdrawn	Where no representations received/representations have been withdrawn
Cancellation of club gaming/ club machine permits		X	

<b>Matter to be dealt with</b>	<b>Full Council</b>	<b>Licensing Committee or Licensing Sub Committee</b>	<b>Officers</b>
Applications for other permits			X
Cancellation of licensed premises gaming machine			X
Consideration of temporary use notice			X
Decision to give a counter notice to a temporary use notice		X	
Determination as to whether a person is an Interested Party			X
Determination as to whether representations are relevant			X
Determination as whether a representation if frivolous, vexatious or repetitive			X
Consideration for actions to be taken against illegal gambling			X

## Appendix B – Responsible Authorities

### **Wiltshire Council Licensing Authority**

Public Protection – Licensing

County Hall  
Bythesea Road  
Trowbridge  
Wiltshire  
BA14 8JN

Email: [publicprotectionnorth@wiltshire.gov.uk](mailto:publicprotectionnorth@wiltshire.gov.uk)

### **Wiltshire Constabulary Licensing Officer**

Trowbridge Police Station  
Polebarn Road  
Trowbridge  
Wiltshire  
BA14 7EP

Email: [LicensingE@wiltshire.police.uk](mailto:LicensingE@wiltshire.police.uk)

### **Wiltshire Council Environmental Health**

County Hall  
Bythesea Road  
Trowbridge  
Wiltshire  
BA14 8JN

Email: [publicprotectionwest@wiltshire.gov.uk](mailto:publicprotectionwest@wiltshire.gov.uk)

### **Wiltshire Council Planning Department**

County Hall  
Bythesea Road  
Trowbridge  
Wiltshire  
BA14 8JN

Email: [Developmentmanagement@wiltshire.gov.uk](mailto:Developmentmanagement@wiltshire.gov.uk)

### **Dorset & Wiltshire Fire and Rescue Service**

Five Rivers Health and Wellbeing Centre  
Hulse Road  
Salisbury  
SP1 3NR

Email: [fire.safety@dwfire.org.uk](mailto:fire.safety@dwfire.org.uk)

**Wiltshire Council Child Protection**

Integrated Front Door Service  
County Hall  
Bythesea Road  
Trowbridge  
Wiltshire  
BA14 8JN

Email: [Integratedfrontdoor@wiltshire.gov.uk](mailto:Integratedfrontdoor@wiltshire.gov.uk)

**Gambling Commission**

Victoria Square House  
Victoria Square  
Birmingham  
B2 4BP

Email: [info@gamblingcommission.gov.uk](mailto:info@gamblingcommission.gov.uk)

**HM Revenue & Customs**

National Registration Unit  
Betting and Gaming  
Portcullis House  
21 India Street  
Glasgow  
G2 4PZ

Email: [nrubetting&gaming@hmrc.gsi.gov.uk](mailto:nrubetting&gaming@hmrc.gsi.gov.uk)



## Appendix C – Local Area Risk Assessment Guidance

### Undertaking a local area risk assessment

The licensing authority has an expectation that the local area risk assessment will be carried out methodically at a gambling premises; to ensure that there is thorough consideration for all the possible risks.

The gambling operator carrying out the assessment should consider the risks associated with;

- the local area,
- the gambling operation, and
- the design of the premises both internally and externally.

When the risks have been identified, the licensing authority would envisage that appropriate control measures proportionate to the risks will be considered and implemented. Some of these control measures may already be in place as part of the policies or procedures of the business however both the risks and the control measures should be documented within the assessment. The licensing authority considers it beneficial for the document to state who would be responsible for putting the control measures in place and recording when they have been completed.

### Who should undertake the assessment?

The gambling operator has the responsibility of completing the local area risk assessment; however, this could be delegated to a competent assessor.

Whoever is tasked with the completion of the document should have an understanding of, the business and how they currently operate or intend to operate, the local area where the premises is situated and its design.

If the local area risk assessment is not completed thoroughly it could result in the operator breaching the provisions of the licence conditions and codes of practices submitted by the Gambling Commission.

#### Step 1: The local area

For the operator to be able to correctly identify the local risk factors relating to the premises it first must understand what makes up the local area. Certain gambling premises may have a larger sphere of influence than others therefore the local area could be larger than first thought for certain premises.

#### Step 2: The gambling operation

For this section of the assessment, the licensing authority expects the assessor to look at the gambling operators' policies and procedures and decide whether these procedures;

- a) result in a risk at the premises based on the local area, or
- b) mitigate risk already identified in the local area and therefore could be used as a control measure.

### Step 3: The design of the premises

The design of a premises can assist greatly in the operators' ability to mitigate and manage identified local risks. It is important that the assessor looks at the risks of both the internal and external design and considers these with reference to the local risks already recognised.

### Step 4: Control measures

When all the risk factors have been acknowledged, the licensing authority now expects that the assessor will ascertain suitable and appropriate control measures to mitigate the risks identified. The four categories of control measures; systems, design, physical and licence conditions should be considered. For some risks it may be that a combination of control measures are needed to neutralise the risk identified.

### Completed assessment

Once the risk assessment has been completed and the control measures documented, they then need to be implemented at the premises. This may involve changes to the layout or design, staff training or changes in procedures. It should be documented when they have been actioned. The licensing authority expects a copy of the risk assessment to be kept on the premises, reviewed regularly, and made available to staff and authorised officers.

## Appendix D - Useful Support Contacts

### **Gamble Aware**

[www.begambleaware.org](http://www.begambleaware.org)

### **GamCare**

<https://www.gamcare.org.uk>

Freephone: 0808 8020 133

WhatsApp Chat: 020 3031 8881

### **Gamblers Anonymous UK**

<http://www.gamblersanonymous.org.uk/>

### **Domestic Abuse**

<https://www.victimsupport.org.uk/help-victims/ive-been-affected/domestic-abuse>

### **Women's Aid**

<http://www.womensaid.org.uk/>

### **Samaritans**

<http://www.samaritans.org/>

### **Step Change**

<http://www.stepchange.org/Howwecanhelpyou/Debtadvice.aspx>

### **Citizens Advice Bureau**

[http://www.adviceguide.org.uk/wales/debt\\_w/debt\\_help\\_with\\_debt\\_e.htm](http://www.adviceguide.org.uk/wales/debt_w/debt_help_with_debt_e.htm)

### **National Debt Line**

<https://www.nationaldebtline.org/>

### **Gov.uk**

<https://www.gov.uk/options-for-paying-off-your-debts/overview>

### **Money Advice Service**

<https://www.moneyadviceservice.org.uk/en/tools/debt-advice-locator>

### **Turning Point**

<http://www.turning-point.co.uk>

### **ARA (Recovery for All)**

<https://www.recovery4all.co.uk>

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**Wiltshire Council**

**Full Council**

**15 October 2024**

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## **Senior Management Structure – changes and designation of the statutory function of Director of Children’s Services (DCS)**

### **Purpose of Report**

1. For Council to consider and approve a new senior management structure with the deletion of one of the current Corporate Director roles and the creation of two new Corporate Director roles.
2. For the Council to consider and approve the deletion of the current role of Corporate Director People.
3. For Council to consider and approve a new role of Corporate Director Care and Wellbeing.
4. For Council to note the creation of a new Corporate Director Children and Education post and the designation of the statutory role of Director of Children’s Services (DCS) to that post, following a change to the senior management structure of the council.

### **Background**

5. On 18 May 2021 Council approved the designation of statutory role of Director of Children’s Services to the position of Corporate Director People. The report to Council is attached at **Appendix 1**.
6. On 19 August 2024, following confirmation by Full Council on 24 July 2024, the then Corporate Director People, took up position as the Chief Executive. In her role as Head of Paid Service, the Chief Executive has reviewed the senior management structure and considered examples of other council structures. A new proposed structure is set out in Appendix 2.

### **Main Considerations for the Council**

7. The Chief Executive wishes to increase the capacity at senior management level to focus on corporate priorities and to drive innovation, transformation and greater efficiency. This will in turn increase the ability of the Council to deliver preventative interventions and overall improve outcomes for residents. The largest element of service provision financially is in Adults Services and having considered how other councils choose to structure their senior team, there is a proposal to create the post of Corporate Director of Care & Wellbeing. This post will line manage the Director of Adult Social Care, Director of Commissioning, and the Director of Public Health and drive transformation work in Adults Services.

8. Following the appointment of the Chief Executive the currently designated post for the DCS role of Corporate Director, People was vacant.
9. A new post of interim Corporate Director, Children and Education, was created by the Chief Executive using urgency powers, to which the designation of DCS would appropriately be assigned. This position was recruited to by the Officer Appointments Committee on 6 September 2024.
10. In order to ensure the responsibilities of the DCS role continued to be carried out appropriately, the Chief Executive authorised, using urgency powers, the re-designation of the statutory role to the new position .
11. This proposed new structure increases the number of Corporate Directors from 3 to 4, at a cost of £181,300. This will create a pressure and will be built into the base budget from 2025/26.
12. Council is asked to note and ratify those decisions.

### **Proposal**

13. That Council:
  - a. Approves the deletion of the post of Corporate Director People
  - b. Approves the creation of the new post of Corporate Director Care & Wellbeing
  - c. Note and ratify the designation of statutory role of Director of Children's Services (DCS) to the new position of Corporate Director, Children and Education
  - d. Note that other designated statutory roles are unchanged as a result of the restructure and remain with existing posts:
    - i. Head of Paid Service, Returning Officer (RO) and Electoral Registration Officer (ERO) with the post of Chief Executive
    - ii. Section 151 with the post of Director – Finance and Procurement
    - iii. Director of Adult Services (DASS) with the post of Director – Adult Social Care
    - iv. Director of Public Health (DPH) with the post of Director - Public Health
    - v. Monitoring Officer with the post of Director - Legal and Governance

---

#### **Tamsin Kielb - Director of HR&OD**

Report author: Amanda George, Head of Strategic HR / Deputy Director HR&OD

## **Appendices**

Appendix 1 - Report to Council 18 May 2021

Appendix 2 – current and proposed new structure

## **Background Paper**

Record of Officer Decision – Creation Corporate Director Children & Education and Designation of DCS

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**Wiltshire Council**

**Full Council**

**18 May 2021**

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**Designation of Statutory Functions following changes to Council Leadership Structure**

**Purpose of Report**

1. For Council to consider the designation of statutory roles following changes to the senior management structure of the council.

**Background**

2. On 21 July 2020 Council approved the designation of statutory functions to the Chief Executive following the implementation of a new senior leadership structure on 1 July 2020.
3. At that meeting Council were also asked to note the designated statutory roles of Director of Public Health and of Monitoring Officer to the Director of Legal & Governance and the interim arrangements for the designation of the Director of Children's Services (DCS), Director of Adult Social Services (DASS) and Section 151 Officer pending a review of the tier 2 leadership structure.
4. The report to the Council on 21 July 2020 is attached at appendix 1.

**Main Considerations for the Council**

5. The new senior leadership structure at tier 2 was confirmed by the Chief Executive and implemented on 29 March 2021.
6. The new senior leadership structure is attached at appendix 2.
7. This outlines the proposed alignment of statutory functions in the new structure which Council is recommended to approve.

**Proposals**

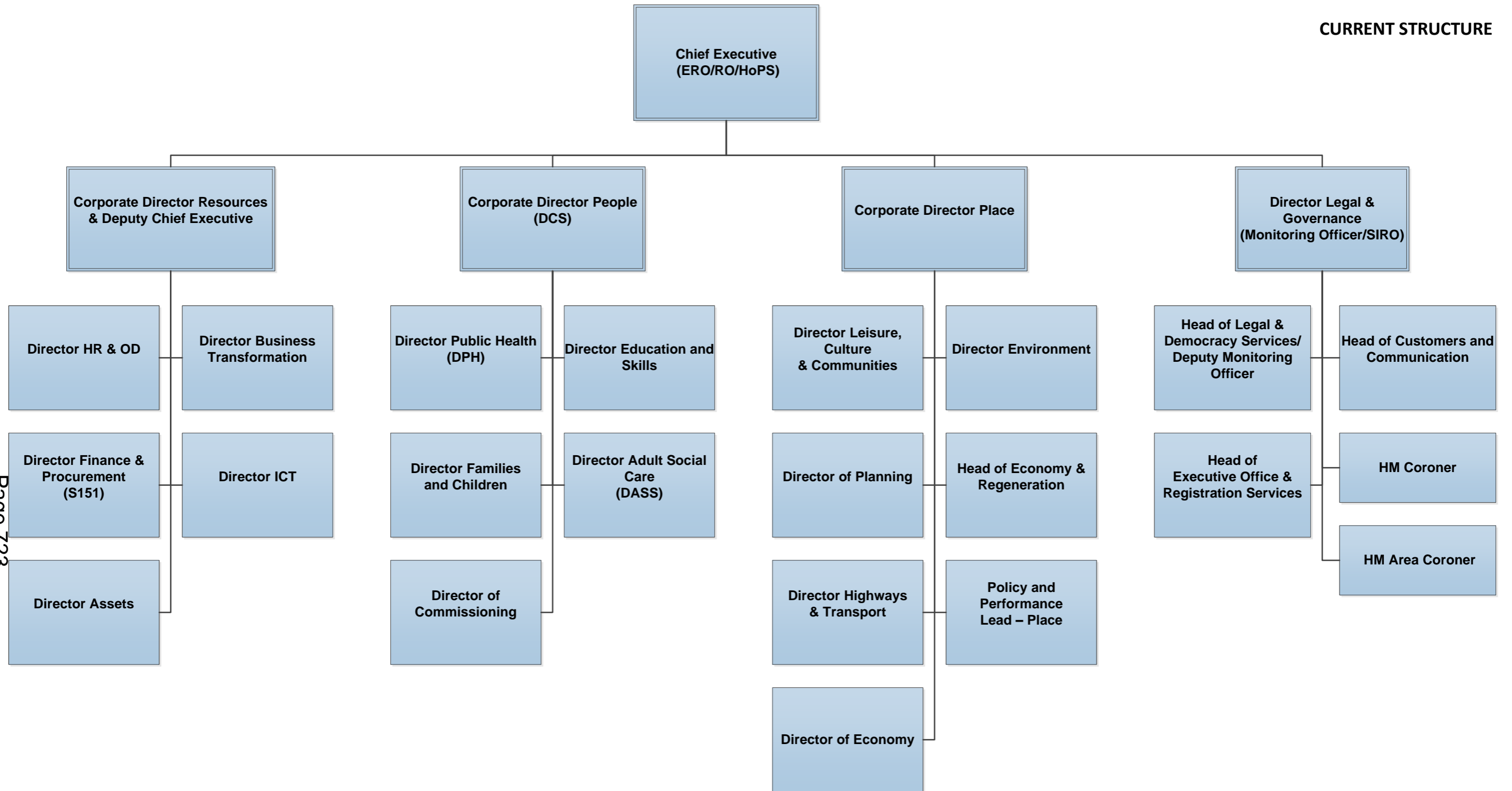
8. That Council:
  - a. Approve the designation of statutory functions as follows:
    - i. Director of Children's Services to Corporate Director People
    - ii. Section 151 Officer to Deputy Chief Executive & Corporate Director Resources.
  - b. Note the interim designation of the Director of Adult Social Services (DASS) to the Corporate Director for People pending a review of Director roles. Once the

review is complete a report to Council will propose the designation of this statutory function for approval.

- c. Note that the other designated statutory roles are unchanged as a result of the restructure and remain with existing postholders namely:
    - i. Returning Officer (RO) and Electoral Registration Officer (ERO) with the Chief Executive.
    - ii. Head of Paid Service with the Chief Executive
    - iii. Director of Public Health (DPH) with the post of Director of Public Health
    - iv. Monitoring Officer with the post of Director of Legal and Governance
  - d. Authorise the Monitoring Officer to make any consequential changes to the Constitution arising from the designation of the statutory functions outlined above.
- 

**Joanne Pitt**  
**Director HR&OD**

18 May 2021



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Chief Executive  
(ERO/RO/HoPS)

Corporate Director  
Resources

Corporate Director  
Children & Education  
(DCS)

Corporate Director Care &  
Wellbeing

Corporate Director Place

Director Legal and  
Governance  
(Monitoring Officer/SIRO)

Director HR & OD

Director Education and  
Skills

Director Public Health  
(DPH)

Director Leisure,  
Culture  
& Communities

Director Environment

Head of Legal &  
Democracy Services/  
Deputy Monitoring  
Officer

Head of Customers and  
Communication

Director Finance &  
Procurement  
(S151)

Director Families  
and Children

Director Adult Social  
Care  
(DASS)

Director of Planning

Head of Economy &  
Regeneration

Head of  
Executive Office &  
Registration Services

HM Coroner

Director Assets

Director of  
Commissioning

Director Highways  
& Transport

Policy and  
Performance  
Lead – Place

Director ICT

Director of Economy

Director Business  
Transformation

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**Wiltshire Council**

**Full Council**

**15 October 2024**

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**Notice of Motion No. 2024-05 – Winter Fuel Payments**

**From Cllr Elizabeth Threlfall and Cllr Pauline Church**

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**To consider the following motion submitted in accordance with the constitution:**

**Motion**

This Council regrets the decision by the Labour Government to end universal Winter Fuel Payments for people of pension age. Wiltshire has more than 160,000 residents of pension age and the removal of the payment risks forcing many into fuel poverty this winter.

Prime Minister Keir Starmer MP denied that the Government carried out an impact assessment of the effect the cut would have on older people. However, on 13 September 2024 the Department for Work and Pensions (DWP) undermined Starmer's claim by publishing the Equality Analysis it carried out three months ago. The assessment found that disabled people in particular will be hit hardest by the cut.

In our commitment to supporting older Wiltshire residents, we recognise that many of pension age who are eligible for pension credits do not apply for them and as a result they will be financially worse off. The lack of awareness some Wiltshire residents may have concerning the process for obtaining pension credits could be improved through a dedicated communications campaign.

**We therefore request that the Leader of the Council write to the Chancellor of the Exchequer, Rachel Reeves MP, urging a review of Labour's decision to end the Winter Fuel Payment. We also encourage officers to coordinate a social media and press campaign to show Wiltshire residents how to check their eligibility and register for pension credits.**

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**Wiltshire Council**

**Full Council**

**15 October 2024**

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**Notice of Motion No. 2024-06 – Private Motor Vehicles**

**From Cllr Dominic Muns and Cllr Nick Holder**

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**To consider the following motion submitted in accordance with the constitution:**

**Motion**

We recognise that Wiltshire is a rural county in which many residents have a significant need (not a choice) to use a private motor vehicle. From residents with mobility issues, young people seeking education or employment, working families travelling miles to school and work, or families with low incomes, much of Wiltshire is disconnected and relies on private vehicle use.

We have seen the unintended negative consequences of Clean Air Zones, Low Traffic Neighbourhoods, Congestion Zones and strategic parking price rises in places like Bath, Bristol and London. Furthermore, these places bear little resemblance to the rural makeup of our towns and villages.

**We ask that this Council refuses to support any scheme that seeks to force people out of their private vehicles without a high quality, efficient, reliable and cost-effective alternative. Until every person who stands to be affected by such schemes has a viable alternative means of travel for education, employment, healthcare, and leisure, we request that this Council refuses to incorporate such controls over our residents.**

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Wiltshire Council

Full Council

15 October 2024

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**Notice of Motion No. 2024-07 – Five-Year Land Supply**

**From Cllr Nick Botterill and Cllr Philip Whitehead**

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**To consider the following motion submitted in accordance with the constitution:**

**Motion**

There is currently a renewed emphasis placed by government on the Five Year Land Supply (5YLS) measure in the current proposals for changes to the National Planning Performance Framework (NPPF) recently put out to consultation. The recent downturn in developer and other planned construction activity nationally, and consequent reduction in demonstrable land supply, is having an adverse impact on the ability to sustain Plan-Led housing development in Wiltshire.

At the time of the Land Supply Statement issued by Wiltshire Council in June 2024, there were permissions for 17,586 homes in Wiltshire, a figure which has been added to recently by a number of additional permissions granted. The assessment was made following engagement with and information supplied by developers which demonstrated that only 47% of the 17,586 homes with permission were capable of being delivered over the 5 years ending 31 March 2028. Since then developers have determined that even fewer properties will be completed within this period and the Housing Land Supply figure is 3.85 years. The deficiency in HLS is therefore manifestly not down to any lack of Planning Permissions granted by Wiltshire Council but rather the explicit actions of developers who then also stand to gain from the 'tilted balance' becoming applicable which can increase their ability to pick green field sites for development which have been not been previously allocated for that purpose. Other adverse impacts are that the authority's cases presented at appeals are now having to be renegotiated, sometimes at the last minute with adverse consequences for local communities and the members which represent them.

**This Council calls on the Leader of the Council to write to the Secretary of State for Levelling Up, Housing and Communities, the Shadow Secretary of State for Housing, Communities and Local Government and the MPs representing Wiltshire to make them aware of the manifest flaws in the Housing Land Supply measure as currently applied and as proposed as part of the government's planning reform consultation.**

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**Wiltshire Council**

**Full Council**

**15 October 2024**

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**Notice of Motion No. 2024-08 - Wiltshire's Rivers**

**From Cllr Robert MacNaughton and Cllr Ashley O'Neill**

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**To consider the following motion submitted in accordance with the constitution:**

The UK's antiquated and outdated sewerage system is in a poor state. Despite some recent large investments, it cannot cope with the combined problems of increasing population, urbanisation and changing weather patterns. In 2023 there were nearly half a million discharges of sewage and waste waters into our rivers across England and Wales<sup>1</sup>. In Wiltshire there were over 7000 such spills for a combined duration of over 84,000 hours<sup>2</sup>.

Sewage problems are nothing new. In 1859 London experienced The Big Stink during a particularly hot summer. The smell of raw sewage in the River Thames was so great that the government finally decided to build a sewage system; the one that we largely still use today.

There were regular outbreaks of cholera leading up to the Big Stink. Cholera comes from drinking water which has sewage in it. Scientists were realising the dangers of polluted rivers at that time and the River Thames was both sewer and the source of the capital's drinking water. Today our drinking water may be clean but the danger from river pollution remains. Tests of the Thames before the Boat Race in March 2024 showed levels of E-coli, a bacterium which is found in faeces that causes many illnesses even life threatening blood poisoning, at over twice the safe level<sup>3</sup>.

The population of the United Kingdom in 1861 was 23 million and now the population of the UK is nearly three times larger. Yet we are still using a large proportion of the original Victorian sewage system. Investment, and innovation have not kept up with the increase in the population, and the diversification of need.

Many other countries in Europe have managed to successfully update their sewage system but unfortunately, we have not. The main problem is that in many cases both storm water, and sewage go together through one system. They are not separated.

The River Marden runs through Calne. It is an eight-mile-long river, rising in the North Wessex Downs, and falling into the River Avon in Chippenham. It experiences, on

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<sup>1</sup> Source: Environment Agency data for 2023 for England and Wales shows 464,356 spills for a combined duration of 3.6 million hours.

<sup>2</sup> Source: Environment Agency data for 2023 shows 7,117 spills for a combined duration of 84,344 hours.

<sup>3</sup> Source: BBC News 27 March shows tests around Hammersmith Bridge indicated an average of 2,869 E. coli CFU (colony forming units) per 100ml. the level should be below 1,000 CFU per 100ml to meet bathing water standards.

average, sewage and wastewater discharge every second of the day, every day of the week, 50 weeks of the year<sup>4</sup>.

Unfortunately, this is not unusual for Wiltshire<sup>5</sup> as a single overflow discharged into the River Till and from there into the River Wylye for over 6000 hours in 2023.

It is essential for our water companies to improve their performance and invest in upgraded systems, something they haven't been doing enough of.

Ofwat, the regulator has not been robust enough, and water companies have used that to their advantage. In 2022 their debt stood at £60 billion and the costs of servicing the debt account for a significant percentage of consumer bills. For example, 19% of the bills paid to Wessex Water are used to service their debt costs. Water company CEOs have received £41 million in bonuses, benefits and performance incentives since 2020<sup>6</sup> whilst sewage continues to pollute Wiltshire's rivers.

It is public knowledge that there is a real problem in the way the water companies manage their finances. Accruing more and more debt, ostensibly to invest, brings diminishing returns as interest rates go up.

### **Motion**

- 1) Council is disappointed by the water industry's failure to prevent sewage being discharged into Wiltshire's Rivers. We call on water companies operating in Wiltshire; Wessex Water, Thames Water, and Southern Water to make the required investment to protect our Rivers as a priority.**
- 2) Council requests a meeting with executives of Wessex Water, Thames Water and Southern Water to receive greater clarity on future investment in the overdue upgrades to our sewage systems in Wiltshire.**
- 3) Council calls on Wessex Water, Thames Water and Southern Water to join the Council in engaging with the government and Ofwat to discuss how the burden of the necessary investment in Wiltshire is addressed.**

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<sup>4</sup> Source Environment Agency data for 2023 shows 566 spills for a combined duration of 8,500 hours within the River Marden catchment area.

<sup>5</sup> Source Environment Agency Shrewton Water Recycling centre recorded 262 spills for 6183 hours in 2023

<sup>6</sup> See The Guardian/money/ Dec 18

**Wiltshire Council**

**Full Council**

**15 October 2024**

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**Notice of Motion No. 2024-09 – Resurfacing Works Western Way Salisbury**

**From Cllr Ricky Rogers and Cllr Caroline Corbine**

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**To consider the following motion submitted in accordance with the constitution:**

This Council Supports being Open and Transparent with Resident's over Planned Resurfacing Schemes across Wiltshire. Works to Resurface Western Way was planned the 2022/2023 Financial year and local residents were informed, the year passed, the planned scheme slipped into the 2023/2024 Financial year, the year passed, the planned scheme slipped into the 2024/2025 Financial year.

This Council agrees that the residents of Western Way Salisbury be informed when the Planned Resurfacing Works will take place within the Planned 2024/2025 Works Programme.

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**Wiltshire Council**

**Full Council**

**15 October 2024**

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**Notice of Motion No. 2024-10 – Salisbury Transportation Strategy**

**From Cllr Ricky Rogers and Cllr Sam Charleston**

**To consider the following motion submitted in accordance with the constitution:**

Salisbury Area Board through it's Local Highways & Footpaths Improvement Group made a costed bid for a range of local schemes from funds held within the Salisbury Transportation Strategy, a decision on this request is way overdue.

This Council agrees that Salisbury Area Board is given a prompt decision on it's formally submitted bid of funding for Local Highway & Footpath Improvements from the Salisbury Transportation Strategy held funds.

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**Wiltshire Council**

**Full Council**

**15 October 2024**

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## **Proposed Changes to the Constitution**

### **Summary**

This report asks Full Council to consider proposed changes to the Constitution as recommended by the Standards Committee.

### **Proposals**

That Council approve the following updated sections of the Constitution:

- 1) Protocol 2A – Terms of Reference of the Wiltshire Pension Fund Committee
- 2) Protocol 6 – Complaints Procedure

### **Reason for Proposals**

To ensure that the constitution remains up to date and effective.

**Perry Holmes - Director, Legal & Governance (and Monitoring Officer)**

## **Proposed Changes to the Constitution**

### **Purpose of Report**

1. This report asks the Full Council to consider proposed changes to the following section of the Constitution:
  - Protocol 2A – Terms of Reference of the Wiltshire Pension Fund Committee
  - Protocol 6 – Complaints Procedure
2. The changes have been recommended by the Standards Committee.

### **Background**

3. The Standards Committee has responsibility for oversight of the Council's constitution and making recommendations to Council.
4. The Standards Committee has established the Constitution Focus Group to review sections of the Constitution and present it with proposals to consider.
5. The Focus Group electronically considered changes to Protocol 2A in September 2024. The Standards Committee directly considered proposals to amend Protocol 6 in April 2024 before final consideration on 3 October 2024.
6. The Wiltshire Pension Fund Committee is a joint committee of Wiltshire Council and Swindon Borough Council. Wiltshire Council is the Administering Authority for purposes of the Pension Fund.
7. In February 2024, the Local Government and Social Care Ombudsman ([LGSCO](#)) and the Housing Ombudsman ([HO](#)) each published new Complaint Handling Codes.
8. The HO's 2024 Code became statutory from 1 April 2024, meaning that member landlords such as the council are now obliged to follow its requirements.
9. The LGSCO's 2024 Code is issued as "advice and guidance" for local councils in England under section 23(12A) of the Local Government Act 1974. This means that councils must consider the Code when developing complaint handling policies and procedures and when responding to complaints. If a council decides not to follow the Code, the LGSCO would expect it to provide a good reason for this.
10. The LGSCO encourages councils to adopt the Code as soon as they are able to, but it will start considering the Code as part of its processes from April 2026 at the earliest. This means that from then, when it investigates a complaint, the LGSCO will expect the relevant council to have adhered to the Code in terms of how the complaint was handled. The delay before the LGSCO begins enforcing its new Code is intended to give councils time to adopt its requirements into their working practices.

11. Examples provided by the LGSCO of when non-compliance will be permissible relate to temporary situations such as industrial action or a cyber-attack. It is therefore not feasible for the council to be non-compliant with the LGSCO's Code on a long-term basis.
12. The new Codes do **not** apply to complaints handled under the statutory adult social care or statutory children's complaints procedures, which have their own requirements set out in legislation.

## Main Considerations

### Protocol 6

13. The council already has a single Complaints Procedure (Protocol 6) that covers both complaints about the council's actions as a local authority, which are overseen by the LGSCO, and the council's actions as a landlord, which are overseen by the HO.
14. The council's complaints procedure involves two stages, with a response provided by the relevant service at Stage 1, and an independent investigation undertaken by the Complaints team at Stage 2. Following this, the complainant is able to request a review by the relevant Ombudsman if they remain dissatisfied.
15. Most of the changes required for compliance with the Ombudsmen's new Codes involve relatively small adjustments to our existing complaint handling practices.
16. The most significant change is an overall **reduction** in the time permitted for responding to complaints under the LGSCO at Stages 1 and 2. The amended timescales are set out below in bold:

Complaint stage	Wiltshire Council current practice (working days)	New LGSCO Code time limit (working days)
Complaint acknowledgement	2	<b>5</b>
Stage 1 response	20	<b>10</b>
Stage 1 extension	10	10
Stage 2 response	30	<b>20</b>
Stage 2 extension	10	<b>20</b>

17. As the table shows, under the LGSCO Code, services will have 10 fewer working days to provide complaint responses at Stage 1. The Complaints team will have 10 fewer days to provide responses at Stage 2 before using the extension, but due to a longer extension period, will have the same amount of time overall (40 working days).
18. Under the Codes, the timescale for responding to a complaint only commences once the complaint has been acknowledged. Complaints must be acknowledged within 5 working days of receipt, compared with the current practice of 2 working days. It

should be noted that complaints emailed to the Complaints team receive an immediate auto-response confirming receipt, but this does not represent the council's formal acknowledgment of the complaint. The subsequent formal acknowledgement indicates how the complaint will be handled, by whom and by what date.

19. Adapting to the reduced timescales therefore represents a significant challenge for teams involved in the complaint handling process – particularly services responding at Stage 1. Following direction from the Corporate Leadership Team (CLT), the council has been preparing to meet the new timescales from 15 October 2024 when it is proposed that they be adopted by Full Council. The Complaints team has been supporting services with more guidance and training on good complaint handling practices.
20. Performance against the new timescales will be closely monitored by the Legal and Governance Performance and Outcomes Board (POB) and will be reported to the Standards Committee in the 2024-25 Annual Complaints Report. In addition, CLT have asked relevant directors to implement and report against action plans to address any service issues identified in the 2023-24 Annual Complaints Report.
21. The only change to the timescales for responding to complaints under the Housing Ombudsman is an additional 10 working days for complaints at Stage 2. This provides consistency with the timescales required under the LGSCO Code:

<b>Complaint stage</b>	<b>Wiltshire Council current practice (working days)</b>	<b>New HO Code time limit (working days)</b>
Stage 1 response	20	10
Stage 1 extension	10	10
Stage 2 response	20	20
Stage 2 extension	10	<b>20</b>

#### Service requests and complaints

22. The Ombudsmen's Codes state the following:

*1.2 A service request may be defined as: 'a request that the organisation provides or improves a service, fixes a problem or reconsiders a decision'.*

*1.4 A complaint may be defined as: 'an expression of dissatisfaction, however made, about the standard of service, actions or lack of action by the organisation, its own staff, or those acting on its behalf, affecting an individual or group of individuals.'*

*1.6 Organisations must recognise the difference between a service request and a complaint. This must be set out in their complaints policy. A service request is a request from a resident to the landlord requiring action to be taken to put something right. Service requests are not complaints, but must be recorded, monitored and reviewed regularly*

5.2 ...It is not appropriate to have extra named stages (such as 'stage 0' or 'informal complaint') as this causes unnecessary confusion.

23. The current Complaints Procedure does define complaints as recommended under 1.4 but does not define service requests exactly as recommended under 1.2. It also refers on two occasions to "informal resolution"; a term which the Ombudsmen consider implies an additional stage of the complaints process and causes confusion for customers.
24. Therefore, in the version proposed, the recommended definition of a service request is provided, and references to "informal resolution" are replaced with the term "service requests".

#### Time limit for escalating complaints

25. The Ombudsmen's Complaint Handling Codes stipulate that customer requests for complaints to be escalated to Stage two must only be refused for reasons which are set out in the Complaints Procedure. At present, Protocol 6 does not include a time limit for complainants to make such requests following receipt of the Council's Stage one response. This creates the potential for such requests to be received after an unreasonable long delay, with the Council being obliged to conduct a Stage two investigation. It is therefore proposed that a time limit of six months for such requests to be received (from the date of the Stage one response being issued) be added to the Procedure.

#### Protocol 2A

26. The Wiltshire Pension Fund Committee terms of reference (Protocol 2a) was last updated in July 2020, along with the Governance Compliance Statement, introduced under the Local Government Pension Scheme Regulations 2008.
27. Since that time a number of operational practices have changed in the way the Fund is governed. In particular, the Committee resolved to have more meetings of the full committee rather than exercise some functions through its established Investment Sub-Committee. Given the small size of the Committee with only seven elected Members it was not considered necessary or appropriate for specific functions to be exercised by a Sub-Committee. In the case of the Investment Sub-Committee, its recommendations in any case needed ratification by the full committee, adding unnecessary steps to any decision process.
28. As a result, additional meetings of the Committee have been scheduled to accommodate the further business being determined.
29. Changes have been proposed to:
- a) To remove all references to the Investment sub-Committee;
  - b) To ensure that all activities in the former Investment sub-Committee's terms of reference are incorporated into the Committee's terms of reference;
  - c) To reflect that the Committee meets more frequently under the new Committee meeting structure; And,
  - d) Other minor changes for clarity.

30. A further review of both of the Protocol and the Governance Compliance Statement will take place to consider relevant changes arising from the introduction of the Regulator's new general code of practice and the awaited Scheme Advisory Board's good governance review, when it is published.

31. The Governance Compliance Statement is not a constitutional document, and so responsibility for it being updated lies with the Wiltshire Pension Fund Committee.

32. The Wiltshire Pension Fund Committee was updated on the proposals at its meeting on 19 September 2024 and was content for them to move forward. It will provide further comment if appropriate at its meeting on 10 October 2024.

### **Overview and Scrutiny Engagement**

33. The Constitution Focus Group includes a representative from Overview and Scrutiny.

### **Safeguarding Implications**

34. There are no safeguarding implications.

### **Public Health Implications**

35. There are no public health implications.

### **Procurement Implications**

36. There are no procurement implications.

### **Equalities Impact of the Proposal**

37. There are no equalities implications.

### **Environmental and Climate Change Considerations**

38. There are no environmental implications.

### **Workforce Implications**

39. There are no workforce implications.

### **Risks that may arise if the proposed decision is not taken**

40. The terms of reference would be out of date from the recommended operation of the committee, and the complaints procedure would be out of date with necessary ombudsman codes.

### **Risks that may arise if the proposed decision is taken and actions that will be taken to manage these risks**

41. No risks have been identified if the proposed actions are taken.



## **Financial Implications**

42. There are no financial implications.

## **Legal Implications**

43. There are no additional legal implications.

## **Options Considered**

44. Proposed changes to Protocol 2 could be delayed until further regulatory changes are enacted. However, this would leave the current constitution out of date from the current updated operations of the Committee.

45. In relation to Protocol 6, the council's procedures are required to be compliant with the HO code, and must have good reason to depart from the LGSCO Code. It is therefore not proposed to do so for either.

## **Conclusion**

46. The proposed changes have been considered by the Standards Committee and recommended for approval by Full Council.

47. Any issues of numbering and formatting of the finalised documents will be updated following approval by Full Council.

## **Proposals**

48. That the Council approve changes to the following parts of the Constitution:

- 1) Protocol 2A – Terms of Reference of the Wiltshire Pension Fund Committee
- 2) Protocol 6 – Complaints Procedure

## **Perry Holmes - Director, Legal and Governance (and Monitoring Officer)**

Report Authors: Kieran Elliott, Democracy Manager (Democratic Services), Richard Bullen, Fund Governance Manager, Henry Powell, Democracy and Complaints Manager

## **Appendices:**

Appendix 1 – Proposed changes to Protocol 2A

Appendix 2 – Proposed changes to Protocol 6

## **Background Papers**

None

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**Wiltshire Council  
Constitution  
Protocol 2  
Terms of Reference of the  
Wiltshire Pension Fund  
Committee and Local  
Pension Board**

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Protocol 2

Last Updated ~~21 July 2020~~ October 2024

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# PROTOCOL 2A: TERMS OF REFERENCE OF THE WILTSHIRE PENSION FUND COMMITTEE

## 1. Introduction

1.1 This document sets out the terms of reference of the Wiltshire Pension Fund Committee of Wiltshire Council (the “Administering Authority”) being the scheme manager as defined under Section 4 of the Public Service Pensions Act 2013.

1.2 The Committee is constituted as a Committee of the Administering Authority under Section 101 of the Local Government Act 1972 and has been assigned general duties, responsibilities and powers assigned to any sub-committees or officers under Wiltshire Council’s constitution.

## 2. Interpretations

2.1 The following terms have meanings as outlined below:

2.1.1 **‘the Regulations’** means the Local Government Pension Scheme Regulations 2013 (as amended from time to time), the Local Government Pension Scheme (Transitional Provisions, Savings and Amendment) Regulations 2014 (as amended from time to time) including any earlier regulations as defined in these regulations to the extent they remain applicable and the Local Government Pension Scheme (Management and Investment of Funds) Regulations 2009 (as amended from time to time);

2.1.2 **‘Relevant Legislation’** means relevant overriding legislation as well as the Pension Regulator’s Codes of Practice as they apply to the Administering Authority notwithstanding that the Codes of Practice are not legislation;

2.1.3 **‘the Scheme’** means the Local Government Pension Scheme in England and Wales;

2.1.4 **‘Pension Fund Officers’** shall mean the ~~Corporate Director~~ Director, Finance and Procurement (S.151 Officer), Resources, and Head of Wiltshire Pension Fund, ~~and/or Pensions Administrations Lead~~ as appropriate for the context, in line with their general roles and responsibilities;

2.1.5 **‘the Board’** means the Local Pension Board established under Section 5 of the Public Service Pensions Act 2013 and regulation 106 of the Local Government Pension Scheme Regulations 2013 (as amended) and as set out in Protocol 2B of this constitution; and

2.1.6 **‘Treasurer of the Fund’** shall mean the ~~Corporate Director,~~ Resources Director, Finance and Procurement, or nominee where any conflict may arise.

## 3. Statement of purpose

3.1 The Committee is to act on behalf of the Administering Authority in its role as a scheme manager of the Scheme.

3.2 In particular:

3.2.1 To have full decision-making responsibility on all aspects of the administration and management of the pension fund;

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- 3.2.2 The power to delegate Pension Fund functions to Pension Fund officers, ~~the Investment Sub-Committee~~ and other service areas within the Administering Authority as the Committee may consider appropriate to ensure the smooth administration of the Pension Fund having regard to the Scheme of Delegation to Officers as set out in Part 3D of the Wiltshire Council Constitution;
- 3.2.3 the Committee shall work with the Board considering all their recommendations and determine any appropriate action(s) to be taken, or provide a reason to the Board for not enacting a recommendation made by them; and
- 3.2.4 maintain a business plan and other key Wiltshire Pension Fund documents such as the Governance Compliance Statement, Funding Strategy Statement and Investment Strategy Statement to facilitate the delegation to officers of key strategic functions of the Scheme.

#### 4. Duties of the Committee

4.1 The Committee should at all times act in a reasonable manner in the conduct of its purpose. In support of this duty all Committee members shall make declarations on the register of interests of the Administering Authority in accordance with its Code of Conduct.

#### 5. Membership

5.1 ~~The chair and vice chair will be appointed from one of five of the voting Wiltshire Council Members. The Chairman appointed under Paragraph 7 should be a Member of the Administering Authority.~~

5.2 Committee membership may be terminated prior to the end of the Member's term of office if:

- 5.2.1 there exists a conflict of interest in relation to a Committee member which cannot be managed within the internal procedures of the Committee;
- 5.2.2 a Committee member becomes incapable of acting;
- 5.2.3 a member representative ceases to be a member of the body or scheme on which their appointment relied;
- 5.2.4 an employer representative ceases to hold the office, employment or membership of the body on which their appointment relied; and/or
- 5.2.5 a Member ceases to represent their ~~constituency~~ Division.

#### 6. Recruitment process and term lengths

##### Elected Member Representatives

~~6.1~~ Members elected from both Administering Authority and Swindon Borough Council will be appointed by Wiltshire Council's Full Council.

~~6.16.2~~ Full Council should consider their appointments in terms of the Member's relevant experience of pension related matters and their willingness to exercise this specific function on behalf of the Administering Authority.

##### Employer Representatives

~~6.26.3~~ The voting Employer Representatives will serve a four-year fixed term from appointment. On expiry of the four-year term, applications for the position will be sought (from the incumbent and other applicable employer bodies) and an appointment process will be undertaken by the Committee. Should more than one

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**Commented [KE1]:** Para 7 on appointment of chairman et al does not restrict who may be appointed - in practice Wiltshire Council has delegated back to committee the ability to elect a vice-chairman, who has been from Swindon. This wording would make explicit the chairman must be from wiltshire council but leaves flexibility to appoint the vice-chair as it wishes

application be received for the role, appointment will be made by interview.

~~6.36.4~~ All members may be re-appointed following a four-year term ~~and for subsequent terms.~~

**Commented [KE2]:** For clarity - that they could serve more than 2 terms

#### Non-voting Employee Representatives

~~6.46.5~~ Representatives will be sought from the recognised Trade Union bodies and be reviewed by the Unions after the representative has served a four-year fixed term from appointment. On completion of the review the Union may choose whether to put forward the same representative or choose to appoint another representative from one of their number.

~~6.56.6~~ For non-elected member representatives and employer representatives, appointments shall be made as follows:

~~6.5.16.6.1~~ Nominations will be initially sought in a manner which seeks to fairly reflect the Scheme employers and membership of the Fund, however where no nominations are initially received, further requests for nominations can be sought from any appropriate representative;

~~6.5.26.6.2~~ Successful nominations will be invited to interview by a panel of Committee members and Pension Fund officers; and

~~6.5.36.6.3~~ Successful interviewees will be recommended to Full Council for approval and invited to become a member.

~~6.66.7~~ All representatives should be able to demonstrate their capacity to attend and complete the necessary preparation for meetings and participate in training as required.

### **7. Appointment of Chairman, Vice Chairman and Substitute Members**

7.1 The Administering Authority will administer the appointment process of the Chairman, Vice Chairman and Substitute Members.

7.2 Full Council will appoint a Chairman and Vice Chairman annually. The appointment of these roles will consider each individual's knowledge and understanding of pensions including any relevant professional qualification that the Members may hold.

7.3 Substitute members – Full Council will appoint substitute members as required in accordance with Part 4 of the Constitution giving consideration to each individual's knowledge and understanding of pensions including any relevant professional qualification that the Members may hold.

### **8. Notification of appointment**

8.1 When appointments to the Committee have been made the Administering Authority shall publish the name of Committee member.

8.2 Appointments are not required under the Public Services Pension Act 2013 (formerly Pension Act 2004 section 248a) to maintain a sufficient level of knowledge and understanding, ~~however~~ However it is expected that good practice will be followed, in so far that appointees will abide by the requirements specified in the Pension Regulator's code of practice 14 and the Pension Act 2004 sections 247 to 249.

8.3 ~~For those appointees who sit on the Fund's investment sub-committee it~~ is expected that ~~their~~ Members' knowledge and understanding will enable them to

Protocol 2

Last Updated ~~21 July 2020~~ October 2024

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continue to comply with the FCA's MiFID II Regulations (or as amended from time to time) in relation to the Fund's professional investor status.

## 9. Duties of the Chairman

The Chairman:

9.1 Shall ensure the Committee delivers its purpose as set out in these Terms of Reference and all relevant legislation.

9.2 Shall ensure that meetings are productive and effective, and that opportunity is provided for the views of all members to be expressed and considered. \_\_\_\_\_

~~9.3 Shall seek to reach consensus and ensure that decisions are properly put to a vote, won by a simple majority and when it cannot be reached that the instances of a failure to reach a consensus position will be recorded and published.~~

## 10. Meetings

10.1 Meetings of the Committee will be ~~held~~ scheduled at least ~~four~~ eight times a year.

10.2 The Pension committee and any sub-committee will follow those parts of the Council procedure rules set out in Part 4 of Wiltshire Council's constitution ~~as apply to them,~~ except where otherwise set out in this Protocol 2A.

## 11. Quorum and Access

11.1 A meeting is only quorate when at least 25% of voting members are present, subject to a minimum of 3.

11.2 A meeting that becomes inquorate may continue but any decisions will be non-binding.

### Public Access to Committee meetings and information

~~11.3~~ For the avoidance of doubt Part 5 of Wiltshire Council's constitution reflects the current statutory requirements set out in Section 100 Local Government Act 1972 and the Local Authorities (Executive Arrangements) (Meetings and Access to Information) (England) Regulations 2012.

~~11.4~~ 11.4 These rules apply to the Pensions Committee or any sub-committee except where any particular issue is governed by other specific legislation.

## 12. Functions of the Committee

12.1 The Committee exercises the functions of the Council as Administering Authority. To fulfil its functions the Wiltshire Pension Fund Committee will operate within a framework of key Governance and Compliance documents which it will ensure are maintained.

12.2 The key documents are:

- 12.2.1 Governance Compliance Statement;
- 12.2.2 Funding Strategy Statement;
- 12.2.3 Investment Strategy Statement;
- 12.2.4 Administering Authority Discretions Policy;
- 12.2.5 Stewardship Code Statement;
- 12.2.6 Communications Strategy;
- 12.2.7 Business Plan;

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**Commented [KE3]:** Procedurally this is not a requirement, and is furthermore unnecessary as individual members can request their votes in objection be recorded.

**Commented [KE4]:** In unlikely event there is not sufficient business for a meeting 'scheduled' rather than 'held' would allow for cancellation where there is insufficient business which is already part of general procedure.



- 12.2.8 Administration Strategy;
- 12.2.9 Cessations Policy; and
- 12.2.10 Annual Report and Accounts.

12.3 The Committee shall be responsible for approving:

- 12.3.1 The Fund's budget;
- 12.3.2 The Triennial Valuation's key assumptions and results in relation to the Pension Fund; and
- 12.3.3 For reviewing and approving the Annual Report and Accounts for final approval by the Audit and Governance Committee.

### 13. Delegations

#### ~~Investment Sub-Committee~~

~~13.1 Authority is delegated to the Investment sub-Committee to review, monitor, implement and provide comment on the Fund's investment strategy, but the Committee shall retain responsibility for the final approval of the Fund's investment strategy.~~

~~13.2 Guidance of the full scope of the Investment Sub-Committee's terms of reference are set out in its own document and can be provided by the Investment Sub-Committee.~~

~~13.3~~13.1 Authority is delegated to the Treasurer of the Fund (or their nominated representative) to conduct urgent business between meetings, in consultation with the Chairman and Vice-Chairman of the Committee. Any business conducted in this manner must be reported to the next ordinary meeting of the Committee. The scope of delegation is laid out in the ~~sub-Schemes and delegations~~Scheme of Sub-Delegations document.

~~13.4~~13.2 Authority is delegated to the Chairman to cast a Shareholder Vote in respect of Special Reserve Matters pertaining to Brunel Pension Partnership, following consultation with Pension Fund Officers and members of the Committee, where there is urgent business to be conducted between meetings.

~~13.5~~13.3 Authority is delegated to the Head of ~~Pensions Administration and Relations and the Head of Pension Fund Investments~~Wiltshire Pension Fund to prepare the Fund's budgets, although approval of the budget shall remain with the Committee.

### 14. Reporting

14.1 Giving consideration to relevant law and good governance practice the Committee will:

- 14.1.1 Publish a meetings attendance record in the Annual Report and Accounts;
- 14.1.2 Invite the Local Pension Board to input into matters of governance and administration; and
- 14.1.3 Report to the Local Pension Board on action(s) it has taken concerning the Board recommendations.

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# Wiltshire Council

## Complaints Procedure

### Foreword

This Complaints Procedure (“the Procedure”) reflects Wiltshire Council’s commitment to valuing complaints. We welcome hearing our customers’ complaints to better understand how they view our services and to use these opportunities to learn and improve for the future.

We aim to resolve customer dissatisfaction promptly and efficiently and to conduct appropriate and fair investigations so that we can make evidence-based decisions on the facts of the case.

We aim to deliver a complaints function that:

- Is simple for everyone to use and understand
- Is led and supported by the very top of the organisation
- Ensures excellent service standards are delivered
- Fulfils the needs of our customers
- Enables us to learn from customer feedback in order to improve
- Complies with the relevant legislation and council policy
- Focuses on fair, proportionate resolution at the earliest stage
- Works in an open-minded and impartial way

Not all complaints that the Council may receive are covered by the procedure set out in this document. In particular, complaints about adult social care, some aspects of children’s services, the Wiltshire Police and Crime Commissioner and elected members are governed by other, statutory, procedures. Links to those procedures are provided where appropriate.

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## What is a complaint?

Wiltshire Council's definition of a complaint is an expression of dissatisfaction, however made, about the standard of service, actions or lack of action by the organisation, its own staff, or those acting on its behalf, affecting an individual resident or group of residents, and which the public has suffered a personal injustice.

A complaint may relate to:

- ✓ failure to provide a service
- ✓ inadequate standard of service
- ✓ dissatisfaction with the application of a Council policy
- ✓ treatment by, or attitude of, a member of staff
- ✓ disagreement with a decision where the customer cannot use another procedure (for example an appeal) to resolve the matter
- ✓ the Council's failure to follow the appropriate administrative process.

This list does not cover everything.

A complaint does **not** fall within this Complaints Procedure if it:

- x is a routine first-time request for a service
- x relates to legal proceedings involving the complainant, including proceedings brought by or against the Council
- x concerns a disagreement with a decision where a statutory right of appeal exists, for example in relation to council tax, planning or licensing
- x is an attempt to reopen a previously concluded complaint or to have a complaint reconsidered where we have already given our final decision
- x is a matter relating to a contract between the Council and an organisation providing services to it, or vice-versa
- x relates to personnel matters, including appointments, dismissals, pay, pensions and discipline
- x it is a challenge to a policy/decision made by the Council
- x concerns school management issues (these are managed by individual schools)
- x falls within the scope of another statutory complaints process, such as those dealing with adult social care, some aspects of children's services, elected members, or the Wiltshire Police and Crime Commissioner (see below)

These issues will not be treated as complaints under this procedure. Customers will instead be directed to any appropriate alternative procedures that may be available.

### Complaint or service request?

Often customers simply want the issue they are raising to be resolved, rather than to pursue a complaint under the council's formal procedure. Where, for example, a customer requests that the council provides or improves a service, fixes a problem or reconsiders a decision, we will often seek to address that request promptly as a service request, without following the formal complaints procedure.

Where this approach is not appropriate, and in all cases where the customer requests it, the complaint will be handled as complaint.

**Commented [HP1]:** This section has been re-titled to remove the reference to "Informal resolution", which the LGSCO considers to imply a third stage of the Complaints Procedure and to be confusing.

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**Commented [HP2]:** The body text now includes the LGSCO's suggested definition of a service request, i.e. where a customer requests that the council provides or improves a service, fixes a problem or reconsiders a decision.

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## Who can make a complaint?

Anyone who receives, requests or is affected by our services can make a complaint.

We will accept complaints brought by third parties (such as a friend or relative of the person affected) where there is clear evidence that the customer has given their permission. A complaint can also be made through an independent advocacy service and details of those services will be provided to the customer where appropriate.

A complaint can be made in writing, in person, by telephone, by email or online.

We do not accept complaints from corporate bodies under this Procedure, as in such cases there is no "personal injustice" suffered by the complainant.

## Complaints involving more than one service or organisation

If a complaint relates to the actions of two or more Council services, we will endeavor to provide one response covering all issues raised.

Where a complaint relates to both a Council service and another agency or public service provider, (for example a housing association or a government department), and the Council has a direct interest in the issue, we will handle the complaint about the Council through this Procedure.

## Handling anonymous complaints

The Council recognises that on occasions some complainants will wish to remain anonymous.

Generally, we will consider anonymous complaints if there is enough information to identify that there is an issue that needs to be considered and to enable further enquiries.

If, however, an anonymous complaint does not provide enough information to enable us to take further action, or is repetitive, we may decide not to pursue it further.

If an anonymous complaint makes serious allegations, we will refer it to an appropriate senior officer immediately for consideration.

If we pursue an anonymous complaint, we will still record the issues raised to allow us to take corrective action where appropriate.

## What if the customer doesn't want to complain?

If a customer has expressed dissatisfaction, but does not wish to complain, we will still fully consider the matter and take corrective action where appropriate.

## Time limit for making complaints

In line with guidelines set by the Local Government and Social Care Ombudsman and the Housing Ombudsman, this procedure sets a time limit of **12 months** from when the customer first knew, or ought to have known, of the problem, within which time they may ask us to consider the complaint, unless there are special circumstances for considering complaints beyond this time.

~~Requests for a complaint to escalate to Stage two of the procedure must be made within 6 months of the Stage one response being issued.~~

We will apply these time limits with discretion.

## Satisfactorily resolved

At all stages of the complaints handling process the emphasis will be on resolving the complaint at the earliest opportunity.

On all occasions, an explanation will be provided to the complainant and where a mistake, error or failure (maladministration) is identified then a suitable apology along with a proposal for remedial action (if needed) will be provided. This does not mean that the Complainant's view will always be preferred.

If the complainant is unhappy with the conclusion, they are entitled to refer the matter to the appropriate Ombudsman who can provide an independent assessment of this conclusion. We will advise customers which Ombudsman is appropriate for their complaint.

## Informal resolution

~~Often customers simply want the issue they are raising to be resolved, rather than to pursue a complaint under the council's formal procedure. The council will therefore often seek to resolve complaints by promptly delivering the service or correcting the error highlighted by the customer, without following the formal complaints procedure.~~

~~Where this approach is not appropriate, and in all cases where the customer requests it, the complaint will proceed to Stage 1.~~

**Commented [HP3]:** This addition is not required under the Complaint Handling Codes. It is intended to prevent Stage two investigations being required an unreasonably long time after the Stage one response has been issued.

**Commented [HP4]:** This section has been re-titled to "Complaint or service request?" and moved to the section above for clarity.

## Complaints Procedure

### Complaint Contact received

- Received in person, by phone, email, webform or letter
- Acknowledged within **2,5 working days** and recorded

### Informal resolution Service request

- Where appropriate, enquiries can be quickly resolved as a 'service request'
- This can mean by promptly delivering a service or correcting an error
- When this is not

### Complaint Stage 1: Service team response

- Response by the relevant service team within **120 working days**\*
- 10 working day extension** possible, with reasons and updated timescale provided to the customer
- Customer informed of the outcome, addressing relevant areas and reasons, and advising how to progress to **Stage 2: Complaint Investigation**

\*For complaints about the council as a social housing landlord, response within 10 working days with a 10 working day extension

### Complaint Stage 2: Investigation

- For issues not resolved at Stage 1, that are complex, serious or 'high risk', or where the customer believes they have faced discrimination due to a protected characteristic
- Complaints Team investigates
- Response provided within **240 working days**\*\*
- 240 working day extension**\*\* possible with reasons and updated timescale provided to the customer
- Customer informed of the outcome, addressing relevant areas and reasons, and advising how to progress to **Independent external review**

\*\*For complaints about the council as a social housing landlord, response within 20 working days with a 10 working day extension

### Independent external review

- For issues that have not been resolved at **Stages 1 and 2**, customers can contact the appropriate Ombudsman, whose contact details will be provided
- In **most** cases, they will only investigate if the customer:
  - has completed the council's procedure
  - contacts them within 12 months of becoming aware of the matter
  - has been directly affected by the matter
- Ombudsmen can require the council to take remedial action and make compensatory payments
- Local Government and Social Care Ombudsman:**  
[www.lgo.org.uk](http://www.lgo.org.uk)  
 0300 061 0614
- Housing Ombudsman:**  
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 0300 111 3000

### Learning from complaints

- Complaint details, outcomes, actions taken and Ombudsman findings recorded centrally
- Complaints data reported to senior officers and councillors highlighting areas of concern and improvement actions in place



## Maintaining confidentiality

Confidentiality in complaints handling includes maintaining the customer's confidentiality and explaining to them the importance of confidentiality generally. We will always bear in mind legal requirements as well as internal policies on confidentiality and the use of customer's information. This includes when we need to make enquiries to an outside agency.

## Managing unacceptable behaviour

A customer's reasons for complaining may contribute to the way in which they present their complaint. Regardless of this, we must treat all complaints seriously and properly assess them.

However, the actions of some customers may result in unreasonable demands on time and resources or unacceptable behaviour towards our staff. We will, therefore, apply our policies and procedures to protect staff from unacceptable behaviour such as unreasonable persistence, threats or offensive behaviour from customers. Where we decide to restrict access to a customer under the terms of our [customer behaviour policies](#) ~~Unreasonable Complainant Behaviour Procedure~~, we will communicate that decision, notify the customer of any right of appeal, and review any decision to restrict contact with us.

**Commented [HP5]:** The council has more than one policy relating to customer behaviour, and the appropriate one will be employed on a case by case basis.

## Supporting the customer

Everyone has the right to access to our complaints procedure. Customers who do not have English as a first language may need help with interpretation and translation services, and other customers may have specific needs that we will seek to address to ensure easy access to the complaints procedure.

We will always take into account our commitment and responsibilities to equality. This includes making reasonable adjustments to our service to help the customer where appropriate.

Several support and advocacy groups are available to support customers in pursuing a complaint and customers will be signposted to these as appropriate.

## Publicising the Complaints Procedure

This Complaints Procedure is provided to all complainants and is available on the Council's complaints webpage ([here](#)).

## Ombudsmen details

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[www.lgo.org.uk](http://www.lgo.org.uk)

t. 0300 061 0614

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## Contact us

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Complaints Team  
Wiltshire Council  
County Hall  
Trowbridge  
Wiltshire  
BA14 8JN

Telephone: 01225 718400

E-mail: [complaints@wiltshire.gov.uk](mailto:complaints@wiltshire.gov.uk)

# Wiltshire Council

## Complaints Procedure

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If we pursue an anonymous complaint, we will still record the issues raised to allow us to take corrective action where appropriate.

## What if the customer doesn't want to complain?

If a customer has expressed dissatisfaction, but does not wish to complain, we will still fully consider the matter and take corrective action where appropriate.

## Time limit for making complaints

In line with guidelines set by the Local Government and Social Care Ombudsman and the Housing Ombudsman, this procedure sets a time limit of **12 months** from when the customer first knew, or ought to have known, of the problem, within which time they may ask us to consider the complaint, unless there are special circumstances for considering complaints beyond this time.

Requests for a complaint to escalate to Stage two of the procedure must be made within **6 months** of the Stage one response being issued.

We will apply these time limits with discretion.

## Satisfactorily resolved

At all stages of the complaints handling process the emphasis will be on resolving the complaint at the earliest opportunity.

On all occasions, an explanation will be provided to the complainant and where a mistake, error or failure (maladministration) is identified then a suitable apology along with a proposal for remedial action (if needed) will be provided. This does not mean that the Complainant's view will always be preferred.

If the complainant is unhappy with the conclusion, they are entitled to refer the matter to the appropriate Ombudsman who can provide an independent assessment of this conclusion. We will advise customers which Ombudsman is appropriate for their complaint.

## Complaints Procedure

### Contact received

- Received in person, by phone, email, webform or letter
- Acknowledged within **5 working days** and recorded centrally

### Service request

- Where appropriate, enquiries can be quickly resolved by promptly delivering a service or correcting an error
- When this is not appropriate, or when the customer requests it, complaints will proceed to **Stage 1**

### Complaint Stage 1: Service team response

- Response by the relevant service team within **10 working days**.
- **10 working day extension** possible, with reasons and updated timescale provided to the customer
- Customer informed of the outcome, addressing relevant areas and reasons, and advising how to progress to **Stage 2: Complaint Investigation**

### Complaint Stage 2: Investigation

- For issues not resolved at Stage 1, that are complex, serious or 'high risk', or where the customer believes they have faced discrimination due to a protected characteristic
- Complaints Team investigates
- Response provided within **20 working days**
- **20 working day extension** possible with reasons and updated timescale provided to the customer
- Customer informed of the outcome, addressing relevant areas and reasons, and advising how to progress to **Independent external review**

### Independent external review

- For issues that have not been resolved at **Stages 1 and 2**, customers can contact the appropriate Ombudsman, whose contact details will be provided
- In **most** cases, they will only investigate if the customer:
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## Supporting the customer

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Trowbridge  
Wiltshire  
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**Wiltshire Council**

**Full Council**

**15 October 2024**

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## **Appointments Report – Independent Persons**

### **Executive Summary**

This report recommends an approach to the recruitment and appointment of Independent Persons.

### **Proposals**

**That Council:**

**Extends the term of the council's three Independent Persons until August 2025.**

### **Reason for Proposals**

To ensure Independent Persons are in place for the next council term.

## **Appointments Report – Independent Persons**

### **Purpose of Report**

1. This report recommends an approach to the recruitment and appointment of Independent Persons.

### **Background**

2. Independent Persons are appointed under the Localism Act 2011 to be consulted in relation to the determination of Code of Conduct Complaints.
3. Full Council appointed three Independent Persons to a four-year term on 18 May 2021.
4. Following one Independent Person withdrawing from the role a further appointment was made on 18 October 2022 for the remainder of the council term.

### **Main Considerations**

5. The council is required to appoint at least once Independent Person to be consulted in respect of Code of Conduct complaints. Wiltshire also provides for those Members subject to a complaint to be assigned an Independent Person to provide advice and guidance on the process.
6. The council has chosen to appoint three Independent Persons, whose terms will conclude at the end of the current council term.
7. As some Code of Conduct matters may extend across the election period, or complaints be submitted shortly after the election, there is a need for Independent Persons to be in place as soon as practicable thereafter as they are required to be consulted before any determination, including dismissal, is made.
8. It is therefore proposed to extend the term of the council's current Independent Persons until at least August 2025. This will enable the administration and processing of complaints to continue, and for Council and the Standards Committee to arrange for recruitment for the remainder of the next council term in due course.

### **Overview and Scrutiny Engagement**

9. No Overview and Scrutiny engagement was considered appropriate or necessary in relation to these appointment processes.

### **Safeguarding Implications**

10. There are no safeguarding implications.

### **Public Health Implications**

11. There are no public health implications.

### **Procurement Implications**

12. There are no procurement implications.

### **Equalities Impact of the Proposal**

13. There are no equalities implications.

### **Environmental and Climate Change Considerations**

14. There are no environmental implications.

### **Workforce Implications**

15. There are no workforce implications.

### **Risks that may arise if the proposed decision is not taken**

16. If the Independent Person terms are not extended there may be delays in making determinations on some Code of Conduct complaints.

### **Risks that may arise if the proposed decision is taken and actions that will be taken to manage these risks**

17. No risks have been identified if the proposed decision is taken.

### **Financial Implications**

18. Independent Persons receive an annual allowance set out in the Members Allowances Scheme.

### **Legal Implications**

19. The council is required to consult with an Independent Person appointed under s.28(7) of the Localism Act 2011 when making determinations in respect of Code of Conduct complaints

### **Conclusions**

20. Extending the terms of the existing Independent Persons will enable the processing of Code of Conduct complaints to continue uninterrupted across and past the election period in 2025. Full recruitment may then commence without any disruption.

**Perry Holmes - Director, Legal and Governance (and Monitoring Officer)**

Report Author: Kieran Elliott Democracy Manager (Democratic Services)

**Appendices**

None

**Background Papers**

Part 13 of the Constitution