

**Wiltshire Council**

**Council**

**14 July 2015**

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### **Public Participation**

#### **Questions from Mr Richard Hames to Councillor Toby Sturgis, Cabinet Member for Strategic Planning, Development Management, Strategic Housing, Property and Waste**

These questions have been updated following the responses to questions previously asked of the Cabinet at their 09.07.15 meeting

1. Question 1 was withdrawn by Mr Hames after submission following the meeting of Cabinet on 9 July.
2. Do all Cabinet members agree that there is not a single objection to the soundness of the plan in the CAUSE2015 responses, or in the other 568, which justifies consideration of the draft Plan at Cabinet?
3. The CAUSE 2015 response to the Site Allocation draft set out reasons why the application of each of the six criteria for site selection was unsound. Why is there no detailed contrary evidence in the Cabinet papers? How can the consultation process be justified if it does not produce a genuine examination of the evidence for and against?
4. It is our /my recollection that the Cabinet member for Spatial Planning has on more than one occasion said that the consultation process requires those who would object to the proposed Strategic Sites to point to alternatives. Will he confirm that? If correct, why has so little attention being given to the argument that the choice of sites B and C is unsound?
5. Given that the Barrow Farm site is located within Area A, and that an interest in developing on that site has been declared for at least five years, why has so little attention being given to the potential for that site to provide a significant housing contribution - particularly since the site scores well on the flooding criterion and does not require any additional major building? Is the omission of this site simply a matter of political preference?
6. Why has the council not put forward any of its land in area D? Is this because the council wishes to hold that land back until the next round in 2025?
7. In document 6 para 44 the council rely on SUDs to prevent flooding. Could the Cabinet please comment on the following on the website of ACO:

*"ACO has unrivalled experience in designing, creating and advising on fully-integrated and sustainable surface water management systems. Whatever your requirements, we can help you deliver an effective SuDS solution and support you with best practice, relevant information and dedicated resources on an ongoing basis.*

*Though conceptually desirable, practical provision of interception has proven problematic in certain circumstances, where for example, infiltration potential is low or impermeable surface area is relatively large. ACO has worked alongside sustainable drainage experts - HR Wallingford to further explore how interception might be achieved in problematic but increasingly typical scenarios. The study evolved from consideration of large urban commercial car parks which encouraged interest from supermarket operators – ASDA, Sainsbury's and Tesco.*

*An early outcome has been the production of a practical methodology by which interception might be evaluated. Rather than absolute prescription the methodology presents an inherently flexible approach based on statistical performance of SuDS components, accepting that interception will not always be possible. The approach indicates that interception is viable for a variety of techniques for up to 80% of events in the summer and 50% during wintertime."*

This makes it clear that even a company at the forefront of SuDS acknowledges that at least 20% of events in the summer and 50% during wintertime will not be protected. They mean run off will be worse than if the land had been left as grass.

Will the Cabinet ignore such advice, and if so, why?

8. .In various places in the Cabinet papers the council has changed from "building" 400/750 houses by when certain works must be completed by to "occupied". Why was this not changed in document 6 para 47? Do the Cabinet not think that a developer will deliberately hold back the sale of the 400th and 750th house so as to delay infrastructure?
9. What happens if LEP funding is not available for the eastern link road? In such case will the developer still have to provide 40% low cost housing and the increased CIL payments?

Following a response provided at Cabinet on 9 July, this question has been updated thusly:

Will the Cabinet please confirm that no LEP funding will be used in connection with building the eastern link road, if it is approved in due course?

If despite the Cabinet answer LEP funding is obtained then:

When will an application be made?

When will it be repaid?

How will it be repaid?

Please confirm that repayment of such sums will not reduce the number of affordable houses required on the site.

10. Please confirm that the council will support the Bremhill Neighbourhood Plan in its request for a local green space along the River Marden - (this question was substituted for that previously submitted following the meeting of Cabinet - please see Cabinet reply page 63 response 5.)
11. What sites will be used for self build? What number of self build houses are the council providing for? When will they be available for building?
12. The documents encourage brownfield sites. Has the additional 150 homes on Langley Park, which the new developer wants to be built, been included? If not, why not given the aim of building on brownfield sites.
13. Will the eastern link road be a standard distributor road? If yes, please define a standard distributor road. Could a standard distributor road include a dual carriageway? Could it include a Poundbury type winding road as proposed by Chippenham 2020?

**Response:**

2. The reason for the draft Plan being reconsidered by Cabinet is set out in the covering report at paragraph 29.
3. It is considered that the reasons presented by CAUSE2015 while setting out an argument do not introduce fundamentally new evidence to demonstrate that these alternative sites should come forward. Instead CAUSE2015 disagrees on the interpretation of the evidence in order to justify the alternative proposals suggested. The 'Site Selection Report (February 2015)' sets out the Council's position on why the proposals in the Plan are considered to be appropriate. This has given consideration to the proposals presented by CAUSE2015.

Submission of the Plan to the Secretary of State invites an independent inspector to consider the CAUSE 2015 response along with all others and carry out an examination in public into the soundness of the Plan (see paragraph 34 of the Cabinet report). This is the appropriate arena, as set down in regulations, to consider evidence. At this point the Council has reviewed consultation responses to see whether any raise fundamental issues of soundness that go to the heart of the Plan that may stop it going forward.

4. Included in response to 3.
5. Barrow Farm represents an extension of the area already committed for development in Area A (North Chippenham). The Site Selection Report

concludes that the disadvantages outweigh the likely benefits, including: it does not offer wider transport opportunities in terms of potential improvements to the road network as other areas can; it is largely dependent on a new link road that itself is dependent on development already committed in Area A in order to be acceptable in traffic terms; it does not offer a fundamentally different choice of location for either home buyers or business; it would affect the setting to Birds Marsh Wood, and cumulatively, it would result in recreational pressures on Birds Marsh Wood that are considered to harm its value.

6. Land in Area D that is in Council ownership is included within the Strategic Housing Land Availability Assessment (SHLAA). The SHLAA is used as the basis for understanding what land is being put forward for development in each strategic area.
7. It is difficult to comment on the excerpt provided without understanding its context, but it appears to relate to work involving supermarket car parks, which is of quite a different character and scale of issue. The Plan requires proposals at East Chippenham to be capable of delivering surface water run-off rates less than previous Greenfield rates. This is acceptable practice and the Environment Agency considers the Plan to be sound. They do not object on the basis that this would be unrealistic.
8. It is proposed that 'completions' be substituted by 'occupation' as it is considered that this provides a more precise and effective definition. It is not clear which document the question is referring to (paragraph 47, document 6). However, it will be in the developer's interest to ensure the delivery of the whole scheme to secure the comprehensive redevelopment of the site in accordance with the master plan. The viability assessment has demonstrated that the proposals are deliverable and there will be a reasonable developer profit in accordance with the requirement of the NPPF, as such there is no reason to doubt that the associated infrastructure will be delivered.
9. The provision of an Eastern Link Road is not considered to be dependent on public funding. Community Infrastructure Levy will be charged consistent with the adopted Charging Schedule and affordable housing will be sought consistent with Core Policy 44 of the Wiltshire Core Strategy. This was confirmed in answer to public questions at a special meeting of Cabinet on July 9<sup>th</sup>. It would therefore be inappropriate to speculate on other funding streams. Information on the bidding timetables can be obtained from the Swindon and Wiltshire Local Enterprise Partnership.
10. It would be inappropriate for the Council to indicate support or otherwise for emerging proposals within any neighbourhood plan prior to making a formal response at either of the statutory consultation stages when the Plan proposals can be considered as a whole. At these stages the Council's

response will consider matters such as conformity of proposals with the Wiltshire Core Strategy and national planning policy.

11. Possibilities for promoting self-build homes amongst the mix of homes delivered are a matter for consideration at detailed master plan and planning application stages.
12. A reasonable allowance has been made within the figures for development at Langley Park, which reflects the current planning permission. While it is recognised that this could change following approval of any revised planning permission currently there is no certainty that the numbers will increase to the level proposed. Only a small proportion of land requirements can be met using brownfield opportunities, which does not take away the need to deliver significant greenfield sites at the town.
13. The eastern link road will be a local distributor road. The term is used to describe the function of the road. This road (through and alongside the Chippenham 2020 development) will distribute local traffic around the east and north of Chippenham, as well as acting as a road to provide access to the development itself. It is likely to be a 7.3m wide single carriageway, as determined by the forecast traffic it will carry, but its detailed alignment has not been finalised. The master plan will determine what the appropriate alignment of the road is.

**Public Participation**

**Questions from Mr Adrian Sweetman to Councillor Toby Sturgis, Cabinet Member for Strategic Planning, Development Management, Strategic Housing, Property and Waste**

14. Will the cabinet member for strategic planning and strategic housing confirm that the Chippenham Sites Allocations Plan is predicated on the delivery of 40% affordable housing and yet The "Final Report - Chippenham Site Allocations Plan Strategic Site Viability Assessment - January 2015" concludes that the North Chippenham, Rawlings Green and land east of Chippenham sites can only provide somewhere between 20% and 30% affordable housing and if this is as the report states, is it apparent and demonstrably so, that this target of 40% cannot be achieved with this choice of sites. Does the cabinet member for strategic planning and strategic housing further agree that therefore the Chippenham Site Allocations Plan is therefore unsound?
15. Notwithstanding the "Final Report - Chippenham Site Viability Assessment - January 2015" is shockingly flawed and not fit for purpose, can the cabinet member for strategic planning and strategic housing, comment on why it errs in a very obvious way, namely by applying the the wrong Community Infrastructure Levy charge, ie it uses a rate of £55/m<sup>2</sup> whereas this is now out of date having been rejected by the CIL Examiner and it should be £85/m<sup>2</sup> and that this is a material and very obvious factor?
16. Would the cabinet member for strategic planning and strategic housing accept that with adding a realistic estimate of the road cost, the North Chippenham, Rawlings Green and land east of Chippenham can deliver nil affordable housing and would he agree that it is doubtful if these sites would be viable at all, certainly not across an entire economic cycle, which is the test that planning guidance prescribes and would he agree that Wiltshire Council cannot really escape re-running the Viability Assessment using correct data?

**Responses**

14. The Council considers the Plan to be sound. The single purpose of the BNP Paribas Viability Assessment is to test the requirement of the National Planning Policy Framework (NPPF) that the cumulative impact of existing and proposed local planning authority standards and policies that support the plan "*should not put implementation of the plan at serious risk*" (paragraph 174, NPPF). It is not to determine an achievable level of affordable housing. This will be negotiated at the detailed planning application stage consistent with Wiltshire Core Strategy Core

Policy 43 'Providing affordable homes' on a site by site basis, once detailed values and costs are established.

15. At the time of writing the BNP Paribas Viability Assessment, the CIL Examination had not been concluded and the lower rate of CIL reflected the Council's position at the Examination that these sites should be subject to the same rate as strategic sites allocated in the Wiltshire Core Strategy. This is discussed in paragraph 27 of the report to Council. Plan proposals will be liable for the standard rate of CIL rather than a reduced rate provided to those strategic sites already identified in the Core Strategy. Consequently for the Plan proposals less infrastructure funding will come through s106 funding than would normally be the case given the higher rate of CIL. Broad assumptions about the scale of the burden on the developer to make provision toward infrastructure that support growth remain the same and therefore the assessment conclusions remain valid and robust.

16. No. The independent BNP Paribas Viability Assessment demonstrates the opposite and indicates the sites can viably provide the required strategic infrastructure costs, CIL, and S106 obligations. The Assessment generally uses the least optimistic costs for infrastructure and values and only on this basis does it suggest that the Council may need to be flexible in its approach in terms of adjusting the required percentage of required on site affordable housing provision. Levels for affordable housing will be negotiated on a site by site basis at the detailed planning application stage to achieve 40% share of new homes with actual detailed information rather than broad assumptions.

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## **Public Participation**

### **Questions from Dr Nick Murry To Councillor Toby Sturgis, Cabinet Member for Strategic Planning, Development Management, Strategic Housing, Property and Waste**

These questions have been updated by the questioner following the responses to questions previously asked of the Cabinet at their 09.07.15 meeting

#### **Area C Flood Risk assessment failure.**

##### **17. On Site C**

##### **On Site C being surplus to requirements**

The additional number of houses designated for Chippenham is deliverable without the need for Site C. This includes brownfield sites, which according to the NPPF and WC's own policies, should be prioritised over greenfield development. These sites include Langley Park, the old police station and a number of others. There is also additional capacity within Strategic site E. Even if these additional numbers left the total number short by a few houses, there would be far too few houses to fund the infrastructure or the hugely expensive roads, river crossing and railway crossing.

My questions therefore are:

1. How many houses does the Council calculate would be required on Site C given the additional houses (150-200) available on Langley Park plus all the other brownfield sites that are currently deliverable and assuming the additional numbers that are possible on Site E were to be taken into account? (N.B. an honest/ realistic answer should be a very low number)
2. At what point would the number of houses be too few to make Site C a viable proposition (N.B. an honest/ realistic answer should be a relatively high number).

##### **On Site C presenting unacceptable risks**

By WC's own analysis, Site C was found to have the greatest risk in terms of flooding, the frequency of which is set increase, with higher intensity rainfall events becoming increasingly common in future. Site C also was found to be unsustainable in many other respects according to WC's own Sustainability Appraisal and given that the site was previously rejected for sound planning reasons.

My questions therefore are:

1. What has fundamentally changed that now make Site C viable?
2. Can WC be transparent about why it has decided to take risks that it previously found unacceptable?



## **18. On proper assessment of alternatives**

1. Where is the evidence for rejecting Site D and a Southern Link road, when Site D's flood risk is substantially lower than that of Area C, and a Southern Link road would be far less costly and only require a single bridge?
2. How can Site D perform worse in terms of transport when there is a major by pass around Pewsham that could be linked to it?
3. Where is traffic modelling that is constantly referred to, but which nobody has had sight of, available for scrutinising?

## **19. On Site B**

There is plenty of actual evidence (as oppose to computer modelling evidence) that Cocklebury Road, Station Hill and New Road will come to a stand still if Site B has access to the Town Centre and routes South, East and West via Cocklebury road. An eventual bridge over the railway allowing access to the Sutton Benger Road will only divert a minority of traffic heading North.

My questions therefore are:

1. Where is the evidence that shows that the traffic impacts as a result of this proposed Site?
2. Where can we examine the assumption and outputs of the transport modelling?

Is it 200 houses or 400 houses that will be built before a bridge is even begun to be constructed? (WC documents say 400, a previous reply to my questions says 200)

## **20. On transport planning (significant lack of)**

With reference to the lack of a sound evidence base for the impact of Site B on Chippenham's transport system; is it not the case that all the Chippenham data in the 2010 PFA study were collected in the latter part of 2007 or early part of 2008? The fact is that several hundred homes have subsequently been built on Cocklebury Road and the volume of traffic associated with the train station, car parks, History Centre, new Sainsburys store and other developments, has increased significantly since then. Why has no evidence been produced to describe how the Atkins second transport evidence report coped with this, or anything about the assumptions made about driver behaviour in Monkton Park, Cocklebury Road and Station Hill?

## **21. On inadequate preparation of the Site Allocation Plan (unsound planning)**

Change number 30 requires the development of Area B to be preceded by a Master Plan which "will be informed by detailed evidence, which will include a Landscape Visual Impact Assessment, Heritage Assessment, Biodiversity Report, Surface Water Management plan, Flood Risk Assessment and Highways Statement." Why have none of these requirements been investigated and assessed as part of the preparation for the Site Allocation Plan? Why is the requirement only that a planning application in this area should be 'informed' by this work? Does this not leave the door open for virtually any kind application to succeed? How can Wiltshire Council

justify taking such risks, particularly in the areas of flood risk and transport planning, which may well prove disastrous for Chippenham's current and future residents?

## Responses

17. The Site Selection Report (February 2015) says that at least an additional 436 dwellings remain required after the selection of first and second preferred areas.

This is based on the likely scale of housing development within the built up area deducted from how much land is needed on Greenfield sites. The scale of development permitted at Langley Park is included in this calculation, which is considered to be a reasonable allowance. While it is recognised that this could change following approval of any revised planning permission currently there is no certainty that the numbers will increase to the level proposed. Notwithstanding any changes to known commitments within the urban area (that could go up or down), only a small proportion of land requirements can be met using brownfield opportunities. The principle of needing to identify significant urban extensions to Chippenham is established in the Wiltshire Core Strategy. A larger land area at Area E has been assessed in the Site Selection Report and was not considered appropriate.

The Council has not carried out or commissioned work to assess the minimum development value necessary to develop in any strategic area. Instead site options are assessed according to the six criteria contained in the Wiltshire Core Strategy.

Land east of Chippenham was not previously rejected as an area for development because it was unviable or because 'risks are unacceptable'. The amount of land needed for development at Chippenham has increased from lower levels previously considered in early drafts of the Core Strategy. Justification for the sites selected in the Plan to accommodate this greater rate of growth is set out in the Site Selection Report.

The Site Selection Report provides a step by step explanation of why areas have been preferred over other and the choice of site options. Six criteria in the core strategy guide those judgements and there are a range of papers setting out the evidence in which they are based.

18. Flood risk and surface water management is one of six criteria guiding the choice of preferred area and selection of site options. The Environment Agency considers the Plan sound. The paper ranks the areas according to each ones propensity to accommodate strategic sites. Under other criteria evidence points to this area performing worst of all the strategic areas in transport terms and in landscape terms the whole of Area D is described as of moderate to low development capacity compared, for instance, to Area C described as moderate to high.

The modelling encompasses the role played by Pewsham Way like it does all other existing connections in the local network.

It is difficult to make traffic modelling information available in an easily digestible way. The Council is more than willing to clarify any aspect of the model's data, assumption and working. A meeting is being convened with those who requested information in order to explain the mechanics of the modelling undertaken and answer detailed questions. This is considered the best means to proceed.

19. See response to Question 18.
20. See the response to Cabinet Question 23 as previously provided
21. See the response to Cabinet Question 23 as previously provided.

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### **Public Participation**

#### **Questions from Mrs Marilyn Mackay to Councillor Toby Sturgis, Cabinet Member for Strategic Planning, Development Management, Strategic Housing, Property and Waste**

These questions have been updated following the responses to questions previously asked of the Cabinet at their 09.07.15 meeting

**22. WHY IS THE COUNCIL SO BIASED AGAINST AREA D IN CHIPPENHAM SITE ALLOCATIONS DPD?** Reading repeated Officer Responses in the Comments document (830 pages), time and again, it was stated that Area D is least suited for development. Yet, on the **two first ranked criteria**, Employment and Flood Risk, the Evidence Papers shows it performs MUCH BETTER than Area C on both criteria. Area D is close to the PRN, especially with a Southern Link Road, which has received considerable public funding to support employment in Chippenham. The Evidence Paper 6 shows Area C to be significantly the WORST for Flood Risk, yet it is chosen in preference to Area D. There are several very weak arguments offered against Area D, including a poorly argued point in the Atkins report on the issue of pollution, favouring an Eastern Link Road, which would bring considerable pollution and traffic chaos to Monkton Park and along the A4 to Calne.

Area D is not 'remote and isolated' from the town, since it is no further from the centre than properties in the north of the town. It is adjacent to Abbeyfield School, Sports Centre, and bus routes. By comparison, Area C is NOT even part of Chippenham, it is Bremhill Parish in Calne Community Area; Area D is in a Ward of Chippenham, Pewsey.

On the Landscape arguments, in the last rendition of the Draft Core Strategy, the council response to residents of **East of Chippenham was that it was protected by CP 51**, because of the value of its Landscape. Yet this time, this is ignored, and applied (**with bias**) to defend Area D with reference to Landscape. Clearly the two river valleys in Area C are of significant landscape and biodiversity value.

**23. Why are the council now calling Area C "East Chippenham" which it is NOT. In the earlier Draft Core Strategy documents/events, including the EiP, it was correctly called 'East of Chippenham'? In past iterations of the Core Strategy Rawlings Green was called East Chippenham, and indeed it is. THE COUNCIL IS SO **BIASED** IN FAVOUR OF SELECTING AREA C FOR DEVELOPMENT,**

**IGNORING NEGATIVE EVIDENCE, AND PUBLIC OBJECTIONS.** As stated above, on the first ranked criteria for the DPD, Area C performs much worse than Area D. Area D performs better in terms of Transport with a Southern Link Road, which does not have the same negative consequences as the Eastern Link Road. The Atkins 'evidence' lacks credibility to the contrary. An Eastern Link Road and excessive development in the area will bring unwanted additional traffic to the rural roads of Bremhill Parish and negatively impact rural villages.

**24. DOES THE COUNCIL BELIEVE THE 'STATEMENT OF COMMUNITY INVOLVEMENT' CORRECTLY REFLECTS GENUINE PUBLIC OPPORTUNITY FOR LOCALISM IN PLANNING?** The public responses shown in Report 5, Figure 4.1, shows a very high percentage of responses relating to two of the five Areas, namely Rawlings Green and East of Chippenham. There have been many public objections but

**the Cabinet has not responded by changing anything in relation to public arguments and feeling.**

**25. WHY DO THE COUNCIL SEE NO REASON TO CARRY OUT A FRSA LEVEL 2, **SEQUENTIAL FLOOD RISK ASSESSMENT FOR AREA C**, WHICH AT 76.2 EXTENT OF FLOOD RISK IN ZONES 2 AND 3, IS SIGNIFICANTLY THE WORST OF FIVE AREAS IN THE DPD?** How can Officer Response comments on this topic, stating both that 'development will not be on flood plain' (which is obvious) but will be "in zone 1", is a robust response? This appears to rely on recent modifications to Rawlings Green made to the Draft Core Strategy, which reduced the need for a Sequential Test, to simply directing development to zone 1. But that is another site, with completely different level of Flood Risk. NPPF states that assessment is "to steer development to areas with the lowest probability of flooding":

In plan-making, local planning authorities apply a sequential approach to site selection so that development is, as far as reasonably possible, located where the risk of flooding (from all sources) is lowest, taking account of climate change and the vulnerability of future uses to flood risk. In plan-making this involves applying the 'Sequential Test' to Local Plans and, if needed, the 'Exception Test' to Local Plans.

Area C is an area with **high** probability of flooding and another Area CAN be selected with lower flood risk, namely Area D. The approach should be site specific. What applies in Rawlings Green is different from East of Chippenham, as illustrated in Evidence Paper 6.

**IS IT NOT NEGLIGENT TO FAIL TO CONDUCT FLOOD ASSESSMENT FOR AREA C IN CONFORMITY WITH NPPF GUIDELINES?**

**26. Why are the council not making better use of the Principal Road Network (PRN), the dualled A350, for which massive public funds have been advanced by SW LEP? In particular, in relation to further development which meets their number 1 criteria, of **Employment** in Chippenham. And housing, close to the PRN, in addition to the Rowden development in SW Chippenham, Area E.**

The council provided, rather late, a Briefing Note, to say why 'no development should go west of the A 350'. This was presented as an Absolute Truth, a set of assertions, and requires much closer critical scrutiny as it is counter-intuitive. Why spend so much tax payers money on the PRN, then shut down the area on the west side to development, when this kind of dualled road is meant to bring 'employment' benefits? Especially as part of the Growth Fund related to Digital Corsham, further west of Chippenham. Additionally, the Atkins report shows the close proximity of Area D to the PRN, which obviously should/could be exploited, with the aid of a southern link road. This could relate to, and extend, the value of the Showell Employment site in Area E.

The council will need to offer a more robust set of reasons for 'no development west of the PRN' than it has done in its Briefing Note, which is not compelling. Another issue related to this, which Atkins did not explore, is the East-West traffic through Chippenham, which would benefit from a southern link road in Area D.

Arguments critical of the Briefing Note are for another time and place.

## **Responses**

22. The Council is not 'biased' against development in Area D. The Area has been considered at each stage of the selection process but other areas, by comparison have performed better. Sufficient evidence points to this area performing worst of all the strategic areas in transport terms and in landscape terms the whole of Area D is described as of moderate to low development capacity compared, for instance, to Area C described as moderate to high.

While the assessment does show that Area D performs better than Area C in terms of access to the primary route network, the report also says that Area D has large areas that perform weakly. This aspect is just one of several aspects that are considered. For instance, whilst parts of Area D do lie adjacent to Abbeyfield School, Sports Centre, and bus routes, the evidence highlights how Strategic Area C is likely to present the greatest potential for providing new walking and cycling links that are of use to existing communities, as there are existing trip attractors and generators either side of the Strategic Area that are currently not well connected.

Proximity to the A350 has been a consideration in terms of the potential for employment development. It had a significant bearing, for instance, on the selection of the first preferred area and site options for South West

Chippenham (Policy CH1). The importance of providing available land attractive for employment development diminishes by the selection of a third preferred area because land for employment development is identified already in the South West Chippenham proposals and Rawlings Green (Policy CH2).

23. 'East Chippenham' is considered to be a clear and precise name to identify the site. The Plan identifies the most appropriate locations for strategic sites to support sustainable development at Chippenham. The Wiltshire Core Strategy recognises that consideration will need to be given to land in adjoining parishes and Community Areas to Chippenham. The most sustainable pattern of development does not necessarily coincide with civil administrative boundaries. See also response to question 22.
24. The Council is suggesting a number of changes to improve the clarity and effectiveness of the Plan in response to consultation responses.

The Chippenham Site Allocations Plan is being prepared in accordance with the requirements set in the Wiltshire Core Strategy. It must be sound and represent sustainable development locally. A significant proportion of the representations to the Plan came from one part of Chippenham, compared to the town as a whole. Development on the edge of towns represents the urbanisation of countryside and it is understandable that many existing, adjoining residents have concerns.

The proposals in the Chippenham Site Allocations Plan represent the culmination of many years of local consultation about the future of the town. The Council's justification for the selection of preferred areas and site options is set out in the Site Selection Report and decisions are led by evidence across the 6 criteria that have been set out in the Core Strategy.

The Examination into the soundness of a plan is carried out by an independent inspector appointed by the Secretary of State and the consultation response made by local people will be given to the appointed Inspector for their consideration. This represents a thorough process through which the concerns of local people will be considered.

25. The Plan follows a sequential and risk based approach to flooding and surface water management issues that is considered to fully accord with national policy. A Level 2 Strategic Flood Risk Assessment is required by national policy when development is proposed in flood risk area zones 2 and 3. These circumstances do not apply to the Plan. All development in Area C is proposed in zone 1 and it is therefore not required. The Environment Agency considers the Plan to be sound and their comments are available on the Council's website as part of the consultation response. In response to their comments a change is proposed to be made to the Plan to ensure that sufficient land is set aside for sustainable urban drainage systems for each site.

26. The Primary Route Network does have a particular influence on Plan proposals. The Core Strategy has a specific emphasis upon maintaining the strategic transport network along the A350 corridor to support growth not just at Chippenham, but also places such as Melksham, Trowbridge, Westbury and Warminster. Investment at Chippenham is being made to counteract congestion and help maintain reliable journey times for business and commerce relying on this strategic link to the M4 and to wider markets. Locating strategic sites west of the A350 is not a reasonable option. One important reason is because of the substantial traffic loading generated would add directly to local congestion and then undermine what road investment in the A350 is trying to achieve.

Proximity to the A350 has been a consideration in terms of the potential for employment development. It had a significant bearing, for instance, on the selection of the first preferred area and site options for South West Chippenham (Policy CH1). The importance of providing available land attractive for employment development diminishes by the selection of a third preferred area because land for employment development is identified already in the South West Chippenham proposals and Rawlings Green (Policy CH2).

Overall in transport terms the evidence suggests that Area D performs least well of all the area. In terms of access to the Primary Route Network the evidence suggests both Areas C and D perform weakly compared to Areas E and A. Just comparing Area D to C, a better proximity to the A350 for some parts of Area D would need to be balanced against the greater distance and the potential for congestion with A350 traffic negotiating junctions around Chippenham on journeys to and from the M4.



**Public Participation**

**Questions from Mrs Helen Stuckey to Councillor Toby Sturgis, Cabinet Member for Strategic Planning, Development Management, Strategic Housing, Property and Waste**

These questions have been updated by the questioner following the responses to questions previously asked of the Cabinet at their 09.07.15 meeting

- 27) The Officer Responses to our consultation comments are that Area D “performs worst” and that the “site Selection report justifies why area D is least suitable for development”. This response does not begin to address the detailed critique in the CAUSE 2015 Unsound document which sets out in detail, over 52 pages, and using the Council’s own ranked criteria, why development in a part of area D together with a Southern link road (and extended development in areas E and A) would be preferable to development in areas B and C. Please could the Council confirm that they have assessed our proposed option of development in just a small part of Area D, together with a southern link road, in their response that “area D performs worst”?
- 28) At the Cabinet meeting on July 9th a question was asked – what if, at the Master Planning Stage, a proposed Strategic area failed one of the key criteria e.g. flood risk based on the more detailed evidence collected at that stage. Cllr Toby Sturgis response was that they would look for another strategic area. BUT this ignores the dependencies between the proposed strategic areas e.g. the eastern link road will be built through new development in areas A, B and C. If one of these strategic areas were to be withdrawn then it is unclear how the eastern link road could be completed. Could the Council either complete the more detailed work on flood risk, transport and the eastern link road design before putting the plans forward for Examination in Public or otherwise commit to evaluating areas B and C at the same time during the Master Planning stage?
- 29) Appendix 4 Change number 31 to The Chippenham Site allocations Plan is to “ensure sufficient land is set aside at the master plan stage” ... “for a set of effective sustainable urban drainage measures” (SuDs). C2020 have recently submitted a Planning Application for Area C which states that the DPD “indicative plan makes no spatial allowance for them (effective urban drainage measures)” and have proposed to compensate this by increasing the boundary of area C to include 15 hectares in the area north of the North Rivers Cycle Track. Please could the Council confirm that the EA advice to

include land for effective SUDs has already been allowed for within the proposed site boundaries?

30) The Council methodology, used in the Site Selection report, for selecting Strategic Areas is based on evaluating the evidence at a macro level i.e. across the whole of each strategic area and only subsequently evaluating the optimal sites within an area. This has resulted in a sub optimal site allocation by not considering further expansion in parts of Areas A and E and development in just a part of Area D. The CAUSE 2015 Unsound report sets out the evidence as to why this alternative site allocation (which avoids areas B and C) better meets the Council's ranked criteria. Please would the Council evaluate our considered alternative proposal before dismissing it?

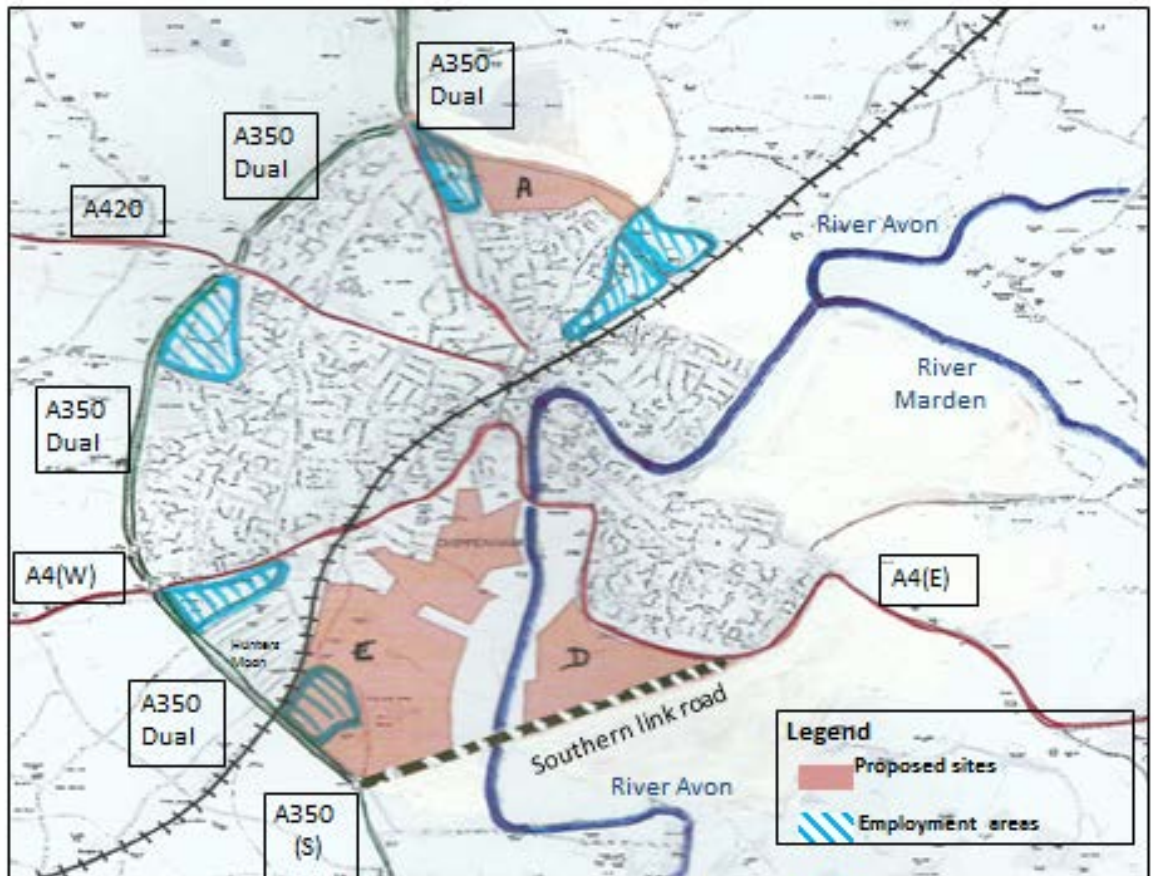
31) At the 9<sup>th</sup> July Cabinet meeting it was agreed to hold reviews of

- a. the flood risk potential and
- b. transport models

since these were the 2 issues on which the public had most concern that the evidence collected by the Council is not sound and has led to the wrong site selection. These meetings are to be arranged for early September. Please would the Council consider delaying the decision to go out for the Examination in Public until after these meetings?

32) The top ranked criteria for assessing the strategic areas is to enable economic development, leading to more local jobs and a reduction in the level of outcommuting. Most businesses want to locate near to the A350 which is in the process of being dualled. The Economy evidence report concludes that other sites are better positioned than area C. Why doesn't the proposed site allocation recognise the importance of locating all new commercial areas and the associated link road, near the A350 rather than on the East of Chippenham?

For the benefit of any Council member who has not read the CAUSE 2015 Unsound report, I reproduce below the figure showing the alternative plan proposed by CAUSE 2015 based on extending development in areas A and E, and developing part of area D within a southern link road.



It should be noted that several developers have submitted consultation feedback which supports our alternative plan for extending development in area A (Hitchins), area E (Strategic Land Partnerships, RF Moody & partners, Hallam Land Mgmt, and Crest & Redcliffe) and Area D (Gleesons).

## Response

27. Sufficient evidence points to this area performing worst of all the strategic areas in transport terms and in landscape terms the whole of Area D is described as of moderate to low development capacity compared, for instance, to Area C described as moderate to high. NPPF expects Councils to use a proportionate evidence base. Consequently, following the methodology established in the Core Strategy, it was considered to be unnecessary to examine detailed strategic site options in this area.

28. The purpose of the Plan is to allocate strategic sites for the town's long-term growth. To be sound, amongst other things, the Plan should be deliverable over its period and enable the development of sustainable development consistent with national policies. The Plan is considered to be sound and the evidence informing it does not identify any absolute constraints that cannot be mitigated. As explained at the Cabinet meeting there are inevitably risks involved with any development project but the Plan proposals have adequately considered known risks and constraints and no new risk and constraints have been identified as a result of consultation.

29. It is considered that the scale of housing and employment development proposed in the Plan can be accommodated alongside other land uses, including drainage measures. Wording suggested by the Environment Agency helps by highlighting the need to accommodate such measures when they will be designed at more detailed master plan and planning application stages.
30. See response to Question 27. The alternative proposals have not been dismissed but have each been evaluated at relevant stages of the Plan preparation. A possible extension to Area A was considered at each selection point for a preferred area. The extent of development in Area E was considered at the selection of site options. These options are discussed in the Site Selection Report (February 2015).
31. See response to Question 28. The purpose of these meetings is to explain details of the evidence and the process underpinning the Plan. It is not to review the Plan proposals.
32. Proximity to the A350 has been a consideration. It had a significant bearing, for instance, on the selection of the first preferred area and site options for South West Chippenham (Policy CH1). The importance of providing available land attractive for employment development diminishes by the selection of a third preferred area because land for employment development is identified already in the South West Chippenham proposals.

In terms of access to the Primary Route Network the evidence suggests both Areas C and D perform weakly compared to Areas E and A. Just comparing Area D to C, a greater proximity to the A350 for some parts of Area D would need to be balanced against the greater distance and the potential for congestion with A350 traffic negotiating junctions around Chippenham to the M4. Overall in transport terms the evidence suggests that Area D performs least well of all the areas.

**Public Participation**

**Questions from Mr Robert Clague to Councillor Toby Sturgis, Cabinet Member for Strategic Planning, Development Management, Strategic Housing, Property and Waste**

33. Does the cabinet member for strategic planning and housing conspolicy frameworkider that one of the most important facets of the national planning framework is deliverability of housing, and with such large allocations, and likely delays over building over the great western railway line the current site allocations plan for chippenham is likely to fail on deliverability, and does he believe that it would be better to have a thorough review of chippenham site allocations plan which would include an in depth report on alternative sites such as land west of A350 barrow farm land closer to m4 junction and on brownfield sites all of which would deliver housing at a faster rate, and also include the required (and needed) 40% housing

**Response**

The Plan is considered sound. The rate and scale of growth at Chippenham is set out in the Wiltshire Core Strategy. The task set for the Chippenham Site Allocations Plan is to identify large scale sites for mixed use development. An independent Viability Assessment by BNP Paribas shows that Plan proposals are viable and evidence shows they can be delivered at an acceptable rate over the Plan period.

Plan proposals, on balance, are considered to be the most appropriate and no new alternatives have been suggested that have not already been considered. The Site Selection Report (February 2015) sets out the Council's justification for this.

Development geared to the M4 conflicts with the objective of reducing net out-commuting and employment development at Junction 17 does not meet the needs of Chippenham, for example by helping to support the vitality and viability of the town centre. New homes on Langley Park are already accounted for as a part of estimating additional housing requirements. Land west of the A350 is not considered a reasonable alternative (see Briefing Note 2: Definition of Strategic Areas (updated January 2015)).

## **Wiltshire Council**

### **Council**

**14 July 2015**

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### **Public Participation**

#### **Questions from Mrs Charmian Spickernell to Councillor Jane Scott OBE, Leader of the Council**

#### **Democratic deficit in Wiltshire Council**

34. Why did the Leader say at the last Council Meeting in May that she could see no reason to revert to Committee decisions rather than the Cabinet model when

- a) Questions that followed all showed Cabinet decisions had been taken seemingly without wider consultation;
- b) It is not always the case that local discussion and input can be put to Local Area Boards on strategic planning; (see appendix)
- c) A few members hold most of the portfolios - for example, how can there be clear separation between owner and decision maker when the portfolio holder for property also heads strategic planning?
- d) Decisions that used to be taken by Full Council are now taken by Cabinet. When was the last time Full Council did not rubber stamp a Cabinet decision?  
How well informed are Councillors who are not Cabinet members?

We reiterate our request of 12 May:

We the undersigned wish to bring to the attention of Wiltshire Council our concern that the transfer to the Cabinet form of administration in 2007 has led to:

- An excessive centralisation of powers and decision-making;
- A weakening of the democratic accountability of Wiltshire Council; and
- A lack of confidence among local people that decisions made in their name take their wishes adequately into account, and are evidence-based and considered openly and accountably.

Will the Council:

- ➔ agree that this situation now merits examination?
- ➔ undertake a review of its governance processes, ensuring that this includes the possibility of return to a Committee system of local government?
- ➔ ensure that all Councillors are involved in consideration of the issues raised and potential solutions?

We ask today that instead of casting our question aside, the Council should

understand that there is not the level of public satisfaction with its democratic functioning that it seems to think there is and recognise instead that members of the public do have increasing concerns. We ask that the Council will look into our Question and give it more than the perfunctory attention it has received so far.

Signatories:

CPRE Wiltshire

CAUSE 2015

WHITE HORSE ALLIANCE

ACA (A36/A350 Corridor Alliance)

CAMPAIGN FOR A BETTER TROWBRIDGE

### **Appendix re Area Boards**

At the Calne Area Board on 17 April, a presentation on the strategic planning for the Chippenham Site Allocations DPD as it affects the Calne area was made by three planning officers.

Members of the public had attended the meeting in order to hear the report and discuss it with Councillors but, because the item was the last on the agenda and it was late by the time it came up, Calne councillors who had attended earlier on the day, had already left. The only remaining councillor was the Chair.

As members of the public had not been able to discuss with the Councillors the important issue of one of the areas of expansion being in Calne/Bremhill Parish, they requested an opportunity to do so at the next Area Board meeting. However, this was refused by the Chair. Detailed representations to Wiltshire Council met with the reply that the Cabinet sees no reason to change anything and will leave it all to an EiP.

It appears that Area Boards are limited in terms of time allowed for public discussion and firmly controlled. Where local areas are affected very strongly by strategic planning, there is no opportunity through the Area Boards for discussion with Councillors. It is questioned therefore whether in fact it is possible to claim that Area Boards are a venue for public discussion on strategic planning issues.

### **Response**

I remain satisfied that the governance arrangements operated by this council are working effectively for the reasons set out in my response to your previous question to council of 12 May.

The legislation identifies what Parliament considers should be council business and

what should be cabinet business and how there is appropriate oversight and input into the process by all members and the wider public.

Planning decisions are taken by area and strategic planning committees, which are committees of council not cabinet. This would be the position whatever governance model was in place.

The adoption of a development plan involves comprehensive steps involving professional advice by officers and consultants, public consultation and examination by the Secretary of State before final adoption by Council. The individual role of the cabinet member with the spatial planning portfolio in this process is as proposer of the plan and oversight during its preparation. The role of both Cabinet and Council in any decision making is collective and is made on the facts before them.

Delegated executive decisions are made and published in accordance with rules which provide for input by non-executive members and the wider public as well as transparency.

The assurance framework agreed recently by cabinet provides both transparency and democratic accountability for decisions of the Swindon and Wiltshire Local Enterprise Partnership (SWLEP).



**Public Participation**

**Questions from Mr Kim Stuckey to Councillor Toby Sturgis, Cabinet Member for Strategic Planning, Development Management, Strategic Housing, Property and Waste**

35. Many Councillors represent rural wards in our beautiful County. Would you as a Councillor be happy that an unspoilt river valley in your ward is recommended for development with no proper Biodiversity report, Heritage Assessment, Visual Impact Assessment, plus absolutely no protection of the river, its surroundings and the wildlife and nature? If you approve the Chippenham Draft Site Allocations you will approving this for the River Marden valley.

36. The so called Eastern distributor road proposed in the DPD actually will deliver two bypasses running north-south either side of Chippenham. However, there is a more pressing need for an east-west link road, as witnessed by traffic congestion on both the Bath and Bristol Roads during peak times. This would be delivered by development in Area D. Why has evidence presented showing this been ignored by Council.

**Response**

35. The Plan provides for the long term protection of around 150ha of the River Avon valley. Proposals for a riverside country park will manage it to enhance its wildlife and improve the community's access to this large area of countryside.

National Planning policy expects Councils to base their decisions on proportionate evidence. Evidence is summarised in several published evidence papers and these cover biodiversity (Evidence Paper 5: Biodiversity Interim Report, December 2014), heritage and landscape aspects (Evidence Paper 4: Chippenham Landscape Setting Assessment, TEP, December 2014). A management plan, as set out in Policy CH4, for the proposed country park will look at these and other aspects in more detail as appropriate.

The Plan minimises the amount of development in the Marden Valley. Land outside that allocated at East Chippenham is protected from development under Core Policy 2 of the Core Strategy.

36. The Council has considered all the representations carefully. No alternatives have been suggested that have not already been considered and no evidence has been presented to demonstrate that a southern link road would perform better than and eastern one. Instead the Council's evidence shows that a southern link road has much less traffic benefit compared to an eastern route. Whilst it would not require a railway bridge, fundamentally Area D is not an appropriate area for development compared to others. Sufficient evidence points to this area performing

worst of all the strategic areas in transport terms and in landscape terms the whole of Area D is described as of moderate to low development capacity compared, for instance, to Area C described as moderate to high. Consequently, following the methodology established in the Core Strategy, it was unnecessary to examine detailed strategic site options in this area.