

Date: 20 March 2025

Inspectors:

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Dear Mr Mileham and Mr Wildgoose,

## Wiltshire Local Plan Review (WLPr) - Inspectors' Initial Questions

Thank you for your letter of 27 February 2025 setting out initial questions and seeking further information on various matters relating to the WLPr. As requested, this letter provides the council's position with respect to your various questions and requests. As your letter expected, there has not yet been sufficient time for the council to complete all of the work you have requested. The council is working to provide a full response on each of the outstanding matters as expeditiously as possible and, as you have requested, this letter provides timeframes for this to be achieved (though if the council is able to address matters more quickly than these timeframes, it will of course do so).

### Relevant National Policy and Guidance

Thank you for indicating that the WLPr will be examined under the September 2023 version of the National Planning Policy Framework (NPPF). This reflects the council's understanding.

The council also shares your desire to ensure that reliance is not placed on later versions of National Planning Practice Guidance (NPPG) that are inconsistent with an examination based on the September 2023 NPPF. However, in the council's view, this does not preclude consideration of NPPG postdating September 2023 in appropriate circumstances. It seems to the council that such NPPG may be relevant in at least three circumstances: first, where it was issued while the September 2023 NPPF was in force (i.e. before 19<sup>th</sup> December 2023, when the December 2023 NPPF was published); second, where it was issued on or after 19<sup>th</sup> December 2023 but addresses NPPF provisions that are unchanged from the September 2023 version; and third, where updates go beyond matters addressed within the NPPF, for example addressing legislative change. The council is not aware of any prohibition in policy, guidance or legislation on taking account of NPPG postdating September 2023 in such circumstances<sup>1</sup>. We understand that it may also be relevant to consider more recent Written Ministerial Statements in as much as they may have a bearing on the examination.

As far as the council is aware, it has only referred to NPPG postdating September 2023 in the case of the Topic Paper for Policy 89 Biodiversity Net Gain (BNG). It considers that consideration of the BNG NPPG to be warranted, since that NPPG is not inconsistent with the September 2023 NPPF.

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<sup>1</sup> Although NPPG postdating 28<sup>th</sup> November 2024 (when the WLPr was submitted for examination) could not be relevant to determining, under section 20(5)(a) of the Planning and Compulsory Purchase Act 2004, whether the council has complied with the duty under section 19(2)(a) of that Act, since that duty applied during the preparation stage, which ended on submission.

As you will be aware, the BNG statutory regime came into effect on 12 February 2024<sup>2</sup>. The BNG NPPG was originally published two days later on 14 February 2024 (although a draft had been published on 29 November 2023) and was later updated on 1 May 2024. Although all of this postdates September 2023, the BNG NPPG is not inconsistent with the September 2023 NPPF. Indeed, very little of the BNG NPPG is concerned with NPPF policy. However, it provides a detailed explanation of the operation of the BNG statutory regime as well as guidance on justifying a higher BNG percentage than the statutory minimum 10% which the council considers relevant.

Cognisant of these updates, and the comments received at the pre-submission Regulation 19 consultation, the BNG Topic Paper (SD/63) addresses the planning and legislative framework applicable to BNG, background to Policy 89 and a summary of evidence behind seeking a higher percentage. The intention is for this to assist the examination process and to provide information considering the updates in the wider BNG context. Proposed modifications to Policy 89 have also been provided within the Statement of Common Ground (SoCG) with Natural England (SOCG/04 and 04A) to further help inform the examination. As can be seen, these address modifications to ensure compliance not only with the BNG NPPG but also the statutory framework.

### **Proposed changes to the submitted Plan**

The council acknowledges that the starting point of the examination will be the Regulation 19 Pre-Submission version of the WLPr and you are correct that any proposed changes to this version of the Plan have not been the subject of consultation. The Schedule of Proposed Changes (SD/41A) was prepared by the council with the intention of assisting the examination in identifying changes that it wishes to be considered through the examination at the appropriate juncture. The council agrees with you that some of the proposed changes would constitute Main Modifications and is grateful for your indication that you will consider these issues as part of the examination. The council also recognises that it will be for you to determine whether these and/or other changes, in the form of Main Modifications, are necessary to address any issues of soundness and legal compliance.

We would also like to take the opportunity to draw your attention to SoCGs prepared with Prescribed Bodies, Neighbouring Authorities and site promoters, which also include suggested changes in some instances that respective parties consider could be made to improve the effectiveness of certain policies in the WLPr. Any such amendments are additional to the Schedule of Proposed Changes.

### **Duty to Cooperate**

Whilst (as you rightly note) the Duty to Cooperate (DtC) applied only up to the point of submission of the WLPr, the council feel it is of benefit to the examination that SoCGs with DtC partners are updated with any information that may assist the examination as engagement with these partners continues. However, it is acknowledged that such post-submission updates would benefit from being clearly identifiable and, with this in mind, any future SoCGs or SOCG updates will (where necessary) contain 'post submission engagement' headings. Revised SoCGs, updating those provided in February 2025, with the Environment Agency and Natural England have been provided with this letter.

As for the additional bodies you mention in your letter, Wiltshire is a large unitary authority with a number of neighbouring authorities bordering it. For five of these neighbouring authorities there are no strategic cross boundary issues identified that impact the content of the WLPr. The following neighbouring local planning authorities are identified in your letter as not having a SoCG produced at the point of submission: Vale of White Horse District Council, West Berkshire Council and South

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<sup>2</sup> And on 2 April 2024 for small sites.

Gloucestershire Council. SoCGs for these three authorities, that include information on the spatial relationship and the position at submission, will be produced and submitted by 14 April 2025.

Oxfordshire County Council and Gloucestershire County Council are county councils in two tier areas and the potential relationship with Wiltshire Council therefore would be on matters primarily relating to minerals and waste, highways and education. Within this context and given the spatial relationships with Wiltshire no strategic cross boundary issues have been identified, and it has not been considered necessary to produce SoCGs. Position statements will be provided as an update to the duty to cooperate statement by 14 April 2025.

Network Rail has been engaged throughout the preparation of the WLPr. In their representation to the Regulation 19 consultation support is provided for a number of policies but there are also outstanding issues related to Policy 21 Salisbury Area New Community and Policy 40 Land South East of Empress Way, Ludgershall. A SoCG will be provided with Network Rail that includes the position at submission for these two policies as well as areas of agreement and the steps to cooperate prior to submission. This will be produced and submitted by 14 April 2025.

Wiltshire Council has engaged with the Bath and North East Somerset, Swindon and Wiltshire Integrated Care Board (ICB) and a SoCG has already been submitted with that body. The ICB is the NHS organisation responsible for commissioning many of the health services that the community use and are well placed to identify the strategic implications for the WLPr. The ICB as the statutory body responsible for planning and funding most NHS services in the area is directly accountable to NHS England for NHS spend and performance with the Integrated Care System. A SoCG has also been produced with Salisbury NHS Foundation Trust and Salutem Development on Policy 35 Salisbury District Hospital Campus. Whilst NHS England has been consulted during the preparation of the WLPr no formal responses have been received.

Homes England has been consulted during the preparation of the WLP and no formal responses have been received. Wiltshire Council has engaged with Homes England through its Registered Providers Forum on the WLPr and development of affordable housing policies. As there are no strategic issues identified with Homes England a SoCG is not considered to be necessary.

In line with government policy, on 1 April 2024, the Local Enterprise Partnership functions were transferred to Wiltshire Council as the accountable and managing body for Swindon and Wiltshire. These functions are now delivered by the Swindon and Wiltshire Business and Growth Unit, which forms part of Wiltshire Council operating under joint governance arrangements with Swindon Borough Council. A separate SoCG in this case has not been produced but a position statement is being prepared clarifying the engagement that took place and evidence that has informed the WLPr. This will be submitted by 14 April 2025.

## **Plan period**

On the second page of your letter, you draw attention to the first sentence of paragraph 22 of the September 2023 NPPF and indicate your initial view that, because the Plan period ends in 2038, the strategic policies would not appear to look sufficiently far ahead to anticipate and respond to long-term requirements and opportunities.

The council's position is that, although the 2038 end of the Plan period will be less than 15 years from adoption, the WLPr does address long-term requirements and opportunities as strategic policies do look ahead beyond 2038 in a range of key aspects. This includes 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 beyond 2038.

The council's view is therefore that the WLPr does look sufficiently far ahead for the purposes of NPPF paragraph 22. But even if that were not the case, the council does not consider it a matter that would make the Plan unsound as: firstly, the WLPr is a review and roll forward of the 2015 Core Strategy (key tenets of the Core Strategy remain); secondly, there is a clear benefit of getting a revised Plan adopted to ensure plan-led certainty, particularly in the short to medium term, versus further potential delays in extending the Plan period, noting that the Plan has been in preparation for many years and has had to respond pragmatically against a changing national policy position; and thirdly, the Plan will be reviewed promptly post-adoption.

On the last of these, the council notes that the NPPG expressly contemplates that a commitment to a review may support a conclusion that a plan is sound and legally compliant<sup>3</sup>. It also draws attention to its updated Local Development Scheme (LDS, March 2025), which sets out the expectation that as the WLPr is proceeding under transitional arrangements and the *“housing requirement in the plan to be adopted meets less than 80% of local housing need [as calculated using the standard method in national planning practice guidance]”* work will need to begin on a new plan under the new plan-making system to address the shortfall in housing need (paragraph 236, NPPF December 2024) that looks ahead for at least 15 years following adoption of the Plan in line with the NPPF as soon as possible. As such, and with the details of the new plan-making system still emerging, it is anticipated that the next version of the LDS will include a timetable for a new Local Plan. The next update to the LDS will be considered by the new council administration, which will be formed following elections in May 2025.

### **Proposed Salisbury Area new community**

As set out in the 'Strategy for the Salisbury Housing Market Area' (HMA) - paragraph 4.124 and Policy 21 - the WLPr proposes an area of search for a new community subject to the need being confirmed through a review of the WLPr. The evidence for this is set out in the Revised Spatial Strategy 2023 (SD/16), including paragraphs 4.93 to 4.108, which clarifies that both Salisbury and Amesbury are constrained settlements that have limited ability to grow through further development of greenfield sites beyond those identified in the WLPr. Further information on the constrained nature of these settlements is in the Planning for Salisbury and Amesbury documents (SD/01 and SD/11).

Specifically, the Revised Spatial Strategy describes at paragraph 4.94 that *“both Amesbury and Salisbury are constrained settlements. Environmental factors limit opportunities to continue expanding their urban areas. This is either reflected or compounded by a limited amount of suitable land being promoted at each settlement.”* Paragraph 4.96 goes on to explain that *“environmental constraints remain and there needs to be a long-term solution”*. It is recognised at paragraph 4.99 that *“a new community...appears the most appropriate way forward and is an addition to the spatial strategy. But no concrete proposals exist. Of course, many circumstances may change in the intervening time.”*

Paragraph 4.124 of the WLPr reflects the evidence and states that an area of search is proposed *“in view of the severely constrained nature of the Salisbury area...that could potentially lead to the formation of a new community.”* It continues that *“if evidence suggests this presents a sustainable location, it could provide a long-term solution to meeting future housing and employment”*. It then states that *“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.”*

With regards the location of any future new settlement, the Revised Spatial Strategy recognises at paragraph 4.100 that *“a likely location at present appears to be north of Salisbury, to connect to the*

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<sup>3</sup> Paragraph: 050 Reference ID: 61-050-20190315

A303 and possibly associated with the existing business clusters of Boscombe and Porton. A wide area of search however would be a sensible basis upon which a future review of the Plan would determine the exact form proposals would take and their location.” The Key Diagram (WLPr Figure 3.1) includes a broad area within the Salisbury HMA. Its location to the north of Salisbury excludes the Cranborne Chase and West Wiltshire Downs National Landscape in the south of the HMA as well as the area in proximity to the New Forest National Park and its protected sites. The area to the north includes a contiguous area that excludes the part of the North Wessex Downs National Landscape in the Salisbury HMA, the Stonehenge World Heritage Site and large area of the Special Area of Conservation/Special Protection Area that is separate from settlements in this part of the HMA. The remaining area is contiguous and relatively well located to employment locations in the HMA as well as existing settlements. This area of search is purposely shown as a wide area so as not to limit the available options for a new community, but this area will require further refinement through the next round of plan making<sup>4</sup>.

With regards the estimated 300 dwellings being delivered from this new community by the end of the Plan period, the Housing Delivery Paper (SD/17) at paragraph 1.33, states that “*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 construction of around a decade*”. Again, it is anticipated that further clarity on this matter will be developed through the review of the WLPr. At this stage, however, the council considers it reasonable to include the estimated 300 dwellings, noting that they are included at the end of the Plan period, from 2034/35 onwards (paragraph 2.38, SD/17).

## Housing Supply

Your letter makes reference to “*several sites... [that] have... been identified as unavailable*” and later in the same section “... *four unavailable sites.*”

Within the suggested changes to the Plan, as set out in the Schedule of Proposed Changes (SD/41A), there is only one site which allocates land for housing which has been identified as unavailable and proposed for deletion from the WLPr, specifically Policy 24: Land at Netherhampton Road Garden Centre, Salisbury. The housing trajectories which form the evidence base for document SD/59 already account for the council’s considerations regarding this site’s availability. Policy 24 makes no contribution to the housing trajectory shown in SD/59.

With regard to the other sites identified within the Schedule of Proposed Changes (SD/41A).

- Policy 59: Land at Brook Street - this is proposed for a wetland area to contribute to phosphate mitigation. No housing is proposed for allocation on this site.
- Forest Farm (shown as part of the allocation within Policy 7: Land South of Chippenham) - this parcel of land forms a very small part of the wider allocation; given the size and scale of this allocation, the removal of this parcel will not affect the housing trajectory for that site.
- Broomcroft Road, Pewsey - this site is incorrectly defined as a Principal Employment Area and has already been redeveloped for housing. There is no housing development proposed on the site in the Plan and no implications for housing land supply.

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<sup>4</sup> By Regulation 10A of The Town and Country Planning (Local Planning) (England) Regulations 2012 (as added by the Town and Country Planning (Local Planning) (England) (Amendment) Regulations 2017), the Local Plan will need to be reviewed within 5 years of the date of adoption. In any event, in accordance with paragraph 236 of the NPPF (December 2024) the council will be expected to begin work on a new plan as soon as the relevant Levelling Up and Regeneration Act 2023 plan-making provisions are brought into force in 2025.

The site-specific trajectory that underpins Figure 4.1 and Figure 5 of the Housing Delivery Topic Paper (SD/59) is provided alongside this correspondence. This includes a summary of the evidence justifying delivery of each major development site (recorded as Large under the 'Site size' column).

For completeness, the annual net completions for each of the years in the Plan period to date (1 April 2020 to 31 March 2023) shown in the first three 'bars' in Figure 5 are as follows:

1 April 2020 to 31 March 2021 = 1,926

1 April 2021 to 31 March 2022 = 1,861

1 April 2022 to 31 March 2023 = 2,425

The council notes your comments regarding the tables in both the Plan and SD/59, which include sites where permissions have been granted after the respective base dates. We have acknowledged in paragraphs 3.2 to 3.4 of SD/59 that including permissions beyond the base date can distort an accurate calculation of housing land supply over shorter time periods. However, this goes on to recognise that such sites would still contribute to housing delivery within the overall Plan period and will thus affect the residual to be planned for.

The information for a base date of 1 April 2024 is at an advanced stage of preparation. An update to tables 4.2, 4.4, 4.6, 4.8, 4.10, 4.12, 4.14 and 4.16 and figures showing completions and commitments as at the latest base date (1 April 2024) will therefore be provided to you by 4 April 2025, with the five-year housing land supply position (at the 1 April 2024 base date) being available by 31 May 2025. Alternatively, we can provide all information at the same time.

We have considered your query regarding producing a position for the 2024/2025 financial year (i.e. as at 1 April 2025). The annual monitoring activity to produce this position would not commence until the 1 April 2024 position had been published. As this would take approximately 9 months to produce, we do not consider it would be possible to produce in the time available.

### **Housing needed for different groups**

As set out in the March 2024 LDS (SD/39) and Regulation 18 notifications, the review of the adopted Wiltshire Core Strategy is being addressed through the preparation of the WLPr and Gypsies and Travellers Development Plan Document (DPD). When taken together, both plans are intended to deal with forecast housing needs through the period up to 2038.

The council remains committed to progressing the Gypsies and Travellers DPD through to adoption. Therefore, the council considers that there is no specific need to modify the WLPr to deal with meeting the needs of the Gypsies and Travellers community. The interim position is explained in the WLPr at paragraph 1.4. This commitment is conveyed in the update to the [LDS](#) (March 2025) which provides an anticipated adoption date of "Quarter 1, 2026" (Table 3: Development Plan Documents in preparation).

### **Existing policies to be superseded / not-superseded by Local Plan review**

As requested, a consolidated list of policies that are proposed to be retained following adoption of the WLPr has been prepared and provided with this letter. This list sets out remaining, but as yet not fully developed allocations that originate from the Wiltshire Core Strategy and/or one of the former district Local Plans<sup>5</sup>, which are proposed to be retained through the WLPr; as well as policies that are within the separate Wiltshire Housing Site Allocations Plan, or the Chippenham

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<sup>5</sup> North Wiltshire Local Plan, Salisbury District Local Plan, or West Wiltshire Local Plan (there are no proposed retained policies that originated from the Kennet Local Plan).

Site Allocations Plan. It includes all policies that relate to the 'existing plan allocations', which form part of the submitted development strategy.

The WLPr includes, at Appendix A, a series of tables which are intended to set out which of the existing development plan policies are proposed to be retained, updated/deleted and replaced, or deleted entirely. Focusing on site allocations, the intention is that these tables explain how any existing plan allocations that remain relevant have been incorporated into the WLPr, signposting to the new applicable policy. In addition, Appendix D, Table D.1 of the WLPr sets out which of the Wiltshire Core Strategy allocation sites are proposed to be retained. We acknowledge that Appendix A does not necessarily explain as clearly as the "Planning for..." documents (SD/01 – SD/15) the treatment of the individual site allocations.

This approach has been taken in the interests of brevity to retain and cross refer to parts of the Wiltshire Core Strategy and former district Local Plans where this pertains to remaining allocated sites (in full or part). Similarly in the interests of brevity and recognising that the Wiltshire Housing Site Allocations Plan and Chippenham Site Allocations Plan represent detailed and self-contained development plan documents in their own right, it was considered appropriate for these allocations to remain presented in separate documents, with cross referencing from the WLPr where appropriate.

### **Highway matters**

The further modelling work being undertaken addresses concerns raised by National Highways at the Regulation 19 stage, that specifically relate to the potential effects of policies relating to future development at Royal Wootton Bassett and allocated development at Swindon on M4 Junction 16.

Prior to making the Regulation 19 submission, capacity modelling of Junction 16 confirmed that traffic associated with the WLPr could be reasonably accommodated without safety implications on slip roads. Following a more recent detailed analysis of development and traffic management proposals (e.g. bus gates) within Swindon, a redistribution of forecast traffic flows was undertaken which resulted in additional and previously unforeseen traffic impacts at Junction 16 to the detriment of capacity.

The commissioned work therefore builds upon the Junction 16 VISSIM modelling undertaken in collaboration with National Highways. It seeks to identify opportunities for the junction and surrounding areas and set out a future vision presenting how impacts can be mitigated, including sustainable travel, active travel, travel planning, land use and capacity interventions in alignment with the Transport Evidence Base (SD/33).

Due to the nature of this transport modelling work - i.e. the time needed to build, run and sensitivity test scenarios, the commission will take some time to complete. However, it is anticipated that the work will be finalised by 13 June 2025 and the council will submit this report as soon as reasonably practical thereafter.

### **Retail evidence**

The policies within the WLPr, including Policies 67 (Sequential test and retail impact assessment) and Policy 68 (Managing town centres), provide a flexible approach to planning positively for town centres and retail development. However, in response to the concerns raised about whether the retail evidence is sufficiently up-to-date, the council is working with its consultant to prepare a retail and town centre position statement that will provide an update to the assessment of need for retail floorspace (taking into account the effects of the pandemic, and including more recent economic forecasts and retail floorspace commitments). This will be available by 21 April 2025.

## **Examination documents**

Your letter asks that a copy of the Planning Inspectorate's Procedure Guide for Local Plan Examinations be included on the Examination website. We confirm that a copy is available in the "Guidance Notes" section.

Your letter has also indicated omissions in the completeness of the submission document library, highlighting that a number of documents mentioned in the WLPr, alongside documents that comprise the Development Plan, are not currently provided. As requested, the council is undertaking a thorough review to ensure that all documents referenced in the WLPr are available within the document library and therefore are easily available to download and view. A revised document library will be provided by 28 March 2025. Please note, we have not included legislation in the document library given this material is publicly available in an online format at [www.legislation.gov.uk](http://www.legislation.gov.uk).

## **Next steps**

We hope this letter assists you in understanding the council's position on the questions and requests you have posed in your letter. Where work is outstanding, the council will provide the information in accordance with the timeframes indicated through liaison with the Programme Officer and will keep him up to date with the progress being made.

We also hope that this further material and information is of assistance to the timely progression of the examination. Once you have had an opportunity to consider the information provided, we would be grateful to receive an indication of the next steps of the examination including, if possible, indicative timescales for Matters, Issues and Questions and hearing sessions.

Officers are of course happy to provide you with any further assistance as and when necessary, including if any matters within this letter are unclear.

Yours sincerely

A solid black rectangular box redacting the signature of Mr Nic Thomas.

Mr Nic Thomas  
**Director - Planning, Economy and Regeneration**  
Wiltshire Council