

CABINET

MINUTES of a MEETING held in COUNCIL CHAMBER - COUNCIL OFFICES,
BRADLEY ROAD, TROWBRIDGE, BA14 0RD on Tuesday, 17 January 2012.

Cllr John Brady	Cabinet Member for Finance Performance and Risk
Cllr Lionel Grundy OBE	Cabinet Member for Children's Services
Cllr Keith Humphries	Cabinet Member for Public Health and Protection Services
Cllr John Noeken	Cabinet Member for Resources
Cllr Fleur de Rhe-Philipe	Cabinet Member for Economic Development and Strategic Planning
Cllr Jane Scott OBE	Leader of the Council
Cllr Toby Sturgis	Cabinet Member for Waste, Property Environment and Development Control Services
Cllr John Thomson	Deputy Leader and Cabinet Member for Adult Care, Communities and Housing
Cllr Dick Tonge	Cabinet Member for Highways and Transport
Cllr Stuart Wheeler	Cabinet Member for Campus Development and Culture (including Leisure, Sport and Libraries)

Also in Attendance: Cllr Richard Britton, Cllr Chris Caswill, Cllr Christine Crisp
Cllr Peter Doyle, Cllr Richard Gamble, Cllr Jon Hubbard
Cllr Jacqui Lay, Cllr Howard Marshall, Cllr Laura Mayes
Cllr Francis Morland, Cllr Jeff Osborn, Cllr Judy Rooke
Cllr Anthony Trotman, Cllr Ian West. Cllr Christopher Williams

13. Apologies

All members were present.

14. Declarations of Interest

The Leader referred all Councillors present to the previously circulated letter from the Monitoring Officer which gave detailed advice on interests in so far as this meeting was concerned on the item on the Wiltshire and South Wiltshire Core Strategies (minute no.s 17 and 18 respectively refer).

Cllr Toby Sturgis, Cabinet member for Waste, Property, Environment and Development Control Services declared a prejudicial interest in the item on the Wiltshire Core Strategy in so far as it related to land at Great Somerford which he had previously owned and currently lived adjoining the site.

Cllr Judy Rooke declared a prejudicial interest as her property backed on to Rowden Lane, Chippenham which was very close to the Country Park and strategic site proposed for development in the Wiltshire Core Strategy. Cllr Rooke had lodged formal questions on the Wiltshire Core Strategy which she presented under the item and then withdrew from the meeting.

15. Leader's announcements

There were no announcements.

16. Public participation

The Leader reported receipt of questions and statements received in respect of the Wiltshire Core Strategy (minute no. 18 refers) which would be taken at the item. In addition, she said she would be happy for members of the public present to participate in the discussion on items on the agenda.

17. Adoption of South Wiltshire Core Strategy

Cllr Fleur de Rhe Philipe, Cabinet member for Economic Development and Strategic Planning presented a report which requested Cabinet to note the content of the Inspector's Report into the examination of the South Wiltshire Core Strategy Development Plan Document (DPD) and his conclusions regarding soundness.

The report also sought approval for the South Wiltshire Core Strategy, as amended by the changes identified in the Inspector's Report, being recommended to Full Council at its meeting on 7 February 2012 for adoption.

Cllr Fleur de Rhe Philipe presented the Inspector's Report and draft South Wiltshire Core Strategy for Cabinet's consideration. She explained the background to the Strategy following its endorsement by Council in November 2009 for the purposes of submitting it to the Secretary of State for consideration. However, the Examination in Public process was suspended in light of proposals to abolish the Regional Spatial Strategy and at the time the impending Localism legislation to enable the Council to reconsider the housing and employment figures. It was agreed with the Inspector that a review be carried out, which was completed and approved for submission to the Inspector by Full Council on 22 February 2011.

The target for housing growth was revised down to 9,900 and the target for jobs growth revised down to 10,400 over the plan period. Such changes were considered by the Inspector as 'focussed changes' and were the subject of consultation and the Examination process re-opened to consider these changes.

The Inspector's Report delivered in October 2011, considered the Core Strategy sound and compliant with legal requirements. The Inspector had recommended

a number of changes that needed to be made to the submission draft Core Strategy to make it sound. Most of these changes were those put forward by the Council and were based on evidence. The Inspector had made two small changes and details of all changes were set out in Annexes to the report presented.

Once adopted, the South Wiltshire Core Strategy would replace a number of saved policies in the Salisbury Local Plan and would form part of the statutory development plan for the south of the County. The policies within the South Wiltshire Core Strategy, had been subsumed into the Draft Wiltshire Core Strategy Submission Document which would be considered later in the meeting (minute no. 18 refers) to ensure delivery of a single Core Strategy for Wiltshire.

Cllr de Rhe Philippe emphasised that the Inspector's Report was binding on the Council and the recommendations it contained must be adhered to. The Council therefore had the option of either adopting it or rejecting it but not to make any further changes. Rejection of the Inspector's Report at this stage would result in there being no up to date development plan for the southern part of Wiltshire. This would leave a policy vacuum at a time when the Government had stated its intention to ensure that there was a presumption in favour of sustainable development in the absence of an up to date plan.

Resolved:

- a) **To recommend to Council that the South Wiltshire Core Strategy, as amended by the changes identified in the Inspector's Report, be adopted as part of the statutory development plan for Wiltshire.**
- b) **Following approval of Council, to agree that the Service Director for Economy and Enterprise in consultation with the Cabinet Member for Economic Development and Strategic Planning, undertakes the final stages associated with the formal adoption of the Core Strategy.**

Reason for decisions

The South Wiltshire Core Strategy will form part of the Council's Policy Framework. In line with the Local Government Act and the Council's constitution it must first be approved by Cabinet before it is adopted by Full Council. The Inspector's Report is binding on the Council and his recommendations must be acted upon. As the document has been found sound its adoption by the Council would ensure up-to-date planning policy is in place for southern Wiltshire.

18. Pre-Submission Draft Wiltshire Core Strategy Development Plan Document

Cllrs Toby Sturgis and Judy Rooke declared prejudicial interests in this item as detailed under minute no. 14 above.

Public Participation

Written representations were received from the following members of the public in the form of questions and statements, details of which, together with responses were circulated:

Mr John Kirkman
Mr Kim Stuckey
Mrs Marilyn Mackay
Mr Edward Heard
Mr Ken J McCall (Campaign for a Better Trowbridge)
Mr Michael Sprules (Chairman of Residents Against Development Affecting Recreation Land - RADAR)
Mr Nick Murry
Pinsent Masons (Chippenham 2020)
Mr Tony Peacock, Showell Protection Group

Cllr Judy Rooke (member for Chippenham Lowden and Rowden)

Verbal representations were also made at the meeting by:

Mr Ken J McCall
Mrs Anne Henshaw (North Wiltshire and Swindon Council for the Protection of Rural England)
Mr Ian James
Mrs Jane Browning
Mr Richard Hames
Mr Peter Humphries
Mr Owen Inskip (Chippenham 2020)
Mr Michael Sprules
Mr Edward Heard
Mr Nick Murry

Cllr Fleur de Rhe Philipe, Cabinet member for Economic Development and Strategic Planning presented a report which sought the following:

- Cabinet's recommendation to Council that the Draft Wiltshire Core Strategy Development Plan Document (DPD) be formally published for a final stage of consultation and

- endorsement of the Pre-Submission Draft Wiltshire Core Strategy DPD and to recommend that Council approves the document for the purpose of Submission to the Secretary of State.

If agreed, the recommendations would be presented to Council at its extraordinary meeting on 7 February 2012.

The report also set out the arrangements for consultation and the next steps in the process.

Cllr de Rhe Philipe accordingly presented the Draft Wiltshire Core Strategy DPD and related documents for Cabinet's consideration.

The Wiltshire Core Strategy, once adopted, would provide an up-to-date strategic planning policy for Wiltshire and ensure that Wiltshire developed in the most sustainable way. The South Wiltshire Core Strategy, which had been earlier in the meeting recommended to Full Council for adoption (minute no. 17 above refers) had been subsumed into the Draft Submission Document to ensure delivery of a single Core Strategy for Wiltshire.

Cllr de Rhe Philipe explained how the draft document had evolved and the extensive consultation undertaken on it.

The June 2011 Consultation Document had formed the basis for the development of the Pre-Submission Draft Core Strategy now presented. It was however noted that there had been changes made as a result of consultation, further refinement of the evidence base and to aid clarity. Details of the changes were presented and Cllr de Rhe Philipe highlighted the main areas of change.

Cllr de Rhe Philipe presented a table of further proposed changes which were considered necessary to correct drafting errors, further improve clarity and/or to strengthen the document. In the interests of transparency, these further changes are attached as an appendix to these minutes which also highlights minor changes agreed following debate at this meeting.

Cabinet was advised that by endorsing the Pre-Submission Draft Core Strategy for publication (i.e. the consultation on the soundness of the draft DPD) and subsequent submission to the Secretary of State, the Council considered that the document was sound.

If Full Council approved publication, preparations would be made to publish the Draft Wiltshire Core Strategy and supporting documents for a period of six weeks in accordance with the Council's Statement of Community Involvement and statutory requirements.

The consultation would start on or around 20 February 2012 and finish before the Easter weekend. The consultation would provide an opportunity to

challenge the soundness, rather than to re-open the discussions that had informed the development of the document.

Following consultation and subject to there being no representations that raised fundamental issues of soundness of the Plan, Full Council could then approve the document for Submission to the Secretary of State without the need to refer back to Cabinet.

Once submitted to the Secretary of State (July 2012), the process of Independent Examination by a Government appointed Planning Inspector would then commence.

Cllr de Rhe Philippe stressed that not progressing the Core Strategy would expose Wiltshire to speculative proposals that it would not be well placed to defend or develop in a way that maximised benefits for local communities.

A number of Councillors addressed Cabinet on the document particularly in relation to their respective electoral division areas to which Cllr de Rhe Philippe and the Service Director for Economy and Enterprise responded.

Cllr de Rhe Philippe thanked officers for the huge amount of work involved in getting the Wiltshire Core Strategy DPD document to this stage.

Following debate and on hearing contributions from members of the public, it was

Resolved:

That Cabinet agrees to:

- a) **amend the Draft Wiltshire Core Strategy as detailed in the appendix to these minutes and for these amendments to be incorporated in the document to be presented to Council;**
- b) **recommend to Council on 7 February 2012 that the Draft Wiltshire Core Strategy as amended be approved for publication for a final six week statutory consultation period commencing on or around 20 February 2012;**
- c) **endorse the Draft Wiltshire Core Strategy as amended and recommend that Council approves the document for the purpose of Submission to the Secretary of State subject to there being no representations received during the consultation which, in the opinion of the Director for Economy and Enterprise in consultation with the Cabinet Member for Economic Development and Strategic Planning, raise fundamental issues on the soundness of the Strategy and**

- d) **authorise the Service Director for Economy and Enterprise, in consultation with the Cabinet Member for Economic Development and Strategic Planning to make any further necessary changes to the Draft Core Strategy in the interests of clarity and accuracy before it is published, and to make arrangements for consultation.**

Reason for decisions

To ensure that progress continues to be made on preparing an up-to-date development plan for Wiltshire, in line with the timetable set out in the Council's recently approved Local Development Scheme and statutory requirements.

19. **Urgent Items**

There were no urgent items.

Minutes - Appendix

(Duration of meeting: 2.30 - 4.30 pm)

These decisions were published on the 24 January 2012 and will come into force on 1 February January 2012.

The Officer who has produced these minutes is Yamina Rhouati, of Democratic Services, direct line 01225 718024 or e-mail yamina.rhouati@wiltshire.gov.uk
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Pre-Submission Draft Wiltshire Core Strategy Development Plan Document

Changes

The following changes to the draft Wiltshire Core Strategy were approved by Cabinet on 17 January 2012. They are considered necessary to correct drafting errors, improve clarity and/or to strengthen the document.

Further changes may also be required, which constitute more minor changes and in the interests of clarity and accuracy. These are not identified and will be addressed under delegated authority.

Document Reference	Change required	Reason for Change
Beginning of document	Add new paragraphs to clarify 'How to use this document', including text from June 2011 consultation document.	To improve clarity.
Paragraph 2.0	Delete sentence "A rural buffer policy has historically effectively protected the identity of outlying rural settlements in this part of Wiltshire and been successful in retaining the openness of the countryside" This statement could create confusion, as the Rural Buffer policy will be revoked when the provisions of the Localism Act fully come into force. References in the Royal Wootton Bassett Area Strategy section already cover the issue reflected in this statement.	To improve clarity.
Page 29	Wiltshire Key Diagram: Wilton should be shown as a Local Service Centre rather than 'Market Town. Shading showing Housing Market Areas (HMA) is incorrect and should show Royal Wootton Bassett and Cricklade Community Area in the <u>west</u> HMA and Amesbury should be in the <u>south</u> HMA.	Drafting error.
Core Policy 1	Review supporting text to Core Policy 1 and Core Policy 2 to improve clarity and address: Large and small villages are treated together within Core Policy 1, although the approach to each of these types of settlements is different within the supporting text (e.g. paragraphs 4.14 and 4.15) and within Core Policy 2. See changes to paragraphs 4.14 and 4.28 below also.	To improve clarity.

Document Reference	Change required	Reason for Change
Paragraph 4.14	Revisions to clarify small and infill developments in smaller settlements. New text underlined.	To improve clarity and strengthen document.

	<p>4.14 At the settlements identified as villages, a limited level of development will be supported in order to help retain the vitality of these communities. At Large Villages the existing settlement boundaries will be retained and development will predominantly take the form of small housing and employment sites within the settlement boundaries. <u>Small housing sites are defined as sites involving less than 10 dwellings (i.e. not a major application)</u> Development outside the settlement boundary will be strictly controlled. Relaxation of the boundaries will only be supported where it has been identified through a community-led planning policy document, such as a Neighbourhood Plan, which includes a review of the settlement boundary to identify new developable land <u>to help meet the housing and employment needs of that community</u>. In turn this could bring forward benefits to the local community such as improvements to the economy through the identification of land for employment purposes.</p>	
<p>Paragraph 4.28</p>	<p>Add the following wording to the end of paragraph 4.28: “The delivery strategy defines the level of growth appropriate within the built up area of small villages as infill. For the purposes of core policy 2, infill is defined as the filling of a small gap within the village that is only large enough for not more than a few dwellings, generally only one. Exceptions to this approach will only be considered through the Neighbourhood Plan process.”</p>	<p>To improve clarity and strengthen the document.</p>
<p>Paragraph 4.35</p>	<p>Add “(including low-carbon and renewable energy)” to bullet point 2.</p>	<p>To improve clarity.</p>
<p>Core Policies 2 and 32, Appendix A (Development Template)</p>	<p>Amend number of dwellings for Station Road Strategic Site, Westbury to 250 dwellings rather than 300 dwellings.</p>	<p>Drafting error.</p>

Document Reference	Change required	Reason for Change
Core Policy 2	<p>(i) Change “around 37,000 homes” to “at least 37,000 homes”.</p> <p>(ii) Insert new wording in second paragraph of Core Policy 2 to emphasise the priority afforded to employment land delivery:</p> <p>“This will be delivered in a sustainable pattern in a way that prioritises the delivery of <u>employment land</u>, the re-use of previously developed sites...”</p> <p>(iii) Add sentence onto the end of paragraph relating to the “Development outside of the limits of development will only be permitted where it has been identified through community led planning documents including neighbourhood plans...” to ensure development is sustainable, accords with the wider Strategy and does not take place in the open countryside. New text as follows:</p> <p>“This must be adjacent or well related to the limits of development.”</p> <p>(iv) Add new text “Master plans will be developed for each strategic site in partnership with the local community, local planning authority and the developer.” at the end of the text introducing the list of ‘strategic development’ sites in Core Policy 2.</p> <p>(v) Add new text to follow change made under (iv) above. “At mixed use strategic sites development will be phased to ensure employment land and appropriate infrastructure is brought forward during the early stages of development”</p> <p>(vi) Proposed Bradford on Avon strategic site should read 2 to 3 hectares of employment land, rather than 2.3 hectares.</p>	<p>Drafting errors, to improve clarity and strengthen document.</p> <p>Changes (ii) and (v) have been made in response to discussion at Cabinet.</p>
Page 45	Amesbury Community Area Map: Durrington and Bulford to be shown on map.	Drafting error.
Page 54	Bradford on Avon Community Area Map: Amend area of strategic site (Kingston Farm) to be the same as that shown in the development proforma in Appendix 1 (part of the site is missing).	Drafting error.

Cabinet 17 January 2012 - Appendix

Document Reference	Change required	Reason for Change
Core Policy 9	<p>Chippenham Central Area of Opportunity:</p> <p>Add to end of bullet point on Langley Park “to support the retention of significant business uses on part of the site.”</p>	To improve clarity and strengthen policy.
Paragraph 5.65	<p>Devizes Area Strategy:</p> <p>Remove final bullet point as limits of development not shown on the proposals map and other points covered by other bullets in the list.</p> <p>In 7th bullet point, floorspace needed should be comparison retailing and not convenience</p>	To improve clarity and correct drafting error.
Page 79 and Core Policy 12	<p>Devizes Area Strategy:</p> <p>Rowde should be shown as a Large Village and not a Small Village.</p>	Drafting error and strengthening document.
Page 84	<p>Malmesbury Community Area Map:</p> <p>(i) Oaksey is marked incorrectly on the map and should be shown as a Large Village.</p> <p>(ii) Dauntsey is designated as a Small Village and should be shown on the map.</p>	Drafting error.
Paragraph 5.92	<p>Insert new bullet point regarding loss of small employment sites in Pewsey, which has been an issue in recent years. To mitigate this loss, opportunities to bring forward the saved local plan allocation for employment at Marlborough Road Pewsey could be investigated through the neighbourhood plan process.</p>	Drafting error.
Page 105 and Core Policy 18	<p>Pewsey Area Strategy:</p> <p>(i) Charlton St Peter should be added as a small village and Wilsford to be removed from small villages.</p> <p>(ii) Redraft bullet point in Core Policy 18 regarding Principal Employment Areas to refer to these as locally important rural employment sites to clarify their status and update list.</p> <p>(iii) Reference needs to be made to saved Local plan allocation for employment land in Pewsey.</p>	Drafting errors and strengthening of document.
Paragraph 5.109	<p>Salisbury Area Strategy:</p> <p>Insert new bullet point to clarify that the cumulative impact of all Strategic Sites at Salisbury should be considered in transport assessments.</p>	To improve clarity.

Cabinet 17 January 2012 - Appendix

Document Reference	Change required	Reason for Change
Page 127 and Core Policy 24	Area covered by New Forest National Park Area (NFNPA) should be shown on Southern Wiltshire Community Area Map. Exclude villages within NFNPA from Core Policy 24.	
Page 138 and Core Policy 27	Tisbury Area Strategy: Sutton Mandeville is missing from small villages in Core Policy 27. Only Chilmark is identified on the Tisbury Community Area Map as a small village, update to include all small villages in Core Policy 27.	Drafting error.
Page 144	Trowbridge Community Area Map: West Ashton should be shown as a small village.	Drafting error. In response to discussion at Cabinet.
Page 154 and Core Policy 31	Warminster Area Strategy: Upton Scudamore should be shown as a small village.	Drafting error and strengthening document.
All community area Strategies (Chapter 5)	Revise tables showing 'Delivery of Housing 2006 to 2026' for each Community Area so they all refer to a base date of 2011 and have been checked for arithmetical errors including rounding. Remove duplication in Area Strategy in bullet point list of issues, where an 'issue' is covered by other Core Policies in the document and there is no benefit from reiteration. In introductory sentence to list of bulleted "issues", refer to "issues and considerations" rather than just "issues" as this more accurately reflects the points set out. Associated change also required in Core Policies that cross refer to these paragraphs.	Drafting error and to improve clarity.

Cabinet 17 January 2012 - Appendix

Document Reference	Change required	Reason for Change
Para 6.4	<p>Add new wording onto the end of Paragraph 6.4:</p> <p>“There may be proposals that arise during the plan period that are of exceptional strategic importance to the Wiltshire economy and do not strictly accord with the Strategy, which may merit consideration. In such circumstances, potential will be explored in conjunction with the Swindon and Wiltshire Local Enterprise Partnership, with consideration being given to the sub-regional context and impacts on the overall development strategy, in particular not undermining the delivery of the strategic employment sites already planned at settlements.”</p>	Drafting error and to strengthen document.
Paragraph 6.44	Update overall target for affordable housing in line with new threshold, to “at least 10,000 new affordable homes” being delivered rather than “at least 11,000 new affordable homes”.	To strengthen document.
Core Policy 43	Affordable housing provision of 40% (net) will be provided on sites of “5 or more dwellings” rather than “3 or more dwellings”.	This change is necessary to reflect up to date viability evidence and correct drafting error.
Paragraph 6.50	<p>Add text to the end of paragraph 6.50 relating to cross subsidy element of Core Policy 44 - Rural exceptions sites:</p> <p>“The land values in the detailed financial appraisal should be benchmarked against those for agricultural land in the local area and historic values of exception sites.”</p>	To strengthen document.
Table 22, Page 199	<p>Title of Table 22 should be “Supply of permanent accommodation for Gypsies and Travellers, April 2006 to November 2011</p> <p>Heading of second column of Table 22 should read “Permitted Apr 06 - Nov 11”.</p> <p>0 is missing from East under third column.</p>	Drafting error and to improve clarity.

Document Reference	Change required	Reason for Change
Core Policy 47	<p>Period should be 2011 to 2021 and not 2006 to 2021.</p> <p>Provision should be made for 82 permanent pitches and not 167 pitches.</p> <p>Dates in transit provision should be 2011 to 2021 and not 2006 to 2021.</p>	Drafting errors.
Core Policy 48 and Paragraph 6.66	<p>Strengthen policy under heading 'Reuse of redundant buildings' so that it gives priority to proposals for employment and tourism use, and make associated changes to paragraph 6.66. Reword policy as follows:</p> <p>"Reuse of redundant agricultural buildings</p> <p>Proposals to convert redundant agricultural buildings for employment and tourism will be supported where it satisfies all of the following criteria:</p> <ul style="list-style-type: none"> i. The buildings have architectural merit, are structurally sound and capable of conversion without major rebuilding, and only modest extension or modification which preserves the character of the original building; and ii. the reuse would lead to the viable long-term safeguarding of a heritage asset; and iii. the use would not detract from the character or appearance of the landscape or settlement and would not be detrimental to the amenities of residential areas; and iv. The building can be served by adequate access and infrastructure; and v. The site has reasonable access to local services; and vi. the use meets identified local needs for employment. <p>In exceptional circumstances, where there is clear evidence that employment or tourism uses cannot be made viable, residential development may be appropriate where it meets the above criteria and has reasonable access to employment."</p>	To strengthen policy.

Document Reference	Change required	Reason for Change
Core Policy 57	Amend criterion v as follows: “the maximisation of opportunities for sustainable construction techniques, use of renewable energy sources and ensuring buildings and spaces are orientated to gain maximum benefit from sunlight and passive solar energy, unless this conflicts with the character of surrounding townscape, landscape or topography where it is of high quality <u>in accordance with CP 41</u> ”.	To improve clarity.
All Maps	Review all maps and their keys in the interests of clarity and accuracy to ensure correct information is incorporated and make changes where appropriate. For example, including the following: (i) Indicative areas of green space on significant strategic sites to show that not all the site will be covered in built form and areas may need to be kept open, for example, due to flood plains or proposed country parks; (ii) Saved Local Plan allocations; and (iii) Principal Employment Areas.	To improve clarity and drafting errors.
Pages 14 and 15, Appendix A	East Chippenham Strategic Site Development Proforma: (i) Amend final bullet point in ‘Key Objectives’ to read: “Development to enhance and protect the landscape quality and biodiversity of the River Avon corridor, promoting its recreational use, and the sites connectivity to the town and wider countryside through enhanced pedestrian and cycle access along the corridor.” (ii) Amend third bullet point under ‘Transport’ to read: “Improvements to public transport connectivity and pedestrian and cycling links between the town centre, railway station and Wiltshire College campuses, with improved pedestrian and cycle access along the River Avon corridor, are required.	To strengthen document and improve clarity. In response to discussion at Cabinet.

Cabinet 17 January 2012 - Appendix

Document Reference	Change required	Reason for Change
Page 43, Appendix A	Westbury Development Proforma: Insert new objective: “To minimise the realignment of the Lake in securing a link road connecting Station Road and Mane Way, and make alternative suitable provision for the Sailing Club if required.”	To strengthen document and improve clarity. In response to discussion at Cabinet.
Appendix E	Insert Malmesbury and Marlborough into the list of settlement boundaries to be retained.	Drafting error.

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