

Wiltshire Council

Annual Council

10 May 2016

Question from Mrs Marilyn Mackay

to Councillor Toby Sturgis, Cabinet member for Strategic Planning, Development Management, Strategic Housing, Operational Property and Waste

Question (P16/07)

(1) Regarding the (New) Policy CH 4, for Chippenham Country Parks, set out in Document 11, pp 34,35 – Item 6.

WHY IN THE CONCLUSIONS, page 40, is it stated there will be '**TWO** COUNTRY PARKS' in CH 4?

All the reasons for a Country Park relating to the development on SW Chippenham make complete sense, as shown in Appendix A, page 42, which maps the Country Park in green, in relation to the housing, shown in red.

But, since the housing development East of Chippenham is NOT in this proposed plan, the reason for positioning a Country Park on the East of Chippenham on the flood plain has no justification. THERE ALREADY EXIST MANY FOOTPATHS, A NATIONAL CYCLE PATH, RURAL LANES available to residents of Chippenham to enjoy the countryside and “inspire higher productivity and lower absenteeism against workforces. (SA objective 12)”.

To replace a natural rural agricultural setting, with cows grazing, by a managed Urban Country Park, extending the town of Chippenham into the rural parish of Bremhill, suggests it would be a ‘country park’ awaiting an extensive new housing development, East of Chippenham. THIS IS NOT THE CURRENT OFFICIAL POLICY BEING EXAMINED. A country park at East of Chippenham is ‘unsound’ and premature, it would be replacing greenfield agricultural land use with managed Urban space. It would deprive people of the landscape experience of the current footpaths and national cycle route in real countryside.

I have not to date found a map of the East of Chippenham Country Park being proposed, and I assume it is positioned in Bremhill Parish, Calne CA. Where is a map shown in the documents of this Country Park? I see the map of the SW Chippenham Country Park on page 42.

Response

Policy CH4, as proposed to be amended, relates to two areas for country parks. The northern area forms part of proposals for Rawlings Green (CH2), on the western side of the River Avon, and a southern one at South West Chippenham (CH1).

Proposed modifications to the Pre-Submission Plan include removing proposals for development east of the River Avon. This includes previous associated proposals for a country park east of the river.

The proposals for country parks are intended to provide positive management of these areas to enhance public access and biodiversity but it is likely that they will largely remain in agricultural use. They will not be 'managed urban space'.

Appendix 1 of 'Appendix 3: List of Proposed Modifications' provides maps showing the extent of the 'Country Park Proposal CH4' at Rawlings Green and South West Chippenham.

Question (P16/08)

I have not had sufficient time to study all the many documents in detail, but I am concerned to read this proposal is a 'FIRST STAGE'.

IS THIS AN EXPEDIENT ATTEMPT TO AVOID THE UNSOUNDNESS OF THE CSAP PROPOSALS SUSPENDED BY INSPECTOR WHITEHEAD, BY DROPPING THE EAST OF CHIPPENHAM SITE AND ELR, YET WRITING THE DOCUMENTS IN SUCH A WAY TO RETURN THESE TWO 'PREFERRED' DEVELOPMENT ITEMS IN A 'SECOND STAGE'? Yes or No?

WILL THE COUNCIL MAKE IT CLEAR IN THESE UPDATED CSAP DOCUMENTS THAT WHAT IS CURRENTLY BEING SUBMITTED WILL NOT PREJUDICE ANY FUTURE DEVELOPMENT CHOICES WHICH WILL FOLLOW AT A LATER STAGE?

Response

No, the Proposed Modifications to the 'Pre-submission Chippenham Site Allocation Plan' result from an assessment of site options and alternative development strategies. Unless instigated by the Inspector considering the soundness of the Plan there are no further 'stages' through the Plan's preparation to reconsider the proposals in the 'Pre-Submission Plan'.

The content of the Plan only goes so far as to ensure that proposals at South West Chippenham and Rawlings Green do not prevent connections across the River Avon being secured in the future, i.e. not prejudicing any future development choices which may follow at a later time.

Question from Mrs Helen Stuckey

to Councillor Toby Sturgis, Cabinet member for Strategic Planning, Development Management, Strategic Housing, Operational Property and Waste

Question (P16/09)

I would like to start by thanking the Council for listening to previous feedback and excluding area C and the Eastern Link Road (ELR) from their revised CSAP. However, Area B (Rawlings Green) is still included despite having many of the same drawbacks as Area C i.e.

- Dependency on “big ticket” infrastructure namely a bridge over the railway. The developer could build the first 199 homes and then stop because the bridge is subsequently found to be too difficult and costly. This would add to the congestion on Station Hill.
- The cost of the railway bridge is likely to be an underestimate which will reduce the viability of the whole site.
- No land has been set aside for SUDs. This needs to be below the development area but above flood zones 2 and 3. At the EIP, the developer for area C tried to argue for a reconfigured boundary to allow space for the required SUDs. If subsequent allowance for the area taken up by SUDs means that fewer homes can be built on area B then this will impact on its viability
- The Inspector was concerned about over provision of homes. Area B contributes to an overprovision of 270 homes. And that is before taking account of any committed developments since 1st April 2015 – please provide this figure, the further 150 homes in the Langley Park planning application, and other brownfield sites including Middlefield and the Old Police Station. Whilst appreciating that some contingency may be good practice, it is not sustainable to concrete over large tracts of prime countryside unnecessarily.
- Area B also results in loss of open countryside by the River Avon and has major adverse landscape effects on the rural landscape and outlying villages including the conservation village of Tytherton Lucas. Indeed, the new “Improving Highways Network Resilience Position Statement” states that “The introduction of new road infrastructure and urban development into Strategic Area B is considered to generate the most landscape and visual harm out of all the Strategic Option proposals ... due to the elevated nature”.

Please would the Council comment on the above concerns regarding the ongoing inclusion of Area B.

Response

Taken in the order presented, comments in response to each the bullet point are as follows:

- Planning permission will not be granted for the site without sufficient confidence that the development will include the Cocklebury Link Road. It would not be a rational commercial decision to stop realising the value of the site with less than a third achieved. Independent viability assessment shows, with a generous allowance for additional road infrastructure, that the site is viable with an allowance for developer profits at 20% of gross development value and with a 40% proportion of affordable homes.
- See above. The viability assessment has a generous estimated cost of providing a railway bridge.
- The site is to be developed at a low density of development allowing considerable scope for drainage measures.
- The Plan estimates that 2,730 dwellings can be provided by existing commitments at April 2015. The Plan recognises that some housing needs will be met by brownfield, windfall opportunities within the town through the commitments informing the housing land supply position, which include 250 homes at Langley Park.

While sites such as Middlefield and the Old Police Station may deliver additional homes there is no certainty at this stage of how many homes might come forward and by when, particularly when there may be other competing land uses. Langley Park, for example, is a longstanding commitment where house building has yet to materialise.

The Core Strategy refers to the limited opportunities for the redevelopment of brownfield sites in Chippenham. The historical rate of delivery on unallocated small brownfield sites is also not significant. The Council considers that that an additional allowance for brownfield land over and above land already committed is not justified in this plan due to a lack of certainty over its quantum, unpredictability as to if and when it might happen and the town's own track record of limited small scale housing projects. Instead, the 'at least' figure at Chippenham provides the flexibility for housing on brownfield sites to be delivered alongside allocated strategic sites. Additional windfall is regarded as contingency and will help support the delivery of the 'at least 4,510 homes' required over the Plan period.

- The Plan recognises the prominent position of the site in the wider landscape. Proposals for the site include a number of measures to mitigate potentially harmful visual impacts, including to the settings of Langley Burrell and Tytherton Lucas conservation areas. There is a requirement for a strong landscape framework for the site, a strong buffer to the north, a low density of development and no large scale buildings.

Question (P16/10)

There are a number of inconsistencies with regard to the funding of new road infrastructure:

- Area A1 (Barrow Farm) was discounted because it did not contribute to any new road infrastructure
- Area B, with only 650 homes, is required to fund both the Cocklebury Link road and the big ticket item of the railway bridge
- Area C – we learnt at the last EIP that more than 850 homes were needed to fund the River Avon bridge and ELR
- Area D – according to the new analysis, at least 1,000 homes are needed to fund the SLR and a bridge over the River Avon.
- Area E now provides 1400 extra homes but is not required to contribute to any new road infrastructure

Why aren't the developers for Area E asked to contribute to building new road infrastructure e.g. dualling the A350 from Badgers roundabout to the Lackham roundabout and completing the link from Avenue La Fleche to the stub road, Saint Lukes Drive, between the Hospital and the Rowden Surgery. The former would avoid impacting the efficient functioning of the strategic A350 and the latter would provide relief to traffic at the very congested Bridge Centre traffic lights and Rowden Hill road

Response

By law, in order for the Council to seek funding contributions (via Section 106) from developers towards road improvements such as those suggested for the A350, they must be necessary to enable development to go ahead and directly related to the development. Proposals for development in Area E do not require the improvements mentioned.

Question (P16/11)

The revised reports state that the "Transport evidence indicates that the ELR strategy provides greater benefit to the existing community than the SLR strategy (Ref Supplement to Evidence Paper 3 Transport & Access Part 2a table 4.1). This is incorrect as the analysis continues to be flawed e.g. the Eastern scenario was modelled with only 2,000 homes vs the Southern scenario which was modelled with 2,450 homes – so ofcourse it performs worse! There are new statements stating the any potential link road is not a "by-pass" and that the speed limit would be 30mph. However, a SLR would definitely be a "by-pass" and due to the short nature and with few road junctions it could have the same speed limit as Pewsham way i.e. 50mph. This would make a SLR much more effective at relieving traffic congestion in Chippenham than an ELR. Please would the Council remove any statements that

imply that an ELR is likely to provide the more resilient highway network post 2026 e.g. Supplementary T&A Evidence Part 2a - Para 4.6

Response

The Part 2a report shows that there is no direct relationship between the overall quantum of development proposed as part of an Alternative Development Strategy and forecast highway network performance. The Submitted strategy, with an Eastern Link Rd included, was modelled with 2,500 homes and this performs considerably better than the Southern strategy (Figure 3-1 in Part 2a) with 2,450 homes. It is therefore not correct to assume that a Strategy will perform worse simply because it has a higher level of development. The Southern strategy is notably worse in terms of average journey times and highway delay.

The transport assessment work continues to find the ELR to be more beneficial than the SLR in terms of overall highway network performance. The second and fourth bullet points in paragraph 3.16 of the Part 2a report outline some of the issues associated with the SLR; overloading of the southern part of the A350 Chippenham Bypass with east-west traffic as well as north-south traffic, with knock on re-routing impacts along the B4528 (through existing residential areas of the town). Figure 3-1, Figure 3-4 and Figure 3-5 show that forecast highway performance with a strategy including an ELR is noticeably better than a strategy that includes the SLR, it is not a marginal difference. In particular, Fig 3-1 justifies the statement made in paragraph 4.6 on a more resilient highway network post-2026 with an ELR in place.

Even though all modelled scenarios have been completely re-worked since November 2015, the same conclusion on the relative merits of the ELR when compared to the SLR has been reached. The forecasts are consistent.

Question (P16/12)

What are the latest plans for developing the centre of Chippenham? If the centre could be regenerated then there is scope for providing many more homes around the town centre on Brownfield sites. Have other transport improvements to the centre of Chippenham been considered e.g. if a station car park were built on the North side of the station then this would remove traffic from Station Hill.

Response

Core Policy 9 of the Wiltshire Core Strategy and the Chippenham Central Area Master Plan provides the framework for the regeneration of the Central Area. This includes some potential for additional housing alongside town centre uses. An allowance for Langley Park (250 homes) has been included in the housing supply figures. See response to P16/09 also.

Highway network improvements considered for the centre of Chippenham for transport assessment purposes are outlined in Table 2-2 (Part 2a report). Station car

park arrangements in the Chippenham Transport Model are assumed to remain as at present, with car parking to both the South East and North West of the rail line. Any future scheme which reduced traffic flow on Station Hill would not weaken the case for development within Strategic Site Option B1.

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Question from Cllr Isabel McCord, Bremhill Parish Council

to Councillor Baroness Scott of Bybrook OBE, Leader of the Council

The Leader has referred these questions to the Cabinet Member for Strategic Planning, Development Management, Strategic Housing, Operational Property and Waste for a response

Question (P16/13)

These questions are on the Wiltshire Infrastructure Delivery Plan 3 2011 – 2026 Appendix 1 Chippenham Community Area dated February 2016

This plan includes infrastructure requirements for the East of Chippenham Strategic Site. Specifically it included at CH1 EAS 003 £8,900,000 for an Eastern Link Road (ELR). The Chippenham Site Allocations Plan Site Selection Report Council Version dated April 2016 recommends that development to the East of Chippenham and an ELR does not form part of the plan for Chippenham in the period 2016 -2026. Please will the Leader confirm that if the modifications to the Chippenham Site Allocation Plan are agreed by Council, CH1 EAS 003 and all other entries in the Wiltshire Infrastructure Delivery Plan (WIDP) arising from the previous proposal to develop to the East of Chippenham will be withdrawn. And further that a revised WIDP will be published excluding these entries for another public consultation.

Response

The references to transport infrastructure in relation to East of Chippenham (Policy CH3) in the draft Infrastructure Delivery Plan (IDP) will need to be reviewed in the light of the Proposed Modifications to the 'Pre-submission Plan' and following the Council resolution. References to the Cocklebury Link Road to join to the A350 through Rawlings Green should remain in the IDP to reflect the proposals in Policy CH2.

Question (P16/14)

I note from this plan that there is an entry regarding improvements to the A350 Chippenham Bypass (entry reference CH1 007) at a cost of £8,900,000. Does this include dualling the road from Sainsburys to the Lackham roundabout? And if not will this be done using receipts from the proposed development at SW Chippenham referred to in the modifications to the CSAP to be presented to Council on 10 May.

Response

The cost shown in the IDP for 'CH1 007' is £7,000,000. There is provisional funding approval through the Local Growth Fund (LGF) for securing improvements to the section of the A350 between Badger (the roundabout near Morrisons) and Chequers (the roundabout near Sainsbury's) at an estimated cost of £7 million.

The Local Enterprise Partnership are considering schemes for inclusion in the next round of LGF funding and candidates for this include dualling the A350 between Chequers and Lackham at an estimated cost of £11 million.

The IDP is periodically updated and the information in relation to Chippenham will be reviewed following the recent consultation.

Question from Mr Steve Perry on behalf of Hardens Mead and Long Close residents and Chippenham Community Voice

to Councillor Toby Sturgis, Cabinet member for Strategic Planning, Development Management, Strategic Housing, Operational Property and Waste

Question (P16/15)

Has the Council taken legal advice on the latest version of the CSAP to avoid any legal counter-claims from developers who may feel disappointed that their project may have been excluded.

Response

The Council has taken independent legal advice. The Council is confident that the implementation of the Schedule of Work in response to the Inspector's concerns enables the Council to submit additional evidence and Proposed Modifications to support the progression of the Chippenham Site Allocations Plan through Examination. This work ensures the Plan is sound, in accordance with Section 20(5)(b) of the Planning and Compulsory Purchase Act 2004 and paragraph 183 of the NPPF.

Question (P16/16)

Since the proposed housing development east of Chippenham and the River Avon is no longer in the revised CSAP, why is the Council considering turning a large portion of at least one council-owned farm into a 'country park'? If as I believe the current tenant farmer wishes to retire, why cannot the farm be let to a new tenant and be continued as a working farm?

Response

Policy CH4 relates to two areas for country parks. The northern area forms part of proposals for Rawlings Green (CH2), on the western side of the River Avon, and a southern one at South West Chippenham (CH1). The proposals for country parks are intended to provide positive management of these areas to enhance public access and biodiversity but it is likely that they will remain predominantly in agricultural use.

Proposed modifications to the Pre-Submission Plan include removing proposals for development east of the River Avon, which includes the Council owned land referred to. This includes previous associated proposals for a country park east of the river.

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Question from Mr Ian James, Bremhill Parish Council

**to Councillor Toby Sturgis, Cabinet member for Strategic Planning,
Development Management, Strategic Housing, Operational Property and Waste**

Question (P16/17)

On what date did the Council notify Chippenham 2020 that the Council would not be recommending development at C1 or C2, constructing an Eastern Link Road, or a bridge over the river Avon?

In view of this change of direction by the Council what is the position of the Council should Chippenham 2020 continue with the outline planning application?

Response

The Council Agenda papers were published on the Council's website and by these means became available for inspection by all interested parties. This took place on Friday 29 April 2016.

Like any other planning application, as required by law, the Council will determine the planning application in accordance with the development plan unless material consideration indicates otherwise

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10 May 2016

Question from Dr Nick Murry, Chippenham Town Council

to Councillor Baroness Scott of Bybrook OBE, Leader of the Council

The Leader has referred these questions to the Cabinet Member for Strategic Planning, Development Management, Strategic Housing, Operational Property and Waste for a response

Question (P16/18)

This revision of the CSAP represents a significant step in the right direction in excluding Area C (East of Chippenham) within the preferred option (the Mixed Strategy), since it has been clear all along that this area is not needed to achieve the housing numbers and its potential development is fraught with risk.

The retention of Area B (Rawlings Farm) as part of the preferred option is, however, a mistake (which there is still time to correct). Developing this site does not make sense in the absence of large scale development to the East (which has been rejected), as it provides an unnecessary and costly entrance via a proposed road and railway bridge, when further development cannot be guaranteed (and indeed seems unlikely).

The development of Area B (Rawlings Farm) would result in loss of open countryside and high quality agricultural land, as well as having major adverse impacts on wildlife, local community and landscape, in contradiction to Wiltshire Council's own policies. It also adversely impacts outlying villages such as Langley Burrell and Tytherton Lucas.

Crucially, there is now no need for the inclusion of this site in terms of housing requirement, since with Langley Park (with its expanded capacity for housing) and other brownfield sites (e.g. Middlefield and the former Police station), only 200-300 more houses are required in addition to the southern development. These could be found on smaller and less risky sites, including several which have come forward and require little if any infrastructure.

Will Wiltshire Council therefore now make a proper assessment of the cost-benefit of retaining Area B (Rawlings Farm) within the Plan and open mindedly consider its removal from the CSAP altogether?

Response

The selection of Rawlings Green as a proposal results from a thorough and fair assessment of site options and alternative development strategies.

There is a need to allocate further greenfield land in addition to land at South West Chippenham. The Plan recognises that some housing needs will be met by brownfield, windfall opportunities within the town through the commitments informing the housing land supply position, which include 250 homes at Langley Park.

While sites such as Middlefield and the Old Police Station may deliver additional homes there is no certainty at this stage of how many homes might come forward and by when, particularly when there may be other competing land uses. Langley Park, for example, is a longstanding commitment where house building has yet to materialise.

The Core Strategy refers to the limited opportunities for the redevelopment of brownfield sites in Chippenham. The historical rate of delivery on unallocated small brownfield sites is also not significant. The Council considers that that an additional allowance for brownfield land over and above land already committed is not justified in this plan due to a lack of certainty over its quantum, unpredictability as to if and when it might happen and the town's own track record of limited small scale housing projects. Instead, the 'at least' figure at Chippenham provides the flexibility for housing on brownfield sites to be delivered alongside allocated strategic sites. Additional windfall is regarded as contingency and will help support the delivery of the 'at least 4,510 homes' required over the Plan period.

Other speculative sources of land supply therefore do not remove the need to identify additional, deliverable land involving the loss of countryside. Using evidence of constraints and infrastructure requirements, Rawlings Green has been compared to other greenfield site options. It has been assessed as an appropriate location for development as set out in the site selection report.

Question (P16/19)

With regards a possible Eastern Link Road (ELR); mention of this being a phase 2 or part of a future strategy undermines the CSAP and contradicts the Council's stated position of approaching the revisions with an open mind. Clearly a Sothern Link Road (SLR) could equally be a part of a future strategy. Or other strategic transport solutions. There are too many unknowns and a great many risks that have already been identified for not proceeding with Area C, which will likely continue and increase in severity in future, making an ELR an unnecessary and unviable proposition.

Will Wiltshire Council therefore remove reference to a hypothetical ELR and its inclusion in a future phase, and ensure the CSAP is sufficiently flexible to include whichever future transport solutions are appropriate during future phases?

Response

The content of the Plan provides flexibility for future development decisions. It ensures that proposals at South West Chippenham and Rawlings Green do not prevent connections across the River Avon being secured in the future.

Wiltshire Council

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10 May 2016

Councillor Chris Caswill, Chippenham Monkton Division

To Councillor Toby Sturgis, Cabinet member for Strategic Planning, Development Management, Strategic Housing, Operational Property and Waste

Question (16/20)

Has the Council taken independent legal advice about the soundness of the latest CSAP, and its ability to withstand legal challenge? If so, did it provide effective reassurance?

Response

The Council has taken independent legal advice. The Council is confident that the implementation of the Schedule of Work in response to the Inspector's concerns enables the Council to submit additional evidence and Proposed Modifications to support the progression of the Chippenham Site Allocations Plan through Examination. This work ensures the Plan is sound in accordance with Section 20(5)(b) of the Planning and Compulsory Purchase Act 2004 and paragraph 183 of the NPPF.