

Marlborough Town Council



9 July 2024

Dear Councillor

Planning Committee

You are summoned to a meeting of the **Planning Committee** to be held in the **Court Room, Marlborough Town Hall** on **Monday, 15 July 2024** at **7pm**.

Yours sincerely

Richard Spencer-Williams

Richard Spencer-Williams, PSLCC

Town Clerk

If members of the public wish to attend and ask a question they should notify the Town Clerk of this by noon on the Friday prior to the meeting and provide their question in writing at the same time.

If members of the public wish to ask a question, but not attend, they can provide the question in writing to the Town Clerk by noon on the day of the meeting, and a written response will be provided.

PUBLIC QUESTION TIME

In accordance with Standing Order 3(f), members of the public may ask questions of the Planning Committee. The time allocated for this should not exceed 10 minutes and be limited to 1 question per person unless directed otherwise by the Chair. A full response may not be possible without further research, and the Chair may direct that a written or oral response be given.

AGENDA

- 1. Apologies**
- 2. Declaration(s) of Interest**
To receive declarations of interest and consider any requests for dispensation
- 3. Chair's Announcements**
- 4. Minutes**
To confirm the minutes of the meeting held 10 June 2024
- 5. Action Log**
To receive an update on the action log
- 6. Planning Decision Notices**
To note the Planning Decision Notices issued by Wiltshire Council
- 7. Planning Applications**
To consider applications received from Wiltshire Council
- 8. Works to Trees**
To consider applications received from Wiltshire Council
- 9. Planning Appeal**
To note the outcome of a planning appeal
- 10. Briefing Note on Housing Land Supply and Housing Delivery Test**
To note Briefing Note 24-13 issued by Wiltshire Council
- 11. Highway and Footway Improvements**
To consider highway and footway improvement requests
- 12. Parking and Waiting Restrictions and Introduction of Residents Parking**
To note an update about a consultation regarding parking at Kennet Place
- 13. Speed Indicator Devices**
To note the most recent data reports and consider location plan
- 14. Town Centre Working Party**
To receive a verbal update
- 15. Temporary Road Closures**
To note Orders issued by Wiltshire Council

Marlborough Town Council



Planning Committee

Minutes of a meeting of the Planning Committee held Monday, 10 June 2024 in the Court Room, Marlborough Town Hall at 7pm

PRESENT	Councillor James Sheppard	Chair
	Councillor Kym-Marie Cleasby	Town Mayor (<i>ex officio</i>)
	Councillor Lisa Farrell	
	Councillor Mervyn Hall	Vice Chair
	Councillor Mark Cooper	
	Councillor Mark Luson	
	Councillor Kelvyn Shantry	
	Councillor Susannah O'Brien	
	Councillor Emily Trow	
	Councillor Caroline Sadler	
	Richard Spencer-Williams	Town Clerk
	Dawn Whitehall	Corporate Services Officer
ALSO		
PRESENT	Neil Goodwin	Marlborough.News
	One member of the public	

PUBLIC QUESTION TIME

There were no questions.

45/24 APOLOGIES

Apologies for absence had been received from **Councillors Fogg, Ross, Davies, Thomas and Kohrt**.

46/24 DECLARATIONS OF INTEREST

Councillor Shantry – agenda item 7(b) (Planning Application) – non-pecuniary.

Councillor Luson – agenda item 7(f) (Planning Application) – non-pecuniary.

Councillor Hall – agenda item 8 (Works to Trees) – non-pecuniary.

Councillor Cooper – agenda item 10 (Highway Improvement Request) – non-pecuniary.

47/24 CHAIR'S ANNOUNCEMENTS

A consultation about works to trees at Marlborough College had arrived too late for this agenda and would expire before the next meeting. Members were welcome to

comment on it individually if they so wished (a paper copy was available to view at the meeting).

48/24 MINUTES

RESOLVED: that the minutes of the meeting held 20 May 2024 were confirmed as a true record and signed by the Chair

49/24 ACTION LOG

Members noted the updated action log. One update was provided:

#1 – Traffic Modelling – the modelling exercise had concluded. A final report was expected early in July.

50/24 PLANNING DECISIONS

Members noted the planning decisions that had been issued by Wiltshire Council.

51/24 PLANNING APPLICATIONS

a) **PL/2024/04217** – change of use of Highfield Care Home (C2 Use) to two dwellings (C3 Use) with associated works at Highfield, The Common, Marlborough for Mr C Weeks

RESOLVED: that Marlborough Town Council has no objection to this application

Councillor Shantry did not comment on the following item and abstained from voting

b) **PL/2024/04757** – demolition of garage. Erection of 1 no. dwelling with associated landscaping and private amenity space (resubmission of PL/2024/01251) at land adjacent to Little Thatch at Stonebridge Lane, Marlborough for Mr A Knight

RESOLVED: that Marlborough Town Council objects to this application on the grounds of overdevelopment of the site and lack of vehicle access

c) **PL/2024/04657** – provision of new entrance canopy to Barton Hill Boarding House at Marlborough College as alterations to existing access steps at Barton Hill, Bath Road, Marlborough for Mr P Eley

RESOLVED: that Marlborough Town Council has no objection to this application

d) **PL/2024/04943** – provision of new entrance canopy to Barton Hill Boarding House at Marlborough College as alterations to existing access steps at Barton Hill, Bath Road, Marlborough for Mr P Eley

RESOLVED: that Marlborough Town Council has no objection to this application

e) **PL/2024/04724** – single storey front extension and porch at Three Corners, Upper Church Fields, Marlborough for Mr & Mrs Bryn Tweedale

RESOLVED: that Marlborough Town Council has no objection to this application

Councillor Luson did not comment on the following item and abstained from voting

- f) **PL/2024/04537** – loft conversion over existing integral garage at Hillcrest House, Cherry Orchard, Marlborough for Mr & Mrs Dane Mayfield
RESOLVED: that Marlborough Town Council has no objection to this application

52/24 WORKS TO TREES

Councillor Hall did not comment on the following item and abstained from voting
PL/2024/04528 – T1. Semi-mature blue Atlas Cedar. Height approx. 6 metres. Crown spread approx. 4 metres. Proposed work: fell to ground level. The applicant would like to replant in the same area with 4 x Yew trees (*Taxus baccata*) of around 2 metres height, to fill the space left by the tree removal and blend in with the Yew trees already growing along the back garden boundary at 1 St Davids Way, Marlborough for Mr Jeffery Hide

RESOLVED: that Marlborough Town Council objects to this application on the grounds that the tree is a fine specimen; comments included that good management of trees can prevent them from causing damage and whether the stated reasons justified felling the tree

53/24 LICENCE APPLICATION

Members noted that recorded music had not been mentioned on the application form, and that there was no mention of training for staff in relation to the sale of alcohol.

RESOLVED: that Marlborough Town Council has no objection to a new premises licence for the supply of alcohol on the premises between 12:00-23:00, Monday to Sunday at 48 Kingsbury Street, Marlborough SN8 1JE

54/24 HIGHWAY AND FOOTWAY IMPROVEMENTS

Councillor Cooper did not vote on this item

Members considered an application by the Poulton Hill Safety Group for a number of actions to address safety issues to people and children on narrow pavements on a stretch of C5 Poulton Hill between the start of the 30MPH zone, past Tin Pit and to the start of the 20MPH zone. Discussion points included:

- Agreement with the danger to pedestrians
- Personal experience of near misses in the same location
- The narrow road combined with lush vegetation often forced drivers to mount the pavement if a wide vehicle was approaching from the opposite direction
- That the routine Highways approach to cut back vegetation twice a year was not enough at this location, and whether to request more frequent cuts be included as standard practice
- Whether there was more that the Parish Steward could do with regards to clearing vegetation and mud from the footpath
- That there was very little visible differentiation between the pavement and roadway, and the increased height of the road surface made both almost level at places, adding to the likelihood of vehicles mounting the pavement
- Whether support from Mildenhall Parish Council would add weight to the request
- That safety improvements should be prioritised: the issues had first been raised in 2014

ACTION: The Town Clerk to raise the issues with the Parish Steward

RESOLVED: that Marlborough Town Council supports the submission of the request to Wiltshire Council Area Board Local Highway and Footway Improvements Group, and that the safety issues should also be raised with the Cabinet Member for Highways

55/24 TRAFFIC CONSULTATION

Members considered a consultation by Wiltshire Council under the Road Traffic Regulation Act 1984 about a proposed change to speed limits on A4 (part) at Bath Road, Marlborough:

- The County of Wiltshire (A4 Bath Road, Manton, Marlborough) (40MPH Speed Limit) Order 2024
- To make the above Order under the Road Traffic Regulation Act 1984 the effect of which will be to revoke the Trunk Roads (40mph Speed Limit) (No 8) Order 1964 and re-enact it in the above Order to introduce a 40mph speed limit on the following length of road
 - A4 Bath Road, Manton, Marlborough – from a point 234 metres west of its junction with College Fields to a point 52 metres west of its junction with Downs Lane
- For avoiding danger to persons or other traffic using the road or any other road or for preventing the likelihood of any such danger arising
- The request for the proposals came from Marlborough Town Council due to concern of pedestrian safety and the speed of traffic along the A4

During a suspension of Standing Orders **Mr Peter Morgan** mentioned a campaign begun in 2006 by the Manton Residents Association, asking for safety measures including to extend the 40MPH limit to the town boundary sign. He questioned whether the map with the proposed 40MPH limit went far enough beyond Downs Lane to slow approaching traffic and help vehicles, including equestrian vehicles, exit Downs Lane safely. He asked the Town Council to seek clarification of the exact location from Wiltshire Council. Discussion points included:

- Substantive funding had recently been agreed by Wiltshire Council for a range of safety measures at A4 Bath Road, and this consultation was a precursor to further road safety improvements
- Whether questioning, or requesting a change to the proposal, would slow down implementation of other improvements
- Whether moving the location of the change in speed limit further out would make any difference to the substantive plan or cost
- That sometimes documentation lacked precise detail; it would be possible to seek clarification without objecting to the proposal

RESOLVED: that Marlborough Town Council supports the proposed Traffic Order
ACTION: ask for clarification of the precise location of the proposed 40MPH limit

56/24 SPEED INDICATOR DEVICES (SID)

Members noted the most recent data downloaded from the SID at Bath Road between 16 April and 14 May. Discussion points included:

- It had been good to see police enforcing speed limits on the A4 on Saturday 8 June
- That the Police and Crime Commissioner (PCC) was ensuring more focus on speed enforcement
- The Chair, as a member of the PCC Committee, could raise hot spots with the police if Members made him aware of them
- That SID data was shared with Wiltshire Police
- The rules and policies governing the permissible location of SIDs, and the implications of not following them
- Whether to locate the SID in a 40MPH zone, e.g. at Manton, to gather more data
- That the Town Council could only use the SID within the parish boundary

ACTION: investigate whether a suitable SID location is available at A4 Manton in the 40MPH zone

57/24

TOWN CENTRE WORKING PARTY

Members received a verbal update following the most recent meeting:

- New finger posts were expected to be delivered within the next two weeks
- Costs had not yet been received from Wiltshire Council Highways for new town entrance signs and white gates
- Wiltshire Council Bridge team had not yet given permission for the repainting of bridges
- A commemorative bench removed (in consultation with the family) from near the Jubilee Centre to enable to installation of new planters would be reinstalled in Priory Gardens later in the week
- The working party was considering options to make best use of future grant funding
- It was good to know that Lloyds Bank was putting measures in place for private customers ahead of the planned closure of the High Street branch; this would not benefit business customers
- Future agenda items included town centre lighting and dark skies
- A plea for more Councillors to become members of the working party: this could be permanent, or for specific tasks/projects/time periods
- A caution about the amount of extra work that could be carried out by staff; more projects meant more work, and diverting them from routine tasks could cause upset in the community

Councillor Sadler put herself forward to join the working party and passed on positive comments from residents about the new planters and paint scheme.

58/24

TEMPORARY ROAD CLOSURES

No temporary road closure orders had been received.

The meeting closed at 19.53 pm

ITEM 5

ACTION LOG

#	Description	Min No	Assigned to	Status	Meeting Date	Notes
1	Traffic survey - gain support from Wiltshire Council	213/21	Town Clerk and Councillor Hall/ Wiltshire Councillors	In progress	4 October 2021	<p>Pending outcome of Area Board 12.10.21. 15/11/2021: 278/21: Officers have agreed to provide an introduction to Atkins.</p> <p>10.01.22: discussed at a meeting with Wiltshire Councillors. Cllr. Davies to chase the Officer (Dave Thomas)</p> <p>07.02.22: a meeting date arranged for 17 Feb at 3pm</p> <p>21.02.22: positive meeting. get a brief from WC to provide a costed proposal to do a survey – will be data collection. Data will allow modelling e.g. look at junctions etc to improve traffic flow. Cost £5-10K? Will be via cameras at 5 or 6 roads into town, facing different directions</p> <p>15.08.22: Cost amended to £40-45K, WC pay perhaps £15K. If so, are we committed to Atkins? Will WC acknowledge others? CT to follow up</p> <p>05.09.22: CT has followed up</p> <p>13.09.22: response circulated by email - possible, additional cost, tender process would determine best price</p> <p>26.09.22: LHFFIG recommendation is to make a substantive bid for funding. 17.10.22: Councillor Thomas questioned whether a comment in Min. 161/22 related to LHFFIG advice about a traffic survey was correct. 28 11 22 Traffic Survey to be considered in 2023 24 budget. 12 12 22 Budget agreed.</p> <p>20.03.23 BoA confirmed to move forward in parallel. 25 8 23 WC contacted MTC to inform that cost of traffic modelling has increased by £10,029. On FC agenda 11 9 23 to re-agree budget addition of £6017. 12.9.23 FC agreed additional funds on 11 9 23. Cllr CT negotiating with WC.</p> <p>22 9 23 Cllr CT confirmed cost now agreed as £49k, with cost to MTC of £32,666.</p> <p>Initial Project meeting held 22 11 23, Cllr ET, MH and RSW attended on behalf of MTC</p> <p>8.1.24: Modelling in progress. Report expected after 21 February</p> <p>26.2.24 TC to check final cost of the survey</p> <p>25.4.24 Project Group met on 17 4 24 and were presented possible modelling scenarios. Feedback was received by Atkins who will present option/s at next traffic modelling project meeting is on 22 5 24</p> <p>10.6.24 Modelling concluded. Report expected early July</p>

#	Description	Min No	Assigned to	Status	Meeting Date	Notes
5	To ask the originator of the High Street crossing petition (Mrs Vera Hamblin) for views on the current CATG proposals, and to seek a meeting with a Highways Engineer to clarify the options available, to be reviewed at the next meeting		Town Clerk	In Progress	31 August 2021	<p>Town Clerk spoke to Mrs Hamblin on 25.10.21. Mrs Hamblin's view was that what was needed was a 'proper' crossing that suitably assisted those in particular with 'vulnerabilities' such as impaired vision or mobility to safely cross the large and busy High Street. A 'soft' crossing scheme as proposed she felt was inadequate for the needs of many of Marlborough residents. On 1.11.21 Cllrs Hall, Thomas, Sheppard, & Town Clerk met WC Highways engineer, Martin Cook to discuss ideas/options. MR undertook to see what scheme could be devised to cross High St near where Waitrose is located.</p> <p>10.01.22: Cllr Thomas submitted CATG request to MTC on 14.3.22. MTC support - CATG request forwarded to WC on 15.3.22.</p> <p>06 06 2022: Mrs Hamblin indicated that she was now more willing to accept any location rather than no crossing at all. Request with LHFIG but likely to be subject to a substantive bid once assessed by an engineer. WC Highways engineer to do plan and costing. 28 11 22 Discussed at LHFIG on 24 11 22 - WC Highways to do feasibility plan and costing in readiness for 2023 24 substantive bid in June/July 2023(if feasible). 14.2.23 Plan received from WC Highways on 14.2.23, on agenda 27.2.23 for MTC Planning Committee consideration.</p> <p>27.2.23 Scheme deemed not appropriate/suitable by Planning Committee; referred to Town centre Working Party; LHFIG advised.</p>

#	Description	Min No	Assigned to	Status	Meeting Date	Notes
7	To put the Manton 5-point traffic calming scheme forward for a Substantive Highways Grant		Town Clerk	In Progress	31 August 2021	<p>WC Highways emailed on 1.9.21 with proposal/application requesting advice on feasibility; awaiting response, CATG acknowledge would suit substantive scheme, Scheme needs more work re; costing to prepare for next bid fund. CATG agreed on 3.3.22 to proceed with some actions and retain crossing as larger part of scheme. Manton Residents Association contacted on 9.3.22 to invite to be part of project group. Confirmed wanted to be a part of group on 10.3.22. Confirmed with WC Highways on 10.3.22. Meeting date set for 20.5.22.</p> <p>06.06.22: split into 2 phases - first, calming (road markings etc) plus a survey, £5K + £1.5K. MTC agreed to meet 20%-25% of cost in principle pending detailed report. Second phase more expensive - gates, islands etc.. Awaiting phase 1 plan and costing, and phase 2 plan from WC Highways. 28 11 22 Planning Committee to consider initial Phase 1 and Phase 2 funding contributions on 5 12 22</p> <p>6 12 22 Funding contributions agreed by Planning Committee; email confirmation sent to WC Highways on 7 12 22. 2 3 23 LHFIFG advised topographic survey undertaken. 15 5 23 WC Highways aim to plan traffic island aspect of scheme for July 2023 in readiness for substantial funding bid.</p> <p>2 8 23 Town Clerk emailed WC Highways engineer to confirm MTC £6k commitment to project. Traffic island submitted as substantive bid to WC; await outcome. The substantial bid has been approved - as advised by Cllr Thomas at MTC Planning Committee 20 5 24</p>

#	Description	Min No	Assigned to	Status	Meeting Date	Notes
76	CATG: raise highways improvement request seeking safety measures at Frees Avenue	431/21	Town Clerk	In progress	14 March 2022	<p>20.3.23 agreed to share 25% cost with neighbouring parishes to move speed limit to Rockley. 15 3 23 Agreed at LHFIG on 11 3 23 for MTC to pay two thirds costs of £750.23 3 23 Speed Limit referred back to Planning Committee at request of LHFIG for re-consideration of contribution to cost of Rockley location or speed limit (re Preshute contributing). 24 11 23 Proposed new speed limit out for consultation. 19.12.23 Email Received from WC: notifying that the consultation on the 40MPH speed limit has ended. As objections were received for the same, details of all letters of objection or support will be considered in a report placed before the Cabinet Member for Transport, Waste, Street Scene and Flooding. WC will contact us again when a decision has been made regarding this proposal. WC Highways to advise 40mph limit to be moved just past 'cemetery sign' following consideration of the matter at the LHFIG meeting 2 5 24.</p>

#	Description	Min No	Assigned to	Status	Meeting Date	Notes
89	Safe Crossing Point: Port Hill to The Common.	256/20	Town Clerk	In Progress	2 November 2020	<p>02.11.2020: Written motion presented by Cllr Farrell to support petition presented by Hannah Cartwright. RESOLVED That the Town Council supports this request for a safer crossing point, whether a pedestrian crossing, reduction in the speed limit or by other means. It needs a full and urgent review through CATG and Highways officers. Also, to request a pedestrian count and to seek alternative Wiltshire Council funding options to conduct a whole town transport strategy.</p> <p>Planning Cttee, 15.08.22: TC update - traffic survey had been in wrong location for Police to start risk assessment/enforcement. Too dangerous for Community Speed Watch. Town Clerk in discussions with WC to find way forward. 16 8 22 Cllr CT emailed Police to ask for advice and assistance in progressing this issue.</p> <p>19 8 22 - WC emailed Town Clerk to state traffic survey was done in the best possible location given constraints, and that they had planned meeting to look at how best to collaborate with Police in these situations. 19.8.22 Town Clerk emailed WC to ask for how they would advise to proceed given there is a known speeding issue at this location?</p> <p>05.09.22: JS escalated to PCC/Wilts Police/Wilts Council.28 11 22 Post to be installed by MTC for use of SID on green/ junction with Port Hill/Herd St.</p> <p>7 12 22 MTC reviewed SID guidance, due to distance between proposed location for pole and speed limit post cannot be installed for SID use. 31 3 23 SID guidelines being revisited to reassess if can install pole. RSW re-stated to Police the need for enforcement.</p> <p>15 3 23 Enforcement action taken by Police February & March 2023 ; no evidence for speeding.</p> <p>12.6.23: Cllr Thomas to follow up with WP. Town Clerk re-requested enforcement action at Police Tasking meeting 20 7 23.</p> <p>LHFIG request for 40mph speed limit buffer-zone and traffic calming on agenda for 13 11 23; referred by TCWP - supported by MTC 13 11 23 for referral to LHFIG.</p> <p>Considered by LHFIG on 25.1.24 – Highways Engineer to check whether 40MPH buffer zone is feasible</p>

#	Description	Min No	Assigned to	Status	Meeting Date	Notes
123	Resident Parking Kennet Place		Town Clerk	In Progress	5 December 2022	<p>8 12 22 WC has confirmed request has to go to LHFIG.</p> <p>8 12 22 Application sent to WC on 2 3 23 LYFIG did not support request.</p> <p>30 5 23 LHFIG supported resubmission on 11 5 23. 2 8 23 Town Clerk emailed WC Highways to confirm revised proposal as agreed on 24 7 23.</p> <p>WC confirmed proposal and that it will be acceptable to include weekends as suggested within the restricted parking period for the public.</p> <p>Restricted parking times out for consultation – on 5 February 2024 MTC resolved to support the application</p> <p>27 2 24 WC Traffic Order Team contacted MTC to inform us that the consultation has now ended, and ss objections were received details of all letters of objection or support will be considered in a report placed before the Cabinet Member for Transport, Street Scene & Flooding. WC have undertaken to contact MTC again when a decision has been made regarding this proposal.</p> <p>Request now has been approved by WC Cabinet Member for Highways; update on agenda 15 7 24.</p>
143	20 MPH Speed Limit review - LHFIG request		Town Clerk	In Progress	6 February 2023	<p>LHFIG request sent 7 2 23. LHFIG supported request on 11 3 23. MTC to provide additional street names for adding to review.</p> <p>30 5 23 MTC WP to meet 8 6 23 to review.</p> <p>13 6 23 WC Highways emailed with preferred review locations; 1. London Road – section from Elcot Lane junction to the double mini roundabout 2. Salisbury Road – Tesco roundabout to the double mini roundabout 3. George Lane – end to end 4. Pewsey Road – St Peter’s roundabout to junction with George Lane 5. Bridewell Rd – St Peter’ roundabout to junction with College Fields 6. Herd St – Junction St Martins to junction with The Common 7. The Common – junction Herd St to Kingsbury St 8. Port Hill – junction The Common/Herd St to 50 yards past Golf Club entrance Plus, existing; Kingsbury St, Oxford St, St Martins, High St, New Rd.</p> <p>4 7 23 WC Highways emailed adding request for Hyde Lane/Cross Lane/ Back Lane/ St Johns Close</p>
145	Liaise to schedule a discussion about a High Street crossing scheme at future TCWP meeting	260/22	Cllr Davies & Town Clerk	In Progress	27 February 2023	TCWP - matter to be fed into process for future agendas.

#	Description	Min No	Assigned to	Status	Meeting Date	Notes
151	Community Speed Watch	359/22	Town Clerk	In Progress	24 April 2023	15 3 23 Town Council to facilitate the creation of local CSW teams and provide publicity to call for people to take part; 12.6.23 Volunteers being recruited 25 9 23 Cllr Trow expressed interest in becoming involved
184	Submit LHFIG application re: High St short stay parking and loading bay	228/23	Town Clerk	In Progress	25 September 2023	Councillor Sheppard to discuss a joint approach to cleaning graffiti with Wiltshire Council
219	Write to Specsavers and Space NK to ask that illuminated advertisement signs are turned off at night as they disturb residents	PQT	Town Clerk	In progress	18 March 2024	8.4.24 - referred to TCWP to investigate wider implications of High Street lighting to make a recommendation to the Committee
228	Discuss actions to widen footway by scraping back vegetation/other options for safety improvements at Poulton Hill with Parish Steward	54/24	Town Clerk		10 June 2024	4 7 24 Added to Parish Steward list; Parish Steward advised limited action could be taken due to guidelines placed on their services. Footpath can be cleared to some degree.
229	Ask WC for clarification of exact location of extended 40MPH past Downs Lane	55/24	Town Clerk		10 June 2024	4 7 24 WC Highways confirmed the order is to move the sign 52meters; short of parish boundary.
230	Investigate whether there is a suitable SID location in 40MPH zone at A4 Manton	56/24	Town Clerk		10 June 2024	15 6 24 Deputy Town Clerk to investigate.

To note Planning Decision Notices issued by Wiltshire Council between 3 June and 7 July 2024:

- a) **PL/2024/01825** – 7 Betjeman Road, Marlborough
Conversion of garage into home office and replacement single storey rear extension
Decision: Approve with conditions **MTC:** No objection
- b) **PL/2024/02834** – Rosslyn, 42 London Road, Marlborough
Replacement of existing uPVC conservatory with single storey flat roof side extension, new render to first floor and replacement of front porch
Decision: Approve with conditions **MTC:** No objection
- c) **PL/2024/03598** – Marlborough College, Bath Road, Marlborough
The development is to add a golf simulator housed in a 7.6M x 5.6M timber structure
Decision: Approve with conditions **MTC:** No objection
- d) **PL/2024/03682** – Glengarry, Barnfield, Marlborough
Outline application for a four bedroom dwelling on land adjacent to Glengarry (relating to access, appearance, layout and scale)
Decision: Approve with conditions **MTC:** No objection
- e) **PL/2024/04021** – 11 Macneice Drive, Marlborough
Loft conversion with rear box dormer window
Decision: Approve with conditions **MTC:** No objection
- f) **PL/2024/04528** – 1 St Davids Way, Marlborough
T1. Semi-mature blue Atlas Cedar. Height approx. 6 metres. Crown spread approx. 4 metres. Proposed work: fell to ground level. The applicant would like to replant in the same area with 4 x Yew trees (*Taxus baccata*) of around 2 metres height to fill the space left by the tree removal and blend in with the Yew trees already growing along the back garden boundary
Decision: No objection **MTC:** Objects on the grounds that the tree is a fine specimen; comments included that good management of trees can prevent them from causing damage and whether the stated reasons justified felling the tree
Note: WC officer agreed the tree is a fine specimen but after a site visit decided against adding a TPO because once it reaches maturity it will likely cause damage: "a beautiful tree in the wrong place"
- g) **PL/2024/04217** – Highfield, The Common, Marlborough, SN8 1DL
Change of use of Highfield Care Home (C2 Use) to two Dwellings (C3 Use) with associated works
Decision: Approve with conditions **MTC:** No objection
- h) **PL/2024/04724** – Three Corners, Upper Church Fields, Marlborough, SN8 4AT
Single Storey Front Extension & Porch
Decision: Approve with conditions **MTC:** No objection

- i) PL/2024/02445** – 5 Chopping Knife Lane, Marlborough, Wilts, SN8 2FA
Installation of air conditioning above the pathway running between No 4 and No 5 Chopping Knife Lane
Decision: Approve with conditions **MTC:** No objection
- j) PL/2024/04537** – Hillcrest House, Cherry Orchard, Marlborough, SN8 4AS
Loft conversion over existing integral garage
Decision: Approve with conditions **MTC:** No objection
- k) PL/2024/04657** – Barton Hill, Bath Road, Marlborough, SN8 1NN
Provision of new entrance canopy to Barton Hill Boarding House at Marlborough College and alterations to the existing access steps
Decision: Approve with conditions **MTC:** No objection
- l) PL/2024/04943** – Barton Hill, Bath Road, Marlborough, SN8 1NN
Provision of new entrance canopy to Barton Hill Boarding House at Marlborough College and alterations to the existing access steps
Decision: Approve with conditions **MTC:** No objection

ITEM 7

PLANNING APPLICATIONS

To consider Planning Applications received from Wiltshire Council. Councillors and members of the public should contact the Town Clerk by midday on 15 July if they feel any of the following applications need full discussion at the meeting.

- a) [PL/2024/03859](#)** – Full planning permission
Construction of a timber “Roundhouse” for wildlife observation and a polytunnel for educational horticulture at St Marys C of E Primary School, George Lane, Marlborough for Mrs Karen Giddings
- b) [PL/2024/04464](#)** – Full planning permission
Installation of air source heat pumps, replacement double glazed windows, replacement insulated doors and ventilation at Properties within Rabley Wood View, Marlborough for Mr Adam Masters, Stonewater Limited
- c) [PL/2024/05454](#)** – Full planning permission
Construct a small single storey building providing separate female and male toilet areas and a cleaner’s store at Athletics Track Pavilion, Marlborough College, Bath Road for Mr Geraint Morgan
- d) [PL/2024/04666](#)** – Listed building consent (alt/ext)
To rebuild a retaining wall within the curtilage of a listed building at 10 The Green, Marlborough for Mr David Ingram, Marlborough District Housing Association

- e) [PL/2024/05149](#) – Listed building consent (alt/ext)
Enlargement of opening between living room and kitchen forming a new opening between two rooms in basement. Demolition of stud wall and chimney breast on first floor at 30 St Martins, Marlborough for Catherine Paterson, Anne Swift Architect
- f) [PL/2024/05390](#) – Listed building consent (alt/ext)
Single storey rear extension, window replacement, brick repair, internal alterations and minor external works at 33 Herd Street, Marlborough for J Flippence
- g) [PL/2024/05057](#) – Householder planning permission
Single storey rear extension, window replacement, brick repair, internal alterations and minor external works at 33 Herd Street, Marlborough for J Flippence
- h) [PL/2024/05745](#) – Listed building consent (Alt/Ext)
Proposed orangery on the footprint of previous collapsed building at Caroline House, 23 St Martins, Marlborough for Mr Philip Mickelborough
- i) [PL/2024/05423](#) – Householder planning permission
Proposed orangery on the footprint of previous collapsed outbuilding at Caroline House, 23 St Martins, Marlborough for Mr Philip Mickelborough
- j) [PL/2024/05478](#) – Householder planning permission
Single storey rear extension replacing conservatory at 8 Baywater, Marlborough for Mr & Mrs Christine Mercer

ITEM 8

WORKS TO TREES

To consider applications received from Wiltshire Council. Councillors and members of the public should contact the Town Clerk by midday on 15 July if they believe any of these applications require full discussion at the meeting.

- a) [PL/2024/05961](#) – Consent under tree preservation orders
Reduce Yew tree (T1) back to the boundary line (approx. 1.5M) to remove overhang over the outside area that is continually being covered in bird faeces at Holly Court House, Kingsbury Street, Marlborough for Archie Harris
- b) [PL/2024/05414](#) – Notification of proposed works to trees in a conservation area
T2 Conifer – cut back to boundary around 0.5-1m coming off. T3 Handkerchief Tree – Tree (Davidia Involucrata) to remove to ground level. T4 Hazel – remove to ground level. T5 Purple Plum – no work required at Holly Court House, Kingsbury Street, Marlborough for Archie Harris

To note the outcome of a planning appeal (APP/Y3940/D/24/3337419) against a decision to refuse PL/2023/03811 at Upcott Cottage, Bath Road, Marlborough, Wiltshire, SN8 1NN

Decision

The appeal is allowed, and planning permission is granted to install an electric sliding fence across the drive, and to replace a wooden fence along the front of the property and also a post and wire fence around part of the garden overlooking the junction between the Bath Road and Golding Avenue, at Upcott Cottage, Marlborough SN8 1NN in accordance with the terms of the application, Ref [PL/2023/03811](#) and the plans submitted with it.

Please see Appendix 1

Recommendation

Members are asked to note the outcome of the appeal.

Town Clerk 20 05 2024

To note Briefing Note 24-13 issued by Wiltshire Council on Housing Land Supply and Housing Delivery Test

Summary

Wiltshire Council has now completed the update to Wiltshire's housing land supply position. The current position is a 4.2 year supply using a base date of 1 April 2023. This will be used to inform decision-making of planning applications and appeals.

This is the first Housing Land Supply Statement to be published since the update to the National Planning Policy Framework (NPPF)¹ was issued on 19 December 2023. This made changes to how housing land supply should be assessed for councils that have made sufficient progress in developing their Local Plan. An update on how the revised NPPF impacts on the council's planning function is provided in Briefing Note 24-01.

These changes mean that for a period of two years from the date that the NPPF was updated, local planning authorities such as Wiltshire that have an emerging local plan that has reached Regulation 19 stage, will only be required to demonstrate a four-year requirement, rather than a five-year requirement.

In addition, recent housing delivery in Wiltshire remains strong, with the latest Housing Delivery Test results (from 2022) indicating the council has met 106% of its housing targets over the past three years.

¹ <https://www.gov.uk/government/publications/national-planning-policy-framework--2>

This briefing note provides information on both these Government measures and what the implications are for decision making.

Full document at Appendix 2

Recommendation

Members are asked to note the contents of the Briefing Note.

Town Clerk 13 06 2024

ITEM 11 LOCAL HIGHWAY AND FOOTWAY IMPROVEMENTS

To consider the following improvements and whether to support them

High Street Additional Parking

To approve the proposed scheme for additional High Street parking places. If approved, the scheme will cost £3,000 for advertising, with MTC contributing £750 (25%). The plan is attached at Appendix 3

Recommendation

Members are asked to consider whether to support the above and to instruct the Town Clerk accordingly.

Town Clerk 20 06 2024

ITEM 12 PARKING AND WAITING RESTRICTIONS

To note a decision made by Wiltshire Council regarding the introduction of permit holder parking at Kennet Place, Marlborough.

Background

In January and February 2024 Wiltshire Council consulted about proposed changes to parking and waiting restrictions and the introduction of permit holder parking for residents in Kennet Place. The proposal had the support of the locally elected members, both Wiltshire Council and Marlborough Town Council, Local Highway Footway Improvement Group and Area Board. As objections were received the decision was referred to the Cabinet Member for Highways for a decision.

Decision

On 24 June 2024 Councillor Nick Holder, the Wiltshire Council Cabinet Member for Highways, Street Scene and Flooding issued a decision to come into force on 2 July 2024 that:

- The proposals be implemented as advertised
- The objectors be advised accordingly

This decision may be accessed via <https://cms.wiltshire.gov.uk/ieDecisionDetails.aspx?ID=1982> .
The report reference is HSSF – 12 – 24. Please see Appendix 4 for the decision document.

Recommendation

Members are asked to note the decision.

Town Clerk 02 07 2024

ITEM 13

SPEED INDICATOR DEVICES (SID)

To note the most recent data downloaded from the Town Council's SIDs at:

- Herd Street - 14 May to 10 June 2024
- George Lane – 15 May to 10 June 2024

Reports at Appendices 5.1 and 5.2

SID Locations

There is a SID permanently situated at Herd Street. A second SID is deployed on rotation to:

- Bath Road
- Chopping Knife Lane
- George Lane
- Kingsbury Street
- London Road (2 locations)
- Poulton Hill

Rotations since the last meeting were to London Road (10 June), Kingsbury Street (24 June) and Poulton Hill from 8 July. Reports will be provided to the next meeting.

Recommendation

Members are asked to note the data report and consider whether any changes are required to the SID location/rotation plan.

Deputy Town Clerk 10 06 2024

ITEM 14

TOWN CENTRE WORKING PARTY

To receive a verbal update.

To note Temporary Road Closure Orders issued by Wiltshire Council under Section 14(1) of the Road Traffic Regulation Act 1984:

a) Back Lane (Part), Marlborough (TTRO 9656)

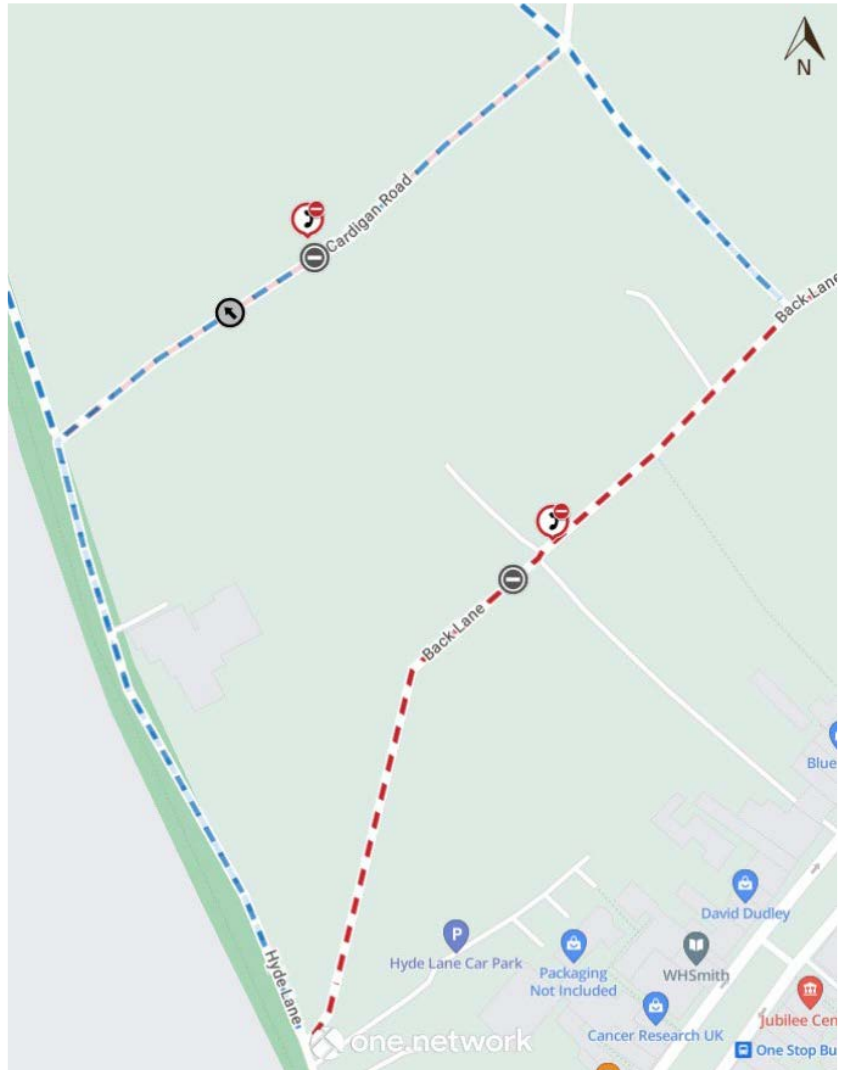
Back Lane (Part), Marlborough; from its junction with Cross Lane to its junction with Hyde Lane.

To enable: Gigaclear Limited to carry out installation of chambers, duct and toby boxes for Gigaclear fibre optic network.

Alternative route: via Hyde Lane – Cardigan Road – Cross Lane and vice versa.

The closure and diversion route will be clearly indicated by traffic signs.

This Order which previously came into operation on 18 May 2024 will now recommence on **9 July 2024 and the closure will be required until 02 August 2024**. It is anticipated that the works will take the stated duration to complete depending upon weather conditions. Access will be maintained for residents and businesses where possible, although delays are likely due to the nature of the works. The Order has a maximum duration of 18 months.



For further information please contact Gigaclear Limited on 07890428149.

The closure can also be found on one.network here: <https://one.network/?tm=139235084>

b) C6 (part), Ramsbury (TTRO9636)

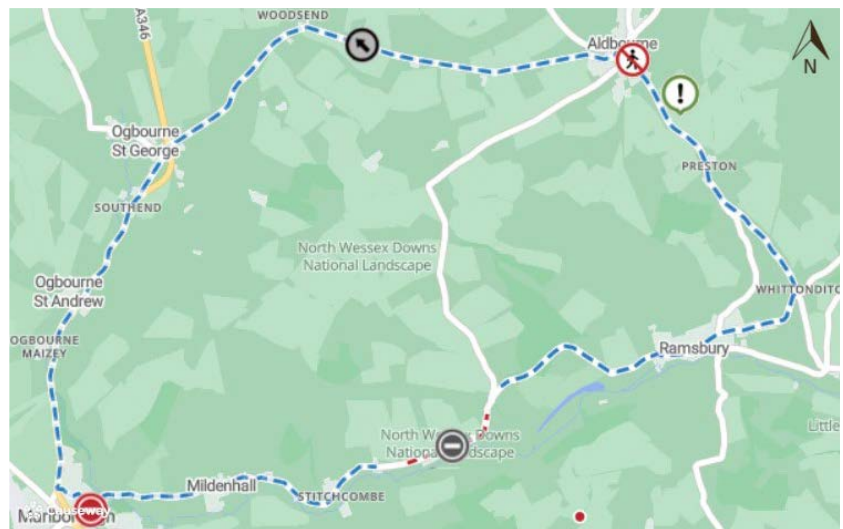
C6 (Part), Ramsbury; from its junction with C190 for a distance of approximately 740m in a south westerly direction.

To enable: Openreach to carry out safe access to carriageway boxes to restore service for customers.

Alternative route: via C6 (unaffected length) – Coldharbour Road – North View Place – A346 – C189 – B4192 – C188 – C6 (unaffected length) and vice versa.

The closure and diversion route will be clearly indicated by traffic signs.

This Order will come into operation on **09 August 2024** and the closure will be required between the hours of **09:30 and 15:30 for 1 day**. It is anticipated that the works will take the stated duration to complete depending upon weather conditions. Access will be maintained for residents and businesses where possible, although delays are likely due to the nature of the works. The Order will have a maximum duration of 18 months.



For further information please contact Openreach on 0370 050 0792.

The closure can also be found on one.network here: <https://one.network/?tm=138964805>

c) A346 (Part), Burbage (TTRO 9666)

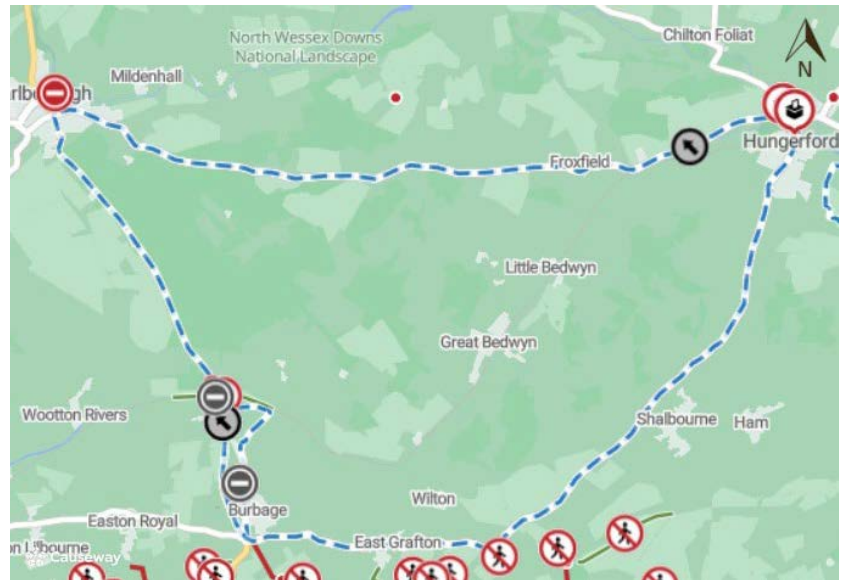
A346 (Part), Burbage; from outside its property known as Wharf Cottage for a distance of approximately 150m in a southerly direction.

To enable: Network Rail Infrastructure Ltd to carry out detailed examination of railway bridge.

Alternative route: via A346 (unaffected length) – A338 – A4 – A346 (unaffected length) and vice versa.

The closure and diversion route will be clearly indicated by traffic signs.

This Order will come into operation on **19 August 2024** and the closure will be required between the hours of **22:00 and 07:00** for 1 night. It is anticipated that the works will take the stated duration to complete depending upon weather conditions. Access will be maintained for residents and businesses where possible, although delays are likely due to the nature of the works. The Order will have a maximum duration of 18 months.



For further information please contact Network Rail Infrastructure Ltd on 01787237509.

The closure can also be found on one.network here: <https://one.network/?tm=138472587>

d) Footpath 11, Marlborough (Ref: TTRO 9687)

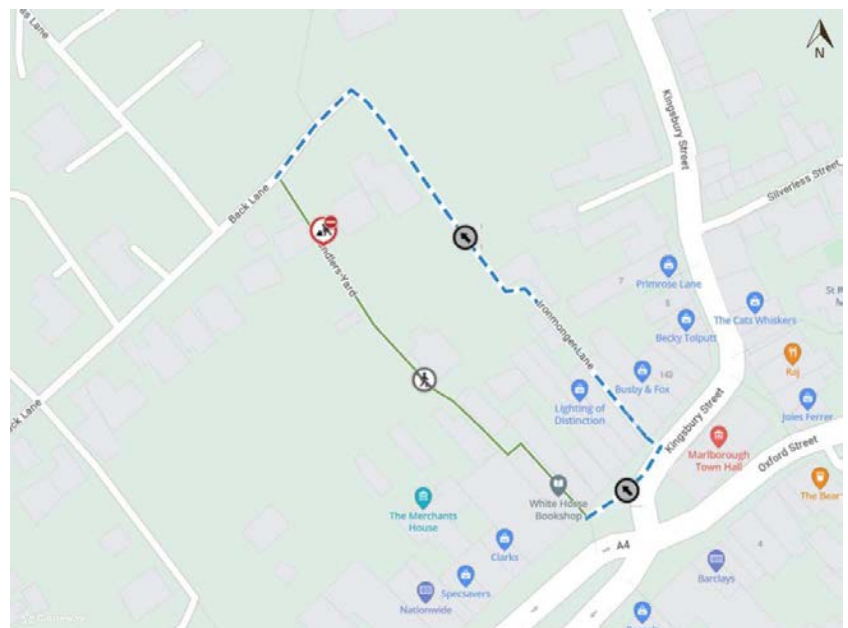
Footpath 11, Marlborough; from its junction with Back Lane for its entire length.

To enable: Pipeline Logistics Ltd to carry out installation of 2x32mm underground clean water pipes and associated works.

Alternative route: Ironmonger Lane – Back Lane and vice versa.

The closure and diversion route will be clearly indicated by traffic signs.

This Order will come into operation on **02 September 2024** and the closure will be required until **04 September 2024**. It is anticipated that the works will take the state duration to complete depending upon weather conditions. Access will be maintained where possible although delays are likely due to the nature of the works. The Order will have a maximum duration of 6 months.



For further information please contact Pipeline Logistics Ltd on 01452 865855.

The closure can also be found on one.network here: <https://one.network/?tm=139145204>

e) A4 (Part), Avebury, West Overton, Fyfield, Preshute and Marlborough (Ref: TTRO 9684)

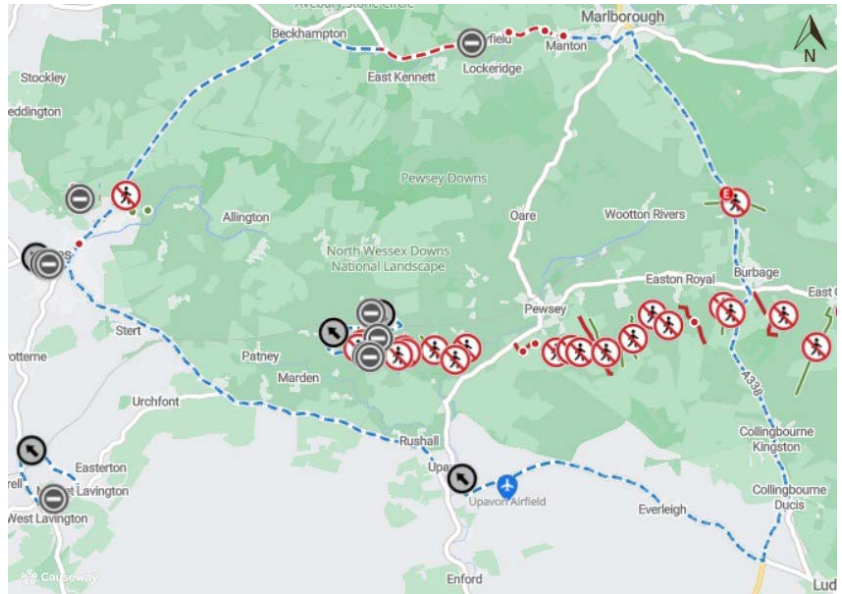
Notice is hereby given that the Wiltshire Council has made an Order to close temporarily to all traffic:

A4 (Part), Avebury, West Overton, Fyfield, Preshute and Marlborough; from its junction with B4003 to its junction with Downs Lane

To enable: Wiltshire Council to carry out carriageway resurfacing work and associated maintenance works.

Alternative route: via A4 (unaffected length) – A346 – A342 – A361 – A4 (unaffected length) and vice versa.

The closure and diversion route will be clearly indicated by traffic signs.



This Order will come into operation on **06 September 2024** and the closure will be required between the hours of **19:00 and 06:00** until **13 September 2024**. It is anticipated that the works will take the stated duration to complete depending upon weather conditions. Access will be maintained for residents and businesses where possible, although delays are likely due to the nature of the works. The Order will have a maximum duration of 18 months.

For further information please contact Wiltshire Council on 0300 456 0105.

The closure can also be found on one.network here: <https://one.network/?tm=139404894>



The Planning Inspectorate

3C Eagle Wing
Temple Quay House
2 The Square
Bristol
BS1 6PN

Direct Line: 0303 444 5356
Customer Services:
0303 444 5000

Email: west2@planninginspectorate.gov.uk
www.gov.uk/planning-inspectorate

Your Ref: PL/2023/03811
Our Ref: APP/Y3940/D/24/3337419

Planning Officer
Wiltshire Council
Development Services
County Hall, Bythsea Road
Trowbridge
Wiltshire
BA14 8JN

05 June 2024

Dear Sir/Madam,

Town and Country Planning Act 1990
Appeal by Mrs Emma van Gijn
Site Address: Upcott Cottage , Bath Road, Marlborough, Wiltshire, SN8 1NN

I enclose a copy of our Inspector's decision on the above appeal(s).

If you have queries or feedback about the decision or the way we handled the appeal(s), you should submit them using our "Feedback" webpage at <https://www.gov.uk/government/organisations/planning-inspectorate/about/complaints-procedure>.

If you do not have internet access please write to the Customer Quality Unit at the address above.

If you would prefer hard copies of our information on the right to challenge and our feedback procedure, please contact our Customer Service Team on 0303 444 5000.

Please note the Planning Inspectorate is not the administering body for High Court challenges. If you would like more information on the strictly enforced deadlines for challenging, or a copy of the forms for lodging a challenge, please contact the Administrative Court on 020 7947 6655.

The Planning Inspectorate cannot change or revoke the outcome in the attached decision. If you want to alter the outcome you should consider obtaining legal advice as only the High Court can quash this decision.

We are continually seeking ways to improve the quality of service we provide to our customers. As part of this commitment we are seeking feedback from those who use our service. It would be appreciated if you could take some time to complete this short survey, which should take no more than a few minutes complete:

https://www.surveymonkey.co.uk/r/Planning_inspectorate_customer_survey

Thank you in advance for taking the time to provide us with valuable feedback.

Yours sincerely,

Sarah Hardy
Sarah Hardy

<https://www.gov.uk/government/publications/planning-inspectorate-privacy-notice>

Where applicable, you can use the internet to submit documents, to see information and to check the progress of cases through GOV.UK. The address of the search page is - <https://www.gov.uk/appeal-planning-inspectorate>



Appeal Decision

Site visit made on 21 May 2024

by **R Kent BA (Hons) MTP DipM MRTPI**

an Inspector appointed by the Secretary of State

Decision date: 5 June 2024

Appeal Ref: APP/Y3940/D/24/3337419

Upcott Cottage, Bath Road, Marlborough, Wiltshire SN8 1NN

- The appeal is made under section 78 of the Town and Country Planning Act 1990 (as amended) against a refusal to grant planning permission.
 - The appeal is made by Mrs Emma van Gijn against the decision of Wiltshire Council.
 - The application Ref is PL/2023/03811.
 - The development proposed is to install an electric sliding fence across the drive, and to replace a wooden fence along the front of our property and also a post and wire fence around part of the garden overlooking the junction between the Bath Road and Golding Avenue.
-

Decision

1. The appeal is allowed and planning permission is granted to install an electric sliding fence across the drive, and to replace a wooden fence along the front of our property and also a post and wire fence around part of the garden overlooking the junction between the Bath Road and Golding Avenue, at Upcott Cottage, Marlborough SN8 1NN in accordance with the terms of the application, Ref PL/2023/03811 and the plans submitted with it.

Preliminary Matters

2. The development is described on the planning application form as "We would like to install a sliding wooden gate across our drive, as well as installing a post and wire fence around a part of our garden to make it dog proof. The gate would give us protection from the noise of the A4, as well as security (we have had things stolen from our drive) and give us more privacy and safety for our young children and dog. We have already installed a closed board wooden panelled fence along the front of the property, replacing an existing fence which has deteriorated and fallen down." The council used a more succinct version on its decision notice which the appellant has also adopted in the appeal statement of case (SoC). I have therefore used this version.
3. Reference is made in the description of the application to the works being "retrospective". This in itself is not a form of development and I have not included it in the description of the development. However, the submitted evidence confirms that the development has been carried out and I was able to see this during my site visit. I have determined the appeal on that basis.
4. The reason for refusal refers to paragraphs 199, 201 and 202 the National Planning Policy Framework (NPPF). As noted in the appellant's SoC, the Council's decision was made before the latest revision of the NPPF was issued. Those paragraphs have been renumbered 205, 207 and 208 respectively in the revised NPPF but otherwise are unchanged.

Main Issue

5. The main issue is whether the development preserves the setting of the Grade II listed building known as Lodge to Upcot¹.

Reasons

6. Section 66 (1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 (PLBCAA) requires that the decision maker, in considering whether to grant planning permission for development which affects a listed building or its setting, must have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses.
7. Wiltshire Core Strategy policies 57 and 58 are relevant, seeking to conserve, protect and where possible enhance the historic environment.
8. As well as the statutory duty, the NPPF at paragraph 205 advises that when considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset's conservation.

Significance of the heritage asset and its setting.

9. The Grade II listed Lodge to Upcot² is a cottage that likely dates from the late 19th Century. It derives its significance principally from its architectural interest including its red brick walls, hung fish-scale tiles, casement windows and tall chimney stacks. It also has significance as the former lodge and coach house to Upcot, a separate building sited a short distance to the east.
10. In terms of its setting, the cottage is partially screened from the road by dense, mixed hedgerow. There are some substantial trees on and around the site which contribute to its verdant setting. Behind the cottage, there is a garden area rising up to the boundary with a large, detached dwelling beyond. A timber fence, similar in appearance to the fence which is the subject of this appeal, runs along the northern boundary. A gravelled drive and turning area separate a more recent double garage from the cottage.
11. It is situated adjacent to the busy Bath Road. Upcot is sited on higher land separated from the appeal site by Golding Avenue, a curving estate road which serves a modern residential development immediately to the north of the site. Upcot is set behind a close boarded fence which runs along an embankment on its frontages to Bath Road and Golding Avenue. Trees and bushes either side of the road junction screen views between the listed buildings. To the west of the junction of Golding Avenue and Bath Road (the main A4), beyond the site, the road is characterised by large, detached houses set back behind dense hedgerows and fences each with their own driveway. The land opposite the appeal site comprises open fields with trees.
12. The immediate and wider setting of the cottage has therefore changed over time. It has a garage within its curtilage, more recent development to the north and west and is visually and physically separated from Upcot by Golding Avenue and its substantial junction with Bath Road. The fence along Upcot's frontage and the trees and bushes between it and the cottage further interrupt

¹ The building is now named 'Upcott Cottage'.

² List Entry Number: 1034271

the link between the former lodge and the property it originally served. These more recent developments do not generally make a positive contribution to the setting of the cottage or contribute to its significance.

Effect of the development on the significance of the asset.

13. It is not clear from the evidence what boundary enclosures would have originally been in place for the cottage or how open it would have been to the main road or the drive leading to Upcot. The planning application however does refer to a previous timber fence which had "deteriorated and fallen down". Given the mature nature of much of the hedgerow along the road frontage and the presence of the previous fence, it appears probable that the frontage of the site has in more recent time at least had some degree of screening from the road.
14. The timber fence and gate which have been installed on the site's frontage are largely set behind the existing hedgerow and screened from public view for much of its length. This is consistent with other houses fronting Bath Road. The hedgerow would have the same screening effect even if the fence was not there. Where the fence is more visible adjacent to the site entrance, its style, colour and general appearance is not dissimilar to that on the northern boundary of the appeal site. The lower section of this part of the fence is also hidden by undergrowth and the new planting identified in the appellant's evidence. This allows it to blend in with the rest of the site frontage. The listed cottage can still be seen behind the fence with the first-floor windows, roof, gables and chimneys clearly visible. The fence and gate therefore do not adversely impact on the ability to appreciate the significance of the listed building.
15. The sliding gate, whilst reducing views into the site from the road when closed, does not have a harmful effect. The gate was open at the time of my site visit, but as the gateway is located opposite the garage rather than the house, it is the view of the garage which would be mostly interrupted by it being closed. The design of the gate, with its combination of solid lower section with open slats above is traditional in appearance and does not harm the significance of the asset. The mechanical opening mechanism is discretely located and is sited away from the listed building. Whilst visible from the parking and turning area within the appeal site, it is sufficiently far from the listed building so as not to harm its significance. Whilst the gates are designed to slide, rather than swing in the manner of a traditional gate, this action is transient and the process of opening and closing the gate would not in itself cause harm.
16. The fence and gate do not adversely impact on the physical or visual relationship of the cottage to Upcot, that relationship having already been breached by the intervening road, trees and timber fencing around Upcot. Consequently, there is no harm to the significance of the heritage asset in this respect.
17. The post and wire fence blends into the landscape around the appeal site and does not impact on the significance of the asset. It is easy to see through and does not obstruct any views of the building or its grounds.
18. For the reasons given, I conclude that the fences and gate preserve the setting of the Grade II listed building known as Lodge to Upcot, and do not harm its significance. Hence, the development does not conflict with the requirements of

the PLBCAA; policies 57 and 58 of the Wiltshire Core Strategy which seek to conserve designated heritage assets and their settings; and the requirements of NPPF paragraphs 205, 207 and 208.

Other Matters

19. On 22 November 2023, all designated Areas of Outstanding Natural Beauty (AONBs) in England and Wales became “National Landscapes”. The appeal site therefore now falls within the North Wessex Downs National Landscape (NWDNL). However, the legal designation and policy status of AONBs is unchanged, so I have used both terms where relevant.
20. On 26 December 2023, Section 245 of the Levelling-Up and Regeneration Act (LURA) amended the duty on relevant authorities in respect of their interactions with statutory purposes of AONBs, as set out in Section 85 of the Countryside and Rights of Way Act 2000 (as amended) (CRWA). In so far as it relates to this appeal, the amendment now requires relevant authorities “in exercising or performing any functions in relation to or so as to affect land in an AONB...*to seek to further* the purpose of conserving and enhancing the natural beauty of the AONB” [my emphasis].
21. There are currently no regulations or guidance to assist, but the explanatory note to the LURA states “The clause strengthens the duty on certain public authorities when carrying out functions in relation to these landscapes to seek to further the statutory purposes and confers a power to make provision as to how they should do this.” As such, it is incumbent upon me to evidence consideration of possible ways to further the purpose of conserving and enhancing the natural beauty of the AONB and NWDNL. I have therefore taken this into consideration in my determination of appeal and note that the Council did not raise any concerns regarding the effect of the development to the special qualities of the AONB and NWDNL.
22. Based on my assessment of the proposal, given the nature of the development, its proximity to buildings, roads and similar enclosures nearby, together with the hedgerow along much of the site frontage, I have no reason to arrive at a different conclusion that the development would conserve and enhance the natural beauty of the AONB and NWDNL.

Conditions

23. As the development has already been carried out, it is not necessary to impose the normal conditions requiring the development to be commenced within 3 years. For the same reason, nor is it necessary to impose a condition regarding the use of materials. From the appellant’s evidence and my site visit, some additional planting has already taken place. As I have not found harm has been caused by the fence, I do not consider it necessary to impose a condition requiring a landscaping scheme.

Conclusion

24. For the reasons given above the appeal should be allowed.

R Kent

INSPECTOR

Housing Land Supply and Housing Delivery Test Briefing Note No. 24-13

Service: Planning
Further Enquiries to: Nic Thomas, Director - Planning
Email: nic.thomas@wiltshire.gov.uk
Date Prepared: 12 June 2024

BRIEFING NOTE ON HOUSING LAND SUPPLY AND HOUSING DELIVERY TEST

Summary

We have now completed the update to Wiltshire's housing land supply position. The current position is a **4.2 years** supply using a base date of 1 April 2023. This will be used to inform decision-making of planning applications and appeals.

This is the first Housing Land Supply Statement to be published since the update to the National Planning Policy Framework (NPPF) was issued on 19 December 2023. This made changes to how housing land supply should be assessed for councils that have made sufficient progress in developing their Local Plan. An update on how the revised NPPF impacts on the council's planning function is provided in [Briefing Note 24-01](#).

These changes mean that for a period of two years from the date that the NPPF was updated, local planning authorities such as Wiltshire that have an emerging local plan that has reached Regulation 19 stage, will only be required to demonstrate a four-year requirement, rather than a five-year requirement.

In addition, recent housing delivery in Wiltshire remains strong, with the latest Housing Delivery Test results (from 2022) indicating the council has met **106%** of its housing targets over the past three years.

This briefing note provides information on both these Government measures and what the implications are for decision making.

1. Introduction

1.1 Government policy as set out in the National Planning Policy Framework (NPPF) includes two measures that are designed to drive the delivery of housing:

- (i) Five-year / four-year housing land supply (see below)

(ii) Housing Delivery Test

1.2 The main difference between the two is that:

- the five-year / four-year housing land supply measures the level of 'supply' that can be expected to come forward over a five-year period of time i.e. the number of homes that it is anticipated **will be** built; whereas
- the Housing Delivery Test measures the number of homes that **have been** built over a set period.

1.3 Both measures have established methodologies and assess the expected delivery of homes, and homes that have been delivered respectively, against the housing requirement for a local authority area. There is no latitude as to how the methods are applied.

2. What is the housing land supply requirement ?

2.1 The latest NPPF (December 2023) states that:

Paragraph 76

“Local planning authorities are not required to identify and update annually a supply of specific deliverable sites sufficient to provide a minimum of five years’ worth of housing for decision making purposes if the following criteria are met:

- a) their adopted plan is less than five years old; and*
- b) that adopted plan identified at least a five-year supply of specific, deliverable sites at the time that its examination concluded.”*

Paragraph 77

*“In all other circumstances, local planning authorities should identify and update annually a supply of specific deliverable sites sufficient to provide either a minimum of five years’ worth of housing, or a **minimum of four years’ worth of housing if the provisions in paragraph 226 apply**¹ the supply should be demonstrated against either the housing requirement set out in adopted strategic policies, or against the local housing need where the strategic policies are more than five years old (unless they have been reviewed and do not require updating).*

Where there has been significant under delivery of housing over the previous three years², the supply of specific deliverable sites should in addition include a buffer of 20% (moved forward from later in the plan period).”

2.2 As the Wiltshire Core Strategy (adopted January 2015) is more than five years old, the provisions in ‘Paragraph 76’ do not apply in Wiltshire, the council is a ‘Paragraph 77’

¹ Where the council has an emerging local plan that has either been submitted for examination or has reached Regulation 18 or Regulation 19 (Town and Country Planning (Local Planning) (England) Regulations 2012) stage, including both a policies map and proposed allocations towards meeting housing need. This concession applies until December 2025.

² Where the Housing Delivery Test results indicate delivery below 85%.

authority. The council carried out a Regulation 19 consultation on its Local Plan during autumn 2023. This included a policies map and proposed allocations to meet the housing need identified in the Local Plan. As such, the council is only required to meet a four-year housing land supply against the five-year requirement. The requirement to meet a four-year housing land supply only runs for two years until 18 December 2025, at which time the requirement will revert back to the council needing to demonstrate a five-year housing land supply.

- 2.3 As the Wiltshire Core Strategy (adopted January 2015) is more than five years old, the housing requirement to be used in the five-year housing land supply calculation is Wiltshire's local housing need based on the Government's standard method³. The local housing need is based on future household growth and an adjustment to take account of housing affordability in the local authority. It is recalculated every year based on the latest data, which is applicable at the base date. The standard methodology operates on a local authority basis and does not disperse the local housing need figure to a smaller geographic level.
- 2.4 The annual update for Wiltshire has now been completed and the results of the assessment, using a base date of 1 April 2023, are set out in the 2023 Housing Land Supply Statement (HLSS). This is available on our website via this [link](#). Key points:
- The council can demonstrate a four-year housing land supply. The current position indicates there is a **4.2 years** supply.
 - The deliverable supply has decreased since the previous version due to a number of factors, including a significantly higher number of completions than in previous years, and the effect of the changes to nutrient neutrality by statutory bodies and approach adopted in response by the council.

3. How is the housing land supply calculated?

- 3.1 Housing land supply is calculated using a base date from which calculations are made to avoid double counting.
- 3.2 We have now updated the housing land supply calculation using a base date of 1 April 2023. Using this base date, an explanation is provided below:

Starting point for calculation at base date of 1 April 2023:

Local housing need (1 April 2023) = **1,952** homes per annum

No buffer needs to be applied to the housing requirement as the council has passed the latest Housing Delivery Test (see section 5 below)

4-year requirement = **7,808 homes**

5-year requirement = **9,760 homes**

³ Planning Practice Guidance (DLUHC, July 2019) - <https://www.gov.uk/guidance/housing-and-economic-development-needs-assessments>

What can be included in supply?

- (i) Number of homes on small sites (less than 10 homes) with planning permission or resolution to grant at 1 April 2023 = **1,371 homes** outstanding of which **1,160 homes** were considered to be deliverable within five years (the reduced number takes into account a delivery rate that is based on historic data on non-implementation and delivery timescales).
- (ii) Number of homes on large sites (10 or more homes) with full planning permission at 1 April 2023 = **4,444 homes** outstanding of which **3,741 homes** were considered deliverable within five years (the reduced number reflects delivery timescales).
- (iii) For other large sites with either outline planning permission; resolution to grant planning permission; or allocated⁴ at 1 April 2023: the number of homes where there is clear evidence of delivery over a five year period from 1 April 2023 to 31 March 2028 = **10,399** homes outstanding, of which **1,920 homes** were considered deliverable within five years.
- (iv) Windfall allowance: number of homes expected to be completed on new 'windfall' sites (which do not have planning permission as at 1 April 2023) over a five-year period from 1 April 2023 to 31 March 2028 = **1,372 homes**

Therefore, in total **8,193 homes** can be included in the deliverable supply.

- 3.3 (i) and (ii) are relatively straightforward statistical exercises, which involve an understanding of delivery timescales for individual sites.
- 3.4 (iv) is also a statistical exercise that requires understanding of past delivery trends and the potential for development opportunities to come forward in the future. As these are matters which vary year-on-year, the allowance is reviewed and refreshed as part of each annual update. The position includes an allowance for delivery on brownfield sites and small greenfield sites.
- 3.5 (iii) is more complex, and clear evidence must be provided for each site to meet the requirements of paragraph 77 of the NPPF, which requires that sites are deliverable over the five-year period being assessed. This means that for large sites, which take time to deliver, we may only be able to include the first few phases of development in the five-year land supply.
- 3.5 So, while on the face of it there is a substantial pool of large sites, for **17,586 homes** in total, and a higher level of supply could be expected, the timescales within which these can be delivered is key. An assessment of the deliverability of these sites has indicated that only **47 %** of these are capable of delivery during the five-year period 1 April 2023 to 31 March 2028. Factors determining housing delivery are often outside our control, as the

⁴ Wiltshire Core Strategy, Chippenham Site Allocations Plan, Wiltshire Housing Site Allocations Plan, and allocations in Neighbourhood Plans which do not yet have planning permission.

development industry ultimately determines how and when sites come forward, despite planning permissions being granted and sites allocated within the development plan.

- 3.6 It is important for credible judgements to be made in undertaking these assessments because they are subject to scrutiny at appeal by appellants, third parties and the appointed Planning Inspector.

4. What are the implications of having a four-year housing land supply?

- 4.1 The implications for not having a five-year housing land supply and decision making were set out in previous briefing notes, specifically Briefing Notes No. 20-20 (June 2020), No. 20-37 (December 2020), No. 22-09 (April 2022), and No. 23-15 (May 2023). These indicated that the presumption in favour of sustainable development applied when determining planning applications.
- 4.2 Following the December 2023 changes to the NPPF, the council is now only required to provide a four-year housing land supply to prevent the presumption in favour of sustainable development applying when determining planning applications. This was set out in Briefing Note 24-01 (January 2024) which superseded the council's approach set out in the earlier Briefing Notes specified in paragraph 4.1.
- 4.3 As these figures exceed the four-year requirement, the planning balance is now 'level'. This indicates that there is now a lower threshold in place for being able to justify the refusal of planning applications. Pragmatically, this means that fewer 'speculative' residential planning applications are likely to be granted.

5. What is the Housing Delivery Test and consequences?

- 5.1 It measures net homes delivery (i.e. net homes built) in a local authority area, such as Wiltshire, against the homes required using local authority completions statistics and planning data.
- 5.2 The results are published for each local authority area by the Secretary of State annually, see [Housing Delivery Test \(www.gov.uk\)](https://www.gov.uk/government/publications/housing-delivery-test)
- 5.3 As set out in the NPPF the Housing Delivery Test will apply the day following publication of the results, at which point they supersede previously published results. The most up to date result, at the time of writing, is for 2022.
- 5.4 Since the inception of the Housing Delivery Test the published results for Wiltshire are:
- | | |
|------|---|
| 2018 | 139% (years measured 2015/16 - 2017/18) |
| 2019 | 149% (years measured 2016/17 - 2018/19) |
| 2020 | 140% (years measured 2017/18 - 2019/20) |
| 2021 | 141% (years measured 2018/19 - 2020/21) |
| 2022 | 106% (years measured 2019/20 - 2021/22) |
- 5.5 The three consequences of failing the Housing Delivery Test (HDT) are set out in paragraph 79 of the NPPF, as follows:

1. Triggering the presumption in favour of sustainable development (HDT below 75%)

The presumption in favour of sustainable development (paragraph 11d, NPPF), as explained above, should be applied to decisions where the HDT indicates delivery has fallen below 75% of the housing requirement.

2. 20% buffer (HDT below 85%)

The five-year land supply must include an additional buffer of 20% where the HDT indicates that delivery was below 85% of the housing requirement.

3. Requirement to prepare an action plan (HDT below 95%):

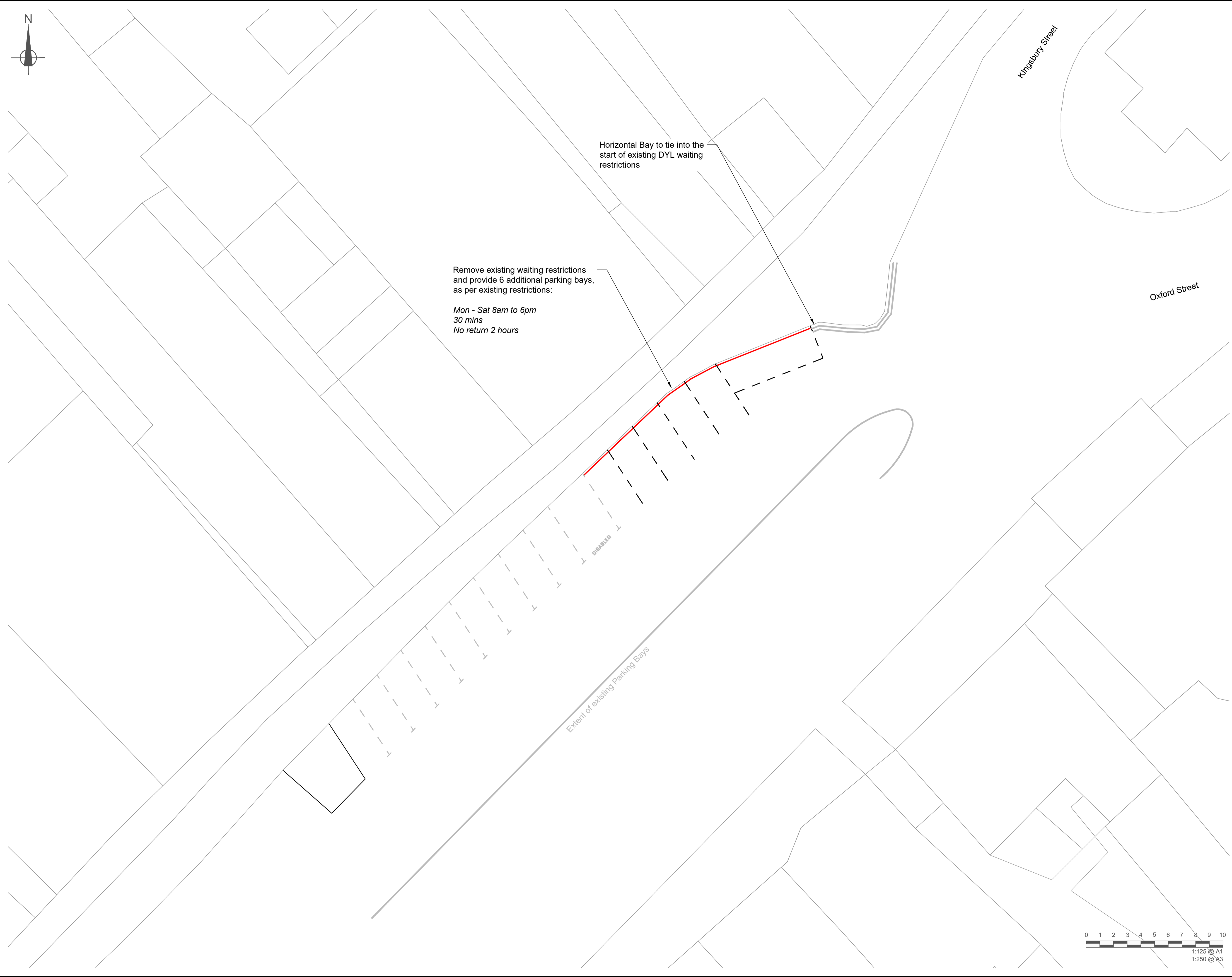
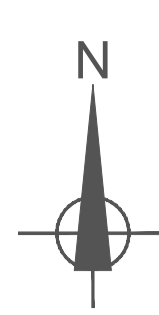
The authority should prepare an action plan in line with national planning guidance, to assess the causes of under-delivery and identify actions to increase delivery in future years.

- 5.6 Wiltshire has consistently performed well against the HDT and has passed the test in the latest results. As a result, none of the consequences set out above apply in Wiltshire.

6. What can we do to maintain housing land supply?

- 6.1 The changes to the NPPF relating to the four-year housing land supply are time-limited - the concession under paragraph 226 only lasts until December 2025. It is therefore very important that the council gains the support of local communities to secure the adoption of its emerging Local Plan as soon as possible as this will provide a much longer period of 'protection'.
- 6.2 The council will look to restore a five-year housing land supply through the Local Plan, which should be in place prior to December 2025, and permitting appropriate housing developments in the meantime. The Plan looks to allocate additional housing land, some of which can be delivered within five years, and therefore contribute towards meeting a five-year housing land supply.
- 6.3 The council's housing land supply figure can only be retained during the concessionary period if suitable planning applications for housing development continue to be granted. If the council refuses too many planning applications, housing supply will fall below four years and the 'tilted' balance in favour of approval will once again apply.
- 6.4 Since the base date of 1 April 2023, consents have continued to be granted permission on suitable sites. While these do not currently contribute to the housing land supply because they were permitted after the base date of 1 April 2023, they will help to increase the housing land supply in the future. New permissions help replenish the housing land supply as it is reduced due to housing completions, planning permissions lapsing, and delays in delivery on key sites. Table 4 of the HLSS contains a list of large new sites (10 or more dwellings) that have been permitted since the base date up to the date of publication.

- 6.5 Work can now commence on the preparation of the next HLSS using a base date of 1 April 2024. These statements take time to prepare, particularly for authorities the size of Wiltshire, and typically take around 9-12 months from the base date to publication.



NOTES:

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 Wiltshire Council (100049050) 2024

F					
E					
D					
C					
B					
A					
O	00/02/24	SW	SH	SH	ORIGINAL
REV	DATE	DRAWN	CHECK	APPRV	DESCRIPTION

DRAWING PURPOSE:

FOR APPROVAL

Wiltshire Council

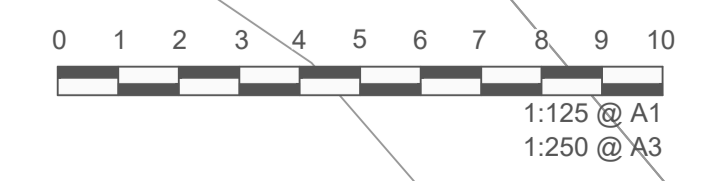
Traffic & Network Management
 County Hall, Bythesea Road, Trowbridge
 Wiltshire, BA14 6JD
 Tel: 0300 4560100
 Website: www.wiltshire.gov.uk

PROJECT:

Marlborough LHF1G
 Marlborough High Street
 Proposed Parking

DRAWING TITLE:

Concept Design
 001



SCALES:	Refer to Scale Bars	SHEET SIZE:	A3
DRAWING No.	2024-059-D001	REVISION:	0
FILE REF:			

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

Highways & Transport

OFFICER CONTACT: Jamie Mundy - jamie.mundy@wiltshire.gov.uk

REFERENCE: HSSF-12-24

**PARKING AND WAITING RESTRICTIONS AND INTRODUCTION
OF RESIDENT PARKING PERMITS**

Purpose of Report

To:

- (i) Consider objections to the advertised proposals for parking controls at Kennet Place, Marlborough.
- (ii) Recommend the making of the Traffic Regulation Order (TRO) with minor amendments to the advertised proposal.

Consultation

Consultation has been undertaken with:

- The elected Wiltshire Council Members through the statutory TRO consultation process
- Emergency services through the statutory TRO consultation process
- Members of the public through the statutory TRO consultation process

During the advertisement period a total of 7 items of correspondence was received in response to the proposals contained within the advertised TRO. Of the 7 items of correspondence received, 2 expressed support for the Council's proposals, 2 objected the proposals in their current form and 3 made general comments.

Details of correspondence can be found in **Appendix 1** together with a summary of comments. Officer response to the comments can be found in **Appendix 2**. A plan of the proposals can be found in **Appendix 3**.

Options Considered

To:

- (i) Implement the proposals as advertised.
- (ii) Not implement the proposals.
- (iii) Implement the proposals with amendments.

Reason for Decision

The proposal is intended to improve road and pedestrian safety and to allay concerns of safety expressed by residents.

The proposal has the support of the locally elected members, both Wiltshire Council and Marlborough Town Council, Local Highway Footway Improvement Group and Area Board.

DECISION MADE

I approve that:

- (i) The proposals be implemented as advertised.
- (ii) The objectors be advised accordingly.

This decision was published on **24 June 2024** and will come into force on **2 July 2024**

The following report and appendices are attached:

Report
Appendix 1
Appendix 2
Appendix 3

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

Date: 24/06/24



Élan Cité

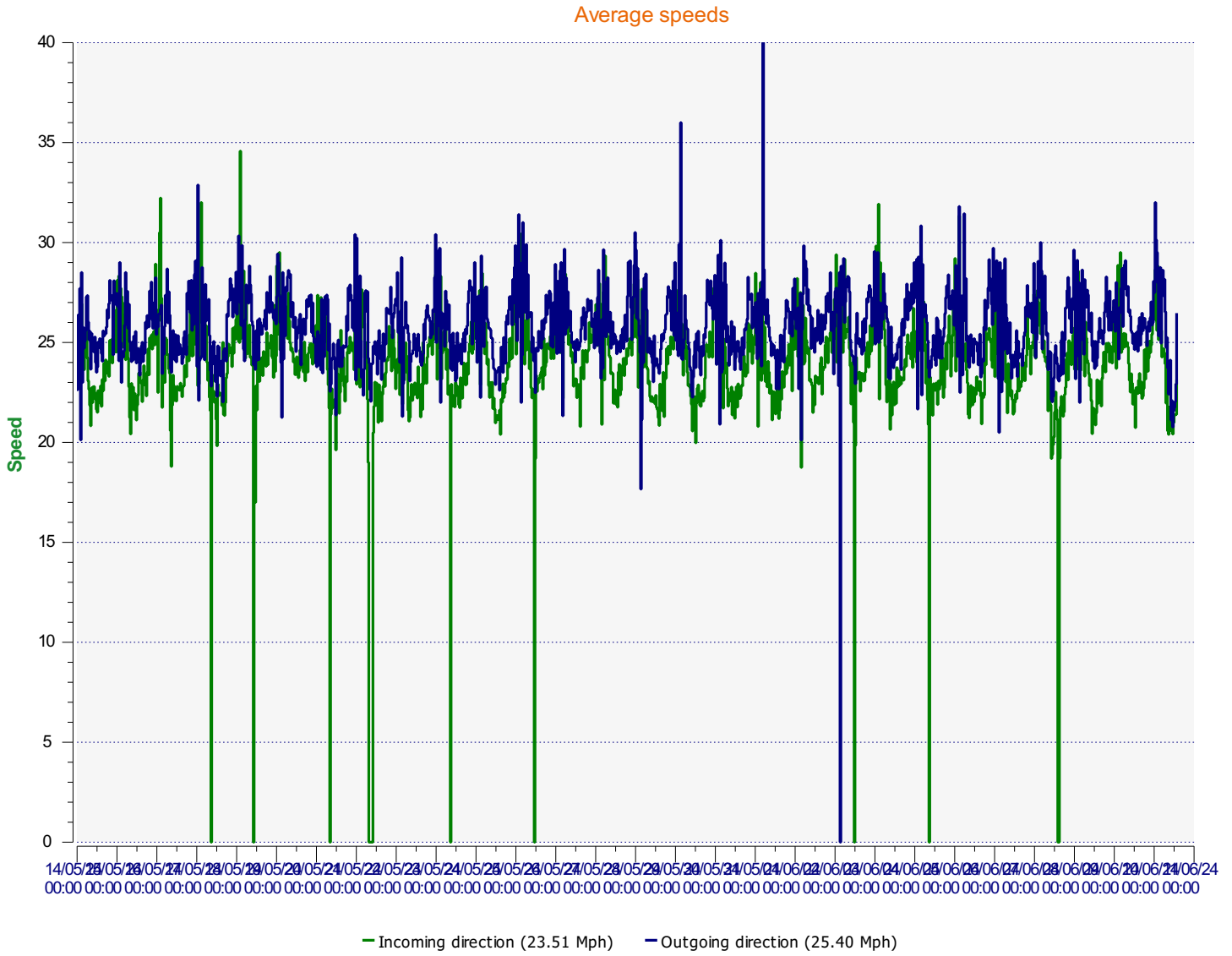


DÉTECTER • INFORMER • SÉCURISER

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End date: Monday, June 10, 2024 1:30 PM

Location: Herd Street 30mph

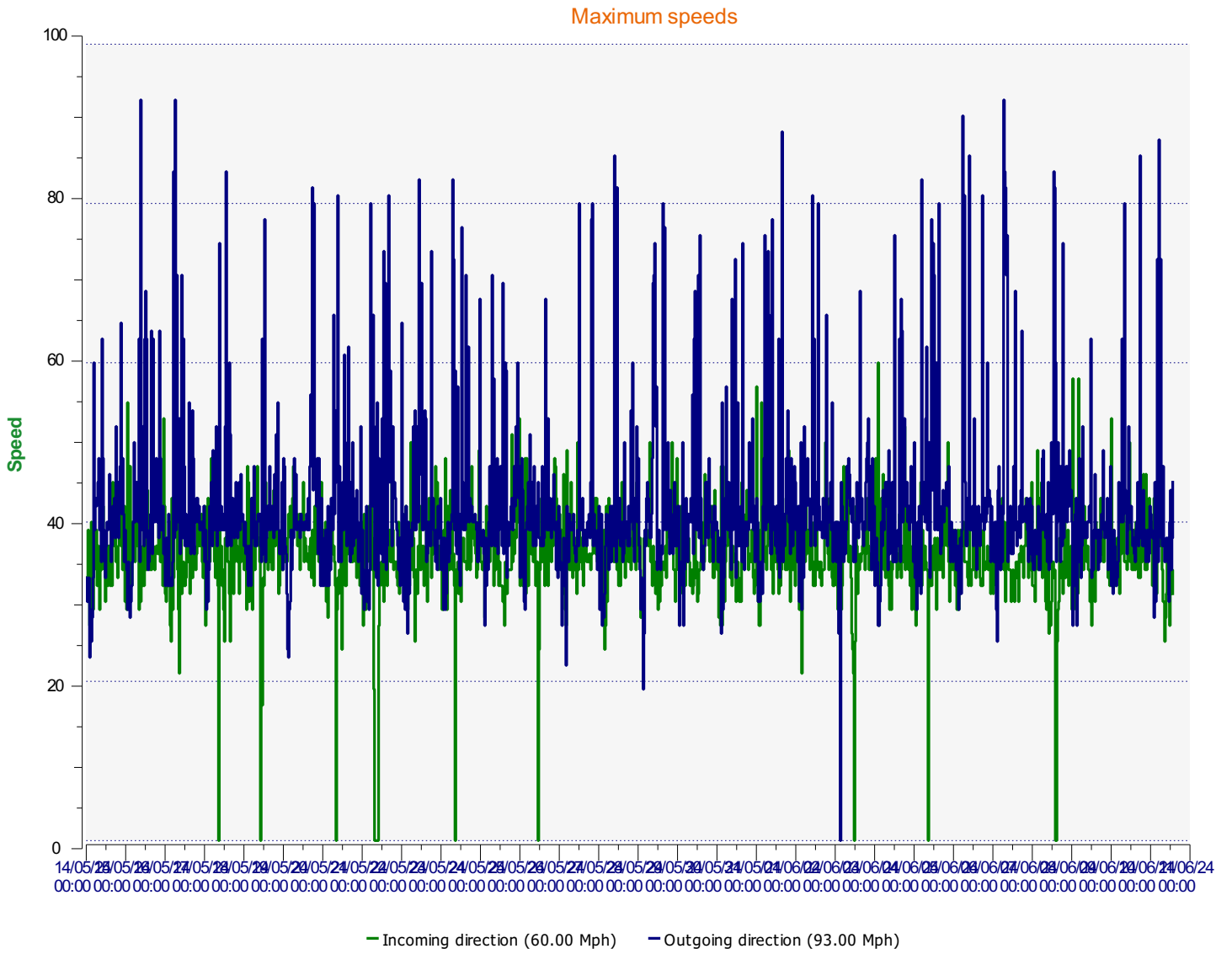
Comments:



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End date: Monday, June 10, 2024 1:30 PM

Location:

Comments:

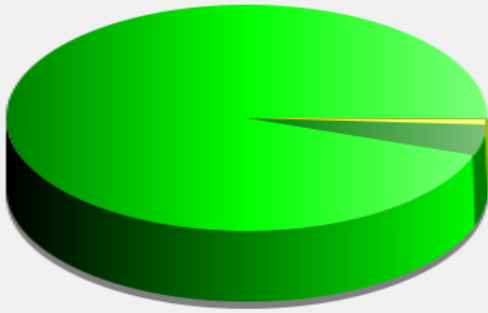


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End date: Monday, June 10, 2024 1:30 PM

Location:

Comments:

Incoming vehicles



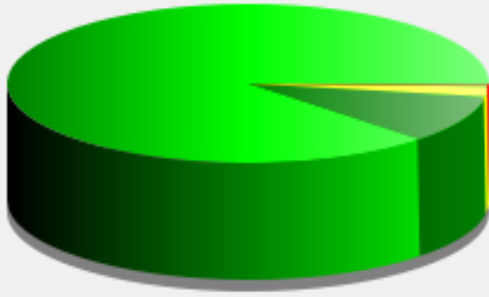
■	<= 30 Mph : 117,487 - (94.67 %)
■	31 - 35 Mph : 5,440 - (4.38 %)
■	36 - 40 Mph : 951 - (0.77 %)
■	41 - 45 Mph : 160 - (0.13 %)
■	46 - 65 Mph (and more) : 60 - (0.05 %)






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Location:

Comments:

Outgoing vehicles

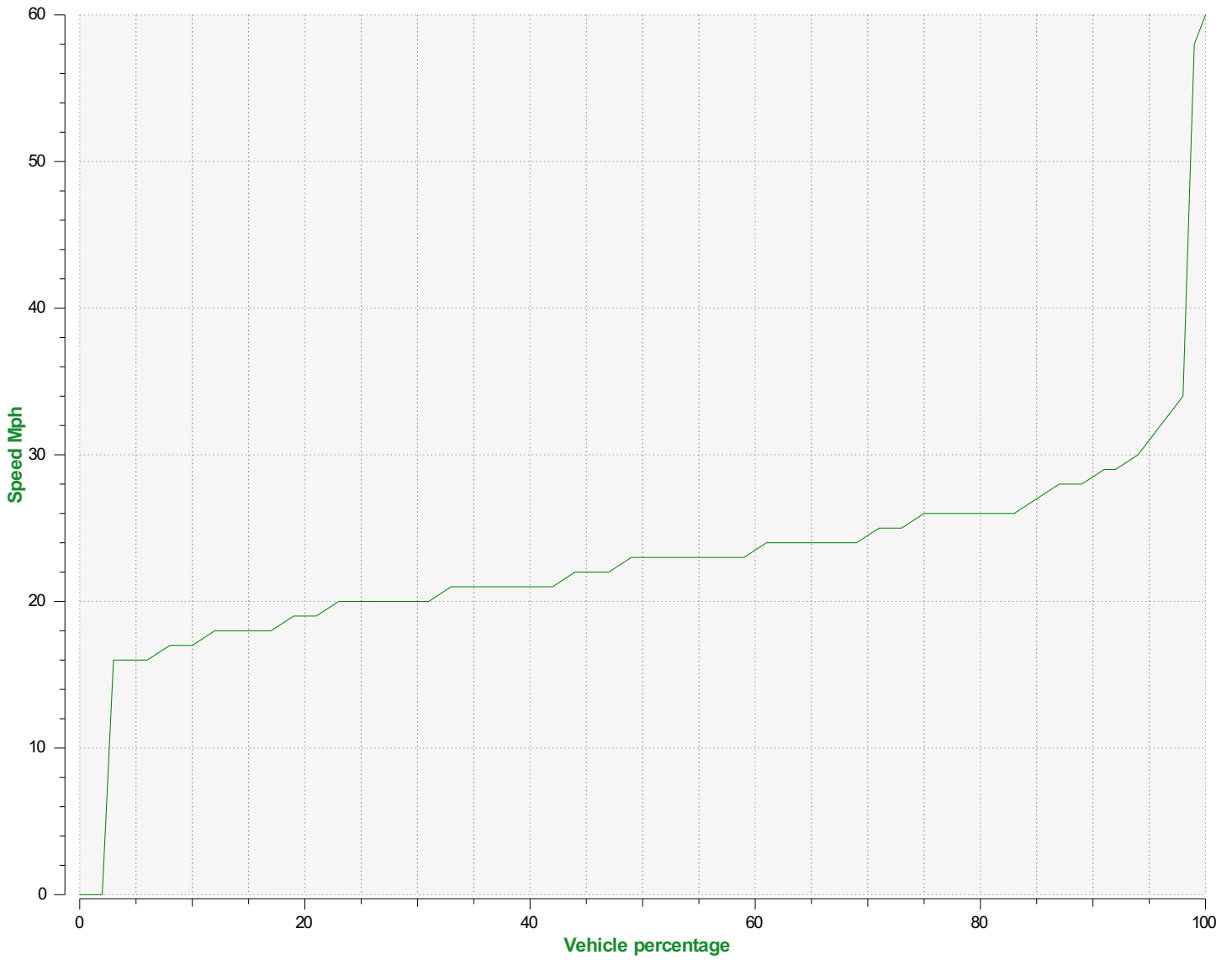


	<= 30 Mph : 120,168 - (87.60 %)
	31 - 35 Mph : 13,376 - (9.75 %)
	36 - 40 Mph : 2,850 - (2.08 %)
	41 - 45 Mph : 454 - (0.33 %)
	46 - 65 Mph (and more) : 324 - (0.24 %)

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End date: Monday, June 10, 2024 1:30 PM

Location:

Comments:



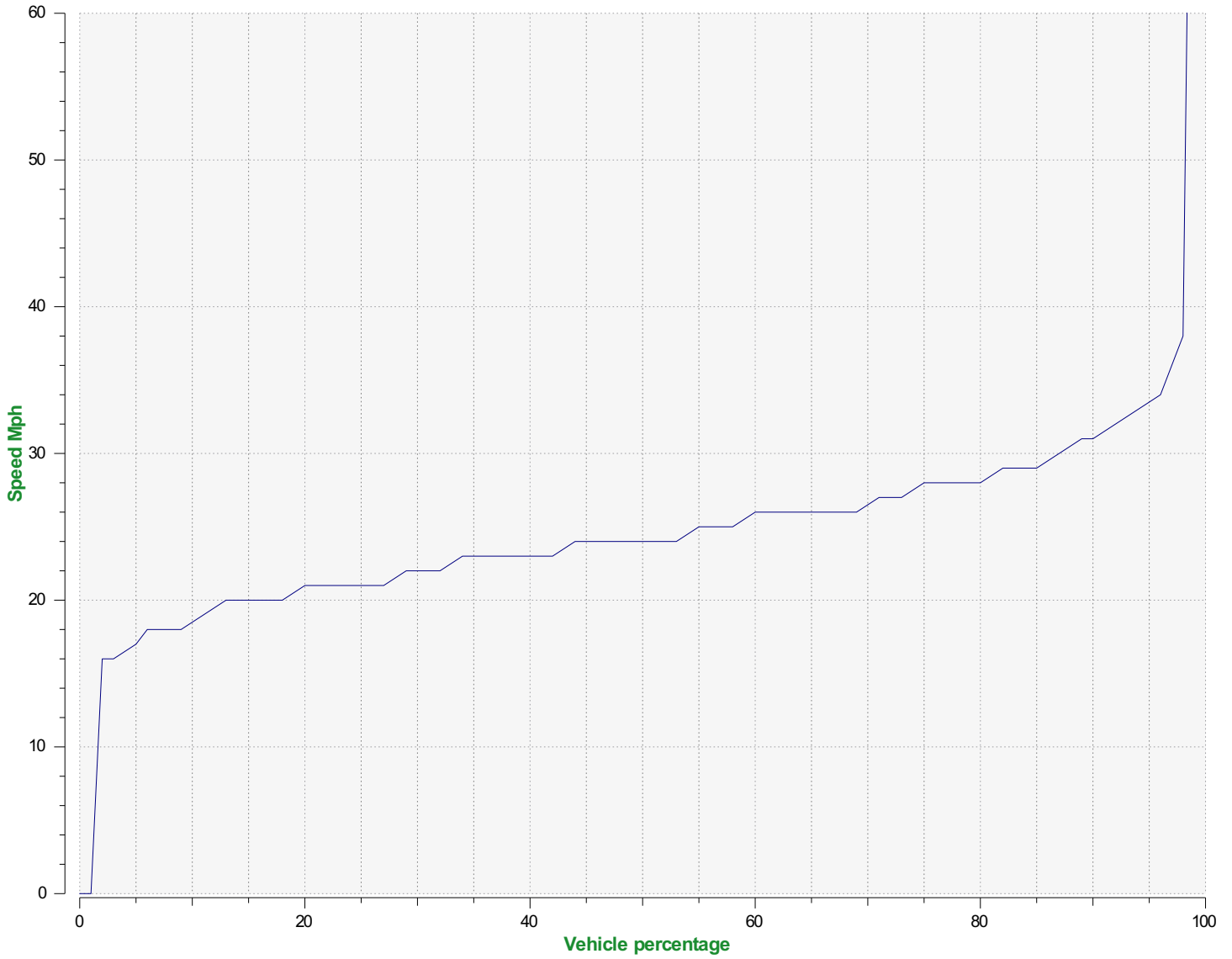
Speed percentiles (incoming)

V30: 20.00Mph **V50:** 23.00Mph **V85:** 27.00Mph

Start date: Tuesday, May 14, 2024 12:00 AM
End date: Monday, June 10, 2024 1:30 PM

Location:

Comments:



Speed percentile(outgoing)

V30: 22.00Mph **V50:** 24.00Mph **V85:** 29.00Mph

Start date: Tuesday, May 14, 2024 12:00 AM
End date: Monday, June 10, 2024 1:30 PM

Location:

Comments:



Élan Cité

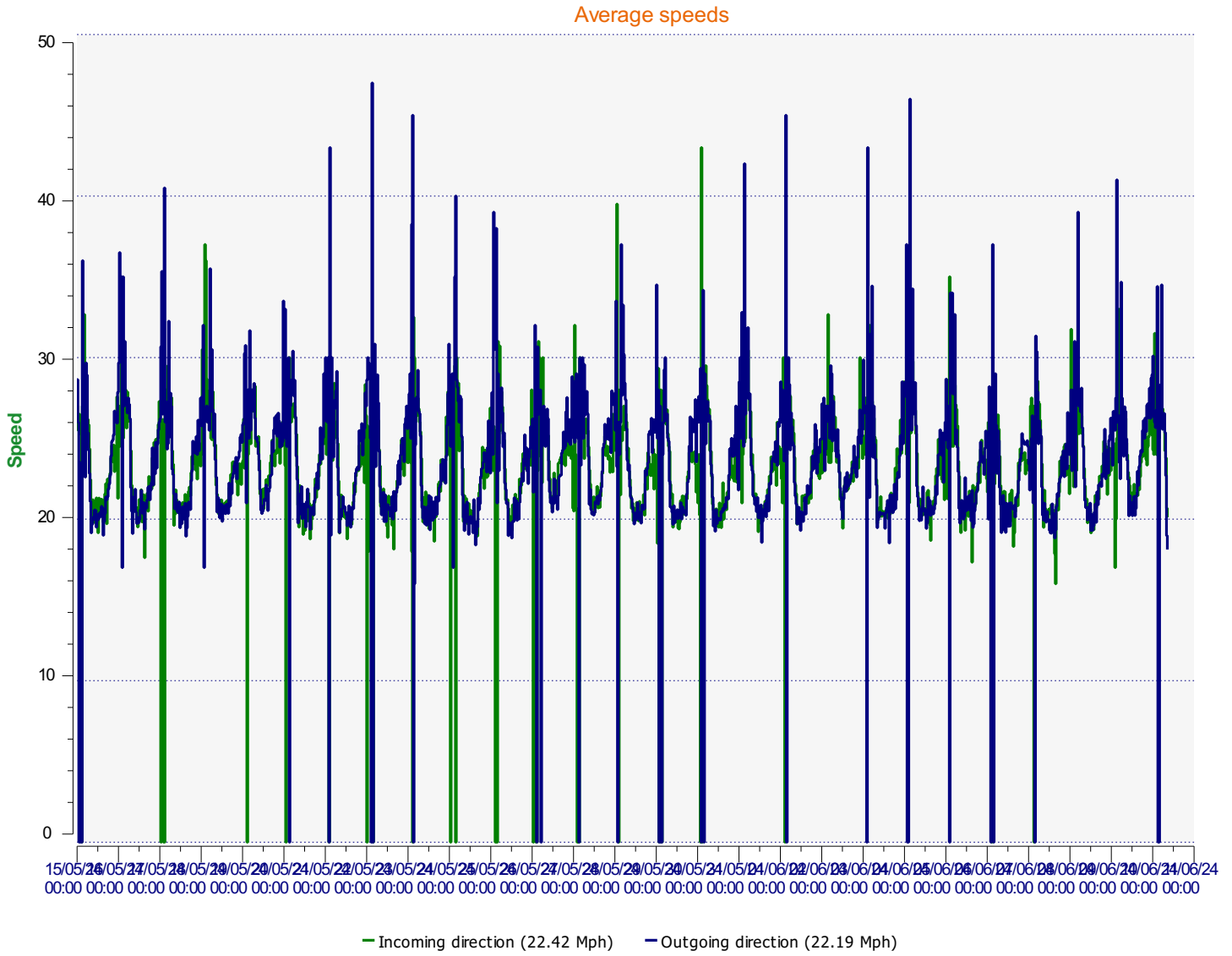


DÉTECTER • INFORMER • SÉCURISER

Start date: Wednesday, May 15, 2024 12:00 AM
End date: Monday, June 10, 2024 8:30 AM

Location: George Lane 30mph

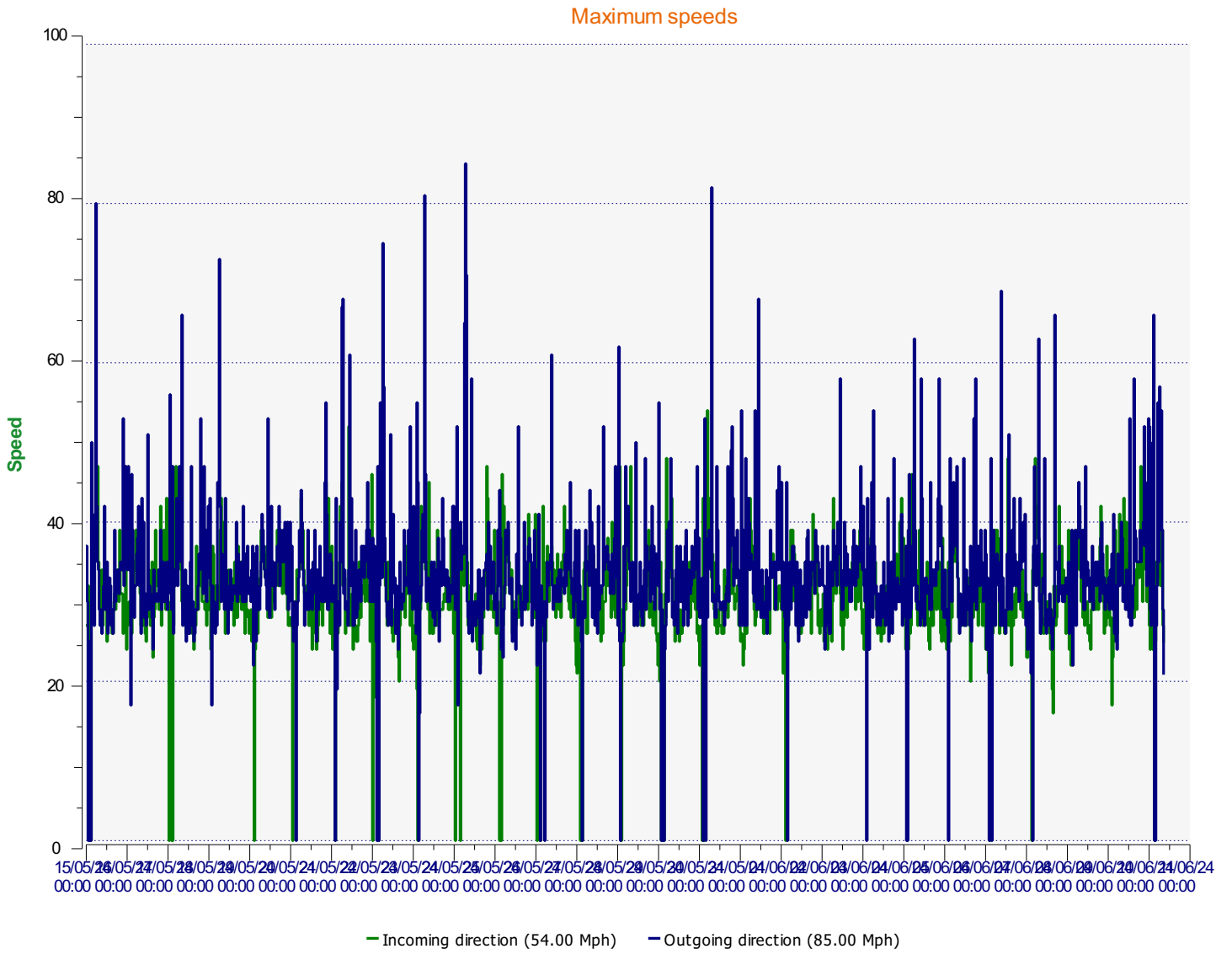
Comments:



Start date: Wednesday, May 15, 2024 12:00 AM
End date: Monday, June 10, 2024 8:30 AM

Location:

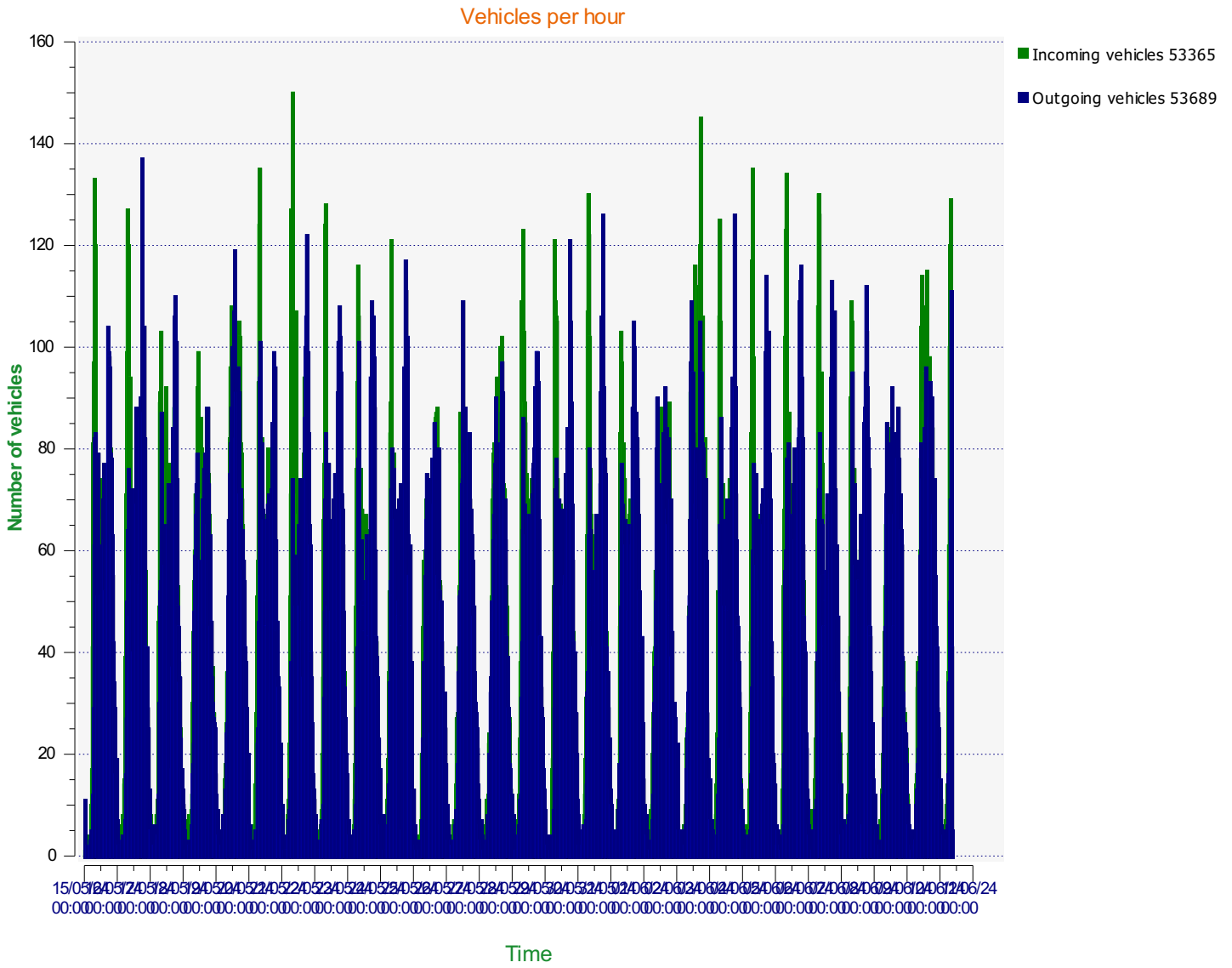
Comments:



Start date: Wednesday, May 15, 2024 12:00 AM
End date: Monday, June 10, 2024 8:30 AM

Location:

Comments:

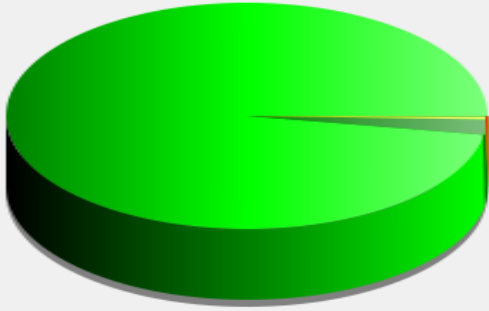


Start date: Wednesday, May 15, 2024 12:00 AM
End date: Monday, June 10, 2024 8:30 AM

Location:

Comments:

Incoming vehicles



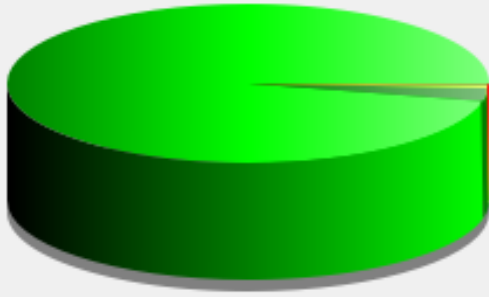
■	<= 30 Mph : 51,931 - (97.31 %)
■	31 - 35 Mph : 1,183 - (2.22 %)
■	36 - 40 Mph : 193 - (0.36 %)
■	41 - 45 Mph : 43 - (0.08 %)
■	46 - 65 Mph (and more) : 15 - (0.03 %)






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End date: Monday, June 10, 2024 8:30 AM

Location:

Comments:

Outgoing vehicles

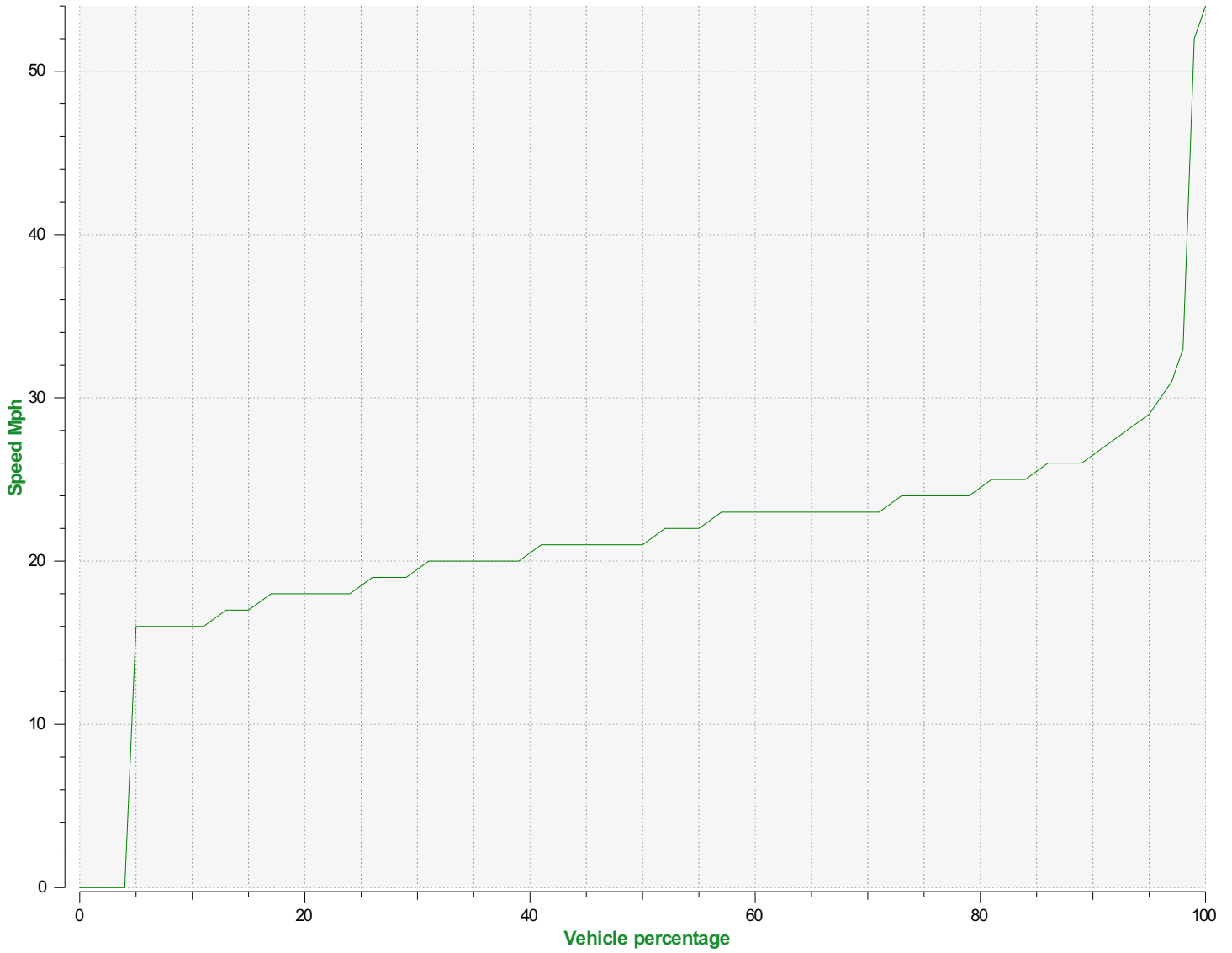


	<= 30 Mph : 51,759 - (96.41 %)
	31 - 35 Mph : 1,445 - (2.69 %)
	36 - 40 Mph : 321 - (0.60 %)
	41 - 45 Mph : 70 - (0.13 %)
	46 - 65 Mph (and more) : 94 - (0.18 %)

Start date: Wednesday, May 15, 2024 12:00 AM
End date: Monday, June 10, 2024 8:30 AM

Location:

Comments:



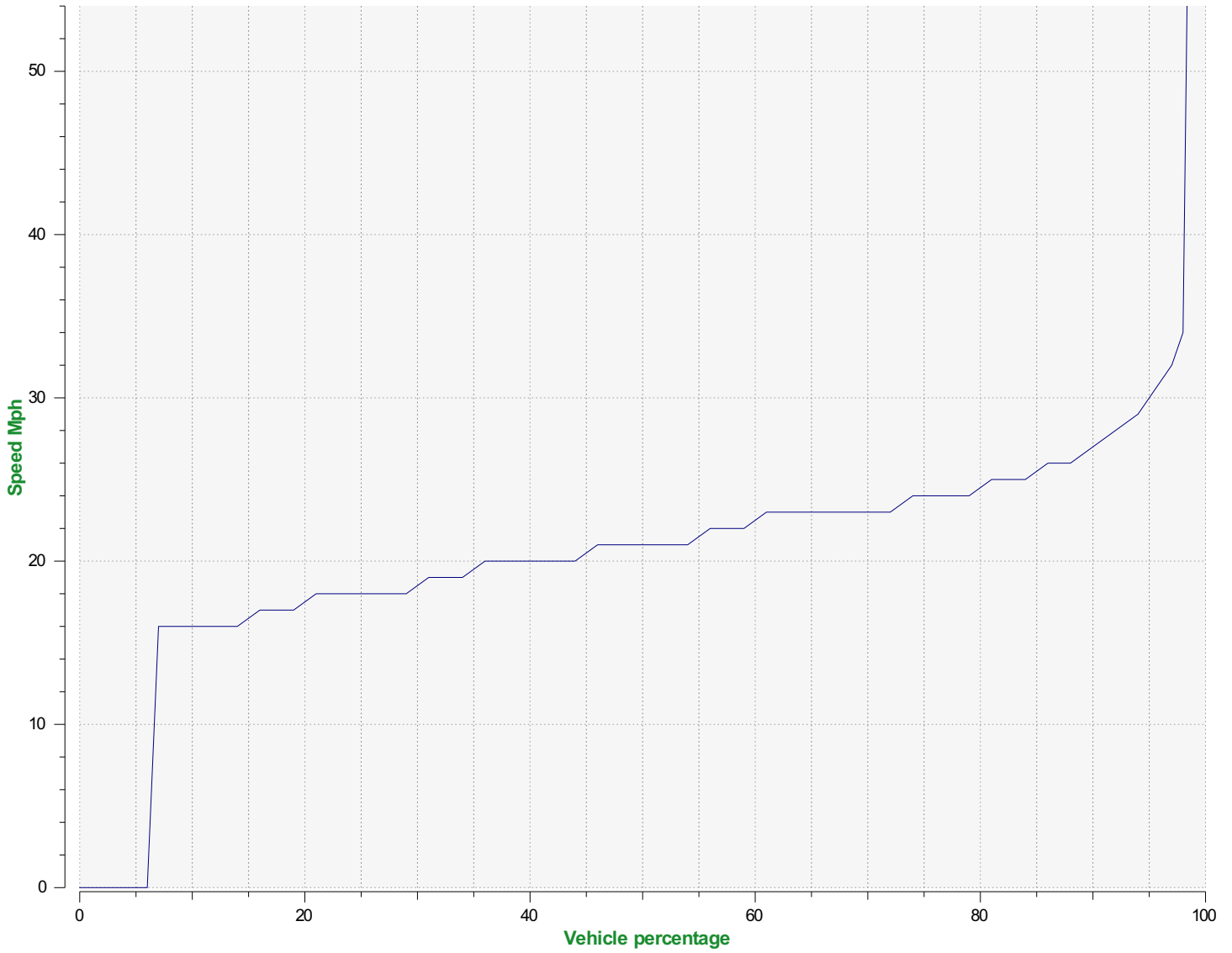
Speed percentiles (incoming)

V30: 19.00Mph **V50:** 21.00Mph **V85:** 25.00Mph

Start date: Wednesday, May 15, 2024 12:00 AM
End date: Monday, June 10, 2024 8:30 AM

Location:

Comments:



Speed percentile(outgoing)

V30: 18.00Mph **V50:** 21.00Mph **V85:** 25.00Mph

Start date: Wednesday, May 15, 2024 12:00 AM
End date: Monday, June 10, 2024 8:30 AM

Location:

Comments: