

Graham Hill - Trowbridge

**To Councillor Toby Sturgis, Cabinet Member for Spatial Planning,
Development Management and Property**

Question (1)

- (a) Can cabinet make public the results of the full County Planning Archaeologist report in relation to site 3565 and relate it NPPF 169 and 170 and has an enquiry been made as to the likelihood of a PPG16 order being issued?
- (b) Are Cabinet aware of the disjunct between protections recommended by the Wiltshire Habitats Regulation Assessment (HRA), Natural England and the Environment Agency and the outline proposals to develop site 3565?
- (c) Through what mechanism were members of the public informed and invited to make additional contributions to the consideration of the Draft Housing Allocation Proposal? What was the published timescale and where can these comments be found?

Response

- a) Paragraph 169 of the NPPF requires Local Planning Authorities to have up to date evidence about the historic environment and to use this to assess the significance of heritage assets. Following advice from Historic England on plan making a high level Heritage Impact Assessment (HIA) has been carried out to provide evidence to inform the plan on sites with specific heritage sensitivities. This HIA includes assessment of the proposed allocation H2.6 Southwick Court (SHELAA site 3565) and can be found in the supporting documents for the Cabinet report¹.

Further detailed heritage assessment will be carried out to support any planning application and this is set out under paragraph 5.5 in the draft Wiltshire Housing Site Allocations Plan and proposed change 22 (PC22) which states that this further work "should include archaeological assessment where necessary". If significant archaeological remains are found during the evaluation there may be a requirement for preservation insitu which will inform the layout of the site at the planning application stage.

Paragraph 170 of the NPPF requires landscape character assessment to be carried out and for this to integrate historic landscape character considerations. The HIA has taken into account the wider historic environment and the setting of assets in its assessment of this site.

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<https://cms.wiltshire.gov.uk/documents/s143827/Heritage%20Impact%20Assessment%20LUC%20March%20018%2015052018%20Cabinet.pdf>

PPG16 has been superceded by the NPPF.

- b) In its response dated 17 September 2017, Natural England considers that “significant uncertainty remains around the significance of these [i.e. the 6 allocation sites at Trowbridge, including site 3565] for bats”. The essence of its concern is that in the absence of detailed survey, it is not possible to know the amount of land which might need to be set aside for mitigation and therefore the capacity of the sites for housing cannot be certain.

The Council considers that Southwick Court (site 3565) is capable of supporting 180 dwellings, as the major bat commuting route is likely to be along the Lambrok Stream which will be protected within a corridor of habitat at least 50m wide which is necessary to accommodate flood zones 2 and 3. The Trowbridge Bat Mitigation Strategy is in preparation to guide mitigation for the proposed allocations at the planning application stage. Progress with this document is described in the Addendum to the Wiltshire Housing Site Allocations Plan Pre-Submission Draft (June 2017) Assessment under the Habitats Regulations dated 4 May 2018.

Natural England acknowledges that such a mitigation strategy would be capable of addressing impacts caused through habitat loss / deterioration and recreational pressure. Natural England is involved in the preparation of the Strategy and ultimately will need to agree it as being adequate to ensure no adverse effects on the Bath and Bradford on Avon Bats SAC.

The Environment Agency response dated 22 September 2017 includes comments for site 3565. Provided the sequential approach is applied and development is restricted to Flood Zone 1, the Environment Agency has no objection to this allocation. It makes various recommendations in relation to flood risk assessment and recommends that the Lambrok stream corridor is enhanced for biodiversity. This is consistent with the approach the Council would expect developers to take in relation to flooding and biodiversity.

Further to the considerations of representations in September 2017 it is not, therefore, considered that there is any disjunct between the agencies.

Note that comments made by the EA in relation to the River Avon refer to the Hampshire Avon, rather than the Bristol Avon and are therefore not relevant to Trowbridge allocations.

- c) With regards to the Pre-Submission draft consultation in June 2017 the approach to the consultation is set out in the Regulation 22 (1) (c) Report May 2018.

The invitation for additional comments to be made on the draft Plan following Cabinet on 15th May was made through a Wiltshire Councillor briefing note and made available to all Wiltshire Councillors and Parish and Town Councils. It was a specific opportunity to further consider the Schedule of Proposed Changes and supporting information. Cabinet requested that town and parish councils were included, as well as Wiltshire Council councillors. Members of the public were not specifically informed but the town

and parish councils provide a channel of communication for local communities. These additional comments have been responded to and published through a report in the form of an Addendum to the Cabinet Meeting for 3rd July and can be found here - <https://cms.wiltshire.gov.uk/ielssueDetails.aspx?IId=78391&PlanId=0&Opt=3#AI77768>
Where members of the public have responded these can also found here.