

## Draft Marlborough Area Neighbourhood Plan (MANP) 2021 – 2036

### Wiltshire Council Response to Mr Andrew Matheson's, Independent Examiner, Questions

30 March 2022

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#### Introduction

1. Wiltshire Council provided a written response, dated 31 January 2022, to the Independent Examiner's initial enquires to the Qualifying Body as part of the Examination of the draft Marlborough Area Neighbourhood Plan 2021 - 2036 (Submission Plan), referred to hereafter as the 'draft Plan'.
2. The Neighbourhood Plan Steering Group (NPSG) provided a written response on the 28 February 2022 and was supported by a written response by The Crown Estate on the 01 March 2022. The Examiner has invited Wiltshire Council, the North Wessex Downs Area of Outstanding Natural Beauty (AONB) Unit, and Natural England, to consider the content of the latter document and comment as considered appropriate.

#### The Crown Estate's Response

3. The Crown Estate is promoting the 'Land Rear of Salisbury Road' site which is proposed to be allocated for 50 dwellings under Policy MARL1 in the draft Plan. The note from the Crown Estate, dated 01 March 2022, focuses on the adjoining 'Land at Salisbury Road' strategic allocation within the adopted Wiltshire Core Strategy. It provides details of the respective allocation and application stages because it is felt that parallels can be drawn with the land allocation currently proposed within the draft Plan. The documentation submitted provides useful context and background information, but no site-specific technical assessment(s) of the potential impacts the proposed allocation / development would have on the landscape and ecological assets under focus.
4. Wiltshire Council's comments on the draft Plan are outlined within its response to the regulation 16 consultation, dated 08 November 2021. Whilst the Council notes the comments from the land promoter it does not feel there is merit in reiterating previous site-specific comments about the proposed land allocation. The Council is however happy to address any specific questions the Examiner may have about the proposed allocation, adopted [Wiltshire Core Strategy](#), or the emerging Wiltshire Local Plan to help aid the examination process.
5. Wiltshire Council invited the North Wessex Downs AONB Unit to comment on the NPSG's submission. The comments, dated 17 March 2022, received from the AONB Principal Landscape and Planning Officer are included at Appendix A.
6. Wiltshire Council also invited Natural England to comment on the NPSG's written response however no reply has been received to date.

#### Supplementary Questions

7. The Examiner wrote to Wiltshire Council on the 5<sup>th</sup> March 2022 seeking input on three specific issues:
  - i. *As mentioned to the QBs, I am not presented with the comments of the Environment Agency on the independently prepared SEA. Please would you check whether comments were received as part of the Reg16 Consultation and, if not, please would you press the Environment Agency to make their comments, or acknowledge that they don't have comments to make.*

ii. *Would the Council's current experience of viability assessments (or the like) indicate that a 50% affordable housing requirement is deliverable whilst not compromising on other policy expectations, such as design, open space, mitigation measures, etc?*

iii. *The QBs have suggested that "Where there have been rare opportunities [in Marlborough] for significant brownfield site developments in the last decade or more, they have most often been developed for age-restricted, retirement complexes". Is there any available data that would support or quantify this statement?*

8. In relation to point 'i', the Environment Agency has now provided a written response on the draft Plan and associated documents which can be seen at Appendix 2.

9. In relation to point 'ii', a summary of the Wiltshire Core Strategy's approach to securing a viable level of affordable housing is outlined within the supporting text at paragraphs 6.44 – 6.45: -

"A broad assessment of viability across the plan area clearly indicates that there are geographic disparities in terms of residual land values that warrant different affordable housing requirements. Core Policy 43 therefore contains two separate affordable housing zones (30% and 40%) as presented on the policies map. In adopting a two-zone approach, the objective of delivering an appropriate and sustainable rate of affordable housing to offset strategic and local needs is not compromised. The approach set out in Core Policy 43 will provide both certainty to the market and sufficient flexibility to allow development proposals to accommodate variations in scheme costs whilst still meeting the policy requirements of the plan".

10. Marlborough falls within the 40% zone as shown on the map within Appendix 1 of the [Revised Wiltshire Planning Obligations Supplementary Planning Document](#) (October 2016). The work being undertaken as part of the Local Plan Review will include new and updated viability assessments. Whilst values have continued to rise one of the unknown variables is often owners' expectations of land value. However, this is not the case for the sites being considered for allocation in the draft Plan recognising the work done by the NPSG. A reasonable expectation of land value would therefore suggest that a 50% affordable housing level would not be unreasonable and would not compromise other objectives of place shaping. The Council has supported the NPSG approach on that basis.

11. In relation to point 'iii', the Council is aware that the NPSG has sought to establish its own evidence base to support this policy. However, a list of major residential development schemes permitted in the designated area since 1 April 2010 can be seen in Appendix 3. The list details the permissions and completions for both greenfield and brownfield sites and those that are unrestricted open market schemes or age restricted schemes.

### **Further Question**

12. The Examiner wrote to Wiltshire Council on the 21 March 2022 with a question about the extent of the boundary of the 'Land at Kelham Gardens' proposed for allocation under Policy MARL1 in the draft Plan. It is recognised the same question was put to the NPSG who subsequently clarified that land surrounding the proposed allocation is owned by others and not available for inclusion. Wiltshire Council has no further information on this point apart from the planning applications history register which has details of the recent planning application (ref 20/08715/FUL) adjoining the site – available to view on the Council's website [by clicking here](#).