

Wiltshire Housing Site Allocations Plan Examination

Hearing Statement on Behalf of Linden Homes

Matter 3: Housing Site Allocations

Respondent Ref: 890227

March 2019

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1. The following Hearing Statement has been prepared on behalf of Linden Homes in relation to Inspector's Initial Questions Matter 3: Housing Site Allocations. This Statement addresses questions raised by the Inspector in relation to draft allocation H2.2 Land off the A363 at White Horse Business Park, Trowbridge and relates to previous representations made by BBA Architects and Planners on behalf of Linden Homes, and should be read in conjunction with those representations (580, 581, 582).
2. This Statement covers the following Inspectors questions: 5.1; 5.2; 5.3; 5.4; 5.5; 5.6; 5.8; 5.10.

Q5.1 DOES THE PLAN PROVIDE SUFFICIENT DETAIL ON FORM, SCALE, ACCESS AND QUANTITY OF DEVELOPMENT FOR EACH SITE?

3. For Housing Site H2.2, the WHSAP provides detail on the constraints to the site which would impact on the scale and form of development. This is at an appropriate level of detail to inform development of constraints, but not too restrictive to require particular forms of development. It will be for planning applications to undertake further assessment and to establish the appropriate forms of development/mitigation measures to appropriately address the issues highlighted in the WHSAP.
4. The proposed changes document includes additional information with regards to the heritage assets around the site and requiring that the layout and design of the site would need to give *"great weight to conserving the significance of these heritage assets and their setting in order to minimise harm"* (Proposed changed PC61). Whilst the need to have due regard to heritage assets and their setting is recognised, the wording within the WHSAP must be in accordance with NPPF and recognise the different weight to be applied to designated and non-designated assets. The NPPF uses the term "great weight" in relation to designated heritage assets (para 132 NPPF 2012, and 193 NPPF 2018) and calls for schemes to "take into account" their effect on non-heritage assets and requires a "balanced judgement" to be made (Para 135 of NPPF 2012, and para 197 NPPF 2018).
5. No Information is provided within the WHSAP about access into the site. Whilst this allows flexibility of approach and allows for appropriate in-depth analysis, some broad principles on access can be made now, however this is not considered to be required to make the plan sound. Through the representations submitted, Linden Homes have shown that an appropriate access to serve the development can be achieved from Little Common. This could service the whole site, but it is envisaged that it would form part of a wider transport network with an additional access from the A363 to the north.
6. There is no detail on the quantity of development. As noted under question 5.2 below, the quantum for development currently allocated to the site has been reached arbitrarily and is not based on evidence. Linden Homes, together with other parties within the allocation have demonstrated that in excess of 300 dwellings could be accommodated within the allocation whilst taking into account the constraints to development already highlighted in the WHSAP.

Q5.2 IS THE AMOUNT OF DEVELOPMENT PROPOSED FOR EACH SITE JUSTIFIED HAVING REGARD TO ANY CONSTRAINTS AND THE PROVISION OF NECESSARY INFRASTRUCTURE?

7. The Sustainability Appraisal (SA As revised September 2018) states that the H2.2 Allocation has capacity for approximately 338 dwellings. The SA does state that mitigation measures could reduce this number. However, this is stated for all sites assessed. None of the other sites selected for allocation within the WHSAP have had the same level of reduction against the SA assessed capacity. It is concluded in the SA that no major adverse effects have been identified for this site and development of the site would be unlikely to lead to significant adverse impacts on the Bath and Bradford on Avon Bat Special Area of Conservation (SAC).
8. Despite the SA Assessment, the site was proposed for “approximately 150 dwellings” in the Pre-submission draft WHSAP (September 2017). The reason for the reduction was cited as the need to provide mitigation measures “*to address effects on heritage assets, ecology and landscape*” (Trowbridge Community Area Topic Paper July 2018, page 97). There is no supporting evidence provided to show why the figure of 150 dwellings was considered appropriate.
9. Prior to the approval of the submission version of the WHSAP by Cabinet in July 2018, the Council had proposed to increase the allocation to 225 dwellings “*in order to maximise efficient use of land whilst protecting heritage and ecological interests*” (proposed change ref PC60). However, this was arbitrarily reduced by 50 dwellings by Cabinet members in order to “*Provide for a landscape buffer to North Bradley*” (Minutes of the 3rd July Committee).
10. The figure of 175 dwellings allocated to site H2.2 is not based on evidence and is not a realistic reflection on what the allocated site could achieve, or what contribution the site could make to meeting the minimum housing requirement. This is unsound as it is not justified.
11. Linden Homes, together with other parties within the H2.2 Allocation have prepared an illustrative masterplan which would provide for in excess of 300 dwellings. This is supported by evidence, and demonstrates that the constraints of the site can be appropriately addressed and a landscape buffer provided adjacent to North Bradley.
12. Linden Homes has undertaken various studies relating to ecology, landscape, heritage, drainage and highways (expanded below un Q5.3) which has informed the more detailed layout of the central 6.4ha portion of the site which is under their control. The scheme for the site has developed and evolved, acknowledging comments received from the Council provided through a pre-application enquiry. It is now considered that in excess of 130 dwellings could be provided on the Linden controlled area of land.
13. To make the WHSAP sound Policy H.2 (and Para 5.52) should be amended to allocate in excess of 300 dwellings to allocation H2.2.

Q5.3 WHAT IS THE LIKELY IMPACT OF THE PROPOSED DEVELOPMENT ON THE FOLLOWING FACTORS AND DO ANY OF THESE INDICATE THAT THE SITE SHOULD NOT BE ALLOCATED:

Biodiversity, in particular but not restricted to European protected habitats and species

14. A comprehensive suite of ecological surveys (desk study, phase 1 and phase 2) has been undertaken in accordance with best practice between 2018/ 2019.
15. Overall, the fields, which comprise the main habitats across the allocation, are of low ecological value, although the network of hedgerows, woodland edge and mature trees, and limited areas of wetter grassland, provide suitable habitat for a range of species (including European Protected Species).
16. Impacts on biodiversity will be avoided or minimised, such that any effects are unlikely to be significant, and a net gain in biodiversity will be provided, on the basis that development proposals;
 - Provide a comprehensive, site wide approach to ecological matters through construction and into long term management;
 - Retain key features of ecological value and provide wide 'dark corridors' for bat commuting/ foraging, as shown on the illustrative masterplan;
 - Include opportunities for a wide range of habitat enhancements across the site allocation.

Green infrastructure and agricultural land

17. Existing green infrastructure assets principally comprise the key ecological features (woodland, trees, hedgerows and wetland) and the public footpath, with associated amenity, through the site.
18. Impacts on green infrastructure will be avoided/ minimised and enhanced on the basis that development proposals, as shown on the illustrative masterplan (reps 580-581);
 - Retain the public footpath within areas of open space through the site, and improve path accessibility;
 - Retain key assets, as far as practicable, within areas of public open space;
 - Include for an appropriate range and distribution of high quality publicly accessible open space.
19. The agricultural land quality is grade 3. The existing land is currently under pasture/agricultural tenancy and let for grazing.
20. Loss of future agricultural land quality will be minimised through the retention of areas of open space through the site and careful/ appropriate soil management strategy through construction.

Landscape quality and character

21. The site is not subject to any national or local landscape designations. Local Landscape Character Assessment (LCA) notes a 'stronger urban feel' in the local area than other locations. Landscape sensitivities include the function as part of the landscape setting of North Bradley and the network of vegetation.
22. Impacts to landscape quality and character will relate to the change from the agricultural land to residential development. Impacts will be minimised on the basis, as shown on the illustrative masterplan (reps 580-581), that;
 - A comprehensive, site wide landscape strategy and future landscape management plan is provided;
 - Consideration is given to providing a suitable landscape buffer at, and respecting, the edge of North Bradley
 - Key landscape features are retained within a new landscape framework, which includes new tree and hedgerow planting and provision of open spaces through the site;

Heritage assets

23. A Heritage Statement and Heritage Impact Assessment Technical Notes have been prepared to inform the design and layout of the allocated site.
24. Five heritage assets have been identified which could be sensitive to change to their setting as a result of the proposed development on the Linden controlled part of the site. Based on the current proposals that have been amended to take into account the Council's comments at a pre-application enquiry and allow a more open area between the burial ground and Little Common Farm, it has been concluded that any harm associated with historic assets is minimal and can be mitigated through the proposed illustrative masterplan for the scheme.

Strategic and local infrastructure including transport

25. The Trowbridge Transport Strategy Refresh (2018) (TTSR) stated that H2.2 would only have marginal impact on the network performance, without considering any specific mitigation measures. The model also considered two scenarios of highway mitigation measures, and demonstrates reduced journey times and delay across the network.
26. Junction modelling has demonstrated a potential access onto Westbury Road via Little Common would operate well, as shown in Transport Plan Review Reps (October 2018) produced by Vectos. This concludes that only simple highway works are required to facilitate access.
27. The Vectos Transport Plan review Reps demonstrate that in the context of public transport within Wiltshire and specifically Trowbridge, the level of bus provision can be considered to be extremely good.

The efficient operation of the transport network, highway safety.

28. The junction modelling within Transport Plan Review Reps (October 2018) document produced by Vectos demonstrates that after considering cumulative development impacts (contained within traffic growth forecast to 2021), the potential access junction at Little Common /Westbury Road operates well.
29. The TTSR and preliminary access junction modelling has demonstrated that the transport related implications of the allocation do not require mitigation measures, as the impact is either marginal or negligible.
30. The Vectos Transport Plan review reps (Oct 2018) confirm that the number of recorded accidents in the vicinity of the proposed access from Little Common do not appear high and would not prejudice access to a residential scheme. The Trowbridge Transport Strategy Refresh (2018) identifies the A363 / Philips Way roundabout, located to the southeast of the allocation, as a collision cluster location. It has been assessed that the allocation would make up only a small proportion of traffic routing through the roundabout, and also the wider Trowbridge highway network, and therefore would not have a severe impact upon road safety.

Air and water quality, noise pollution, odours, land stability, groundwater and flood risk;

31. According to the Flood Map for Planning, the site is entirely located in Flood Zone 1. It is therefore at a low level of risk from fluvial and tidal flooding. The Risk of Flooding from Surface Water map identifies a minor flow path through the site. This drainage mechanism will be retained in the proposed scheme. An initial desktop review has not identified any other potential sources of flooding. Therefore, there are limited flood risk development constraints at the site.
32. Surface water runoff from the proposed development will be managed based upon the principles of Sustainable Drainage Systems (SuDS). This will be undertaken in a way that will ensure that both the rate and volume of runoff disposed from the site does not exceed the pre-development conditions.

Open space, recreational facilities and public rights of way.

33. The site is currently in private ownership, with public access only available via the public footpath and Little Common.
34. The illustrative masterplan (reps 580-581) provides opportunities for open space and appropriate recreational uses and retains the use of the public rights of way.

Q5.4 IN RELATION TO THE ABOVE, DOES THE PLAN CONTAIN EFFECTIVE SAFEGUARDS OR MITIGATION MEASURES NECESSARY TO ACHIEVE AN ACCEPTABLE FORM OF DEVELOPMENT?

35. With respect to landscape and ecological issues, the plan contains appropriate policies, and will in due course be supported by Trowbridge Bat Mitigation Strategy TBMS. However, the current draft status of the TBMS does not provide a fully evidenced justification for the proportionality of habitat requirements.
36. The transport impacts of development would be marginal, and therefore safeguards or mitigation measures specific to the development are not required. It is recognised that the allocation needs to be properly masterplanned to facilitate movement corridors across the wider site to spread the traffic impact and provide convenient walking and cycling routes. The mitigation measures that are proposed at a strategic level would mitigate any cumulative impacts from the wider Local Plan proposals.
37. The Public Right of Way NBRA7 would be safeguarded following development on the allocation.

Q5.5 WHAT INFRASTRUCTURE IS CRITICAL TO THE DELIVERY OF EACH SITE? WHERE CONTRIBUTIONS ARE SPECIFIED, ARE THEY NECESSARY AND JUSTIFIED BY THE EVIDENCE BASE? IS THE PLAN SUFFICIENTLY CLEAR ON HOW AND WHEN INFRASTRUCTURE PROVISION WILL BE REQUIRED?

38. The TTSR identifies the relationship between key schemes and development sites. This is further split into; pedestrian and cycling accessibility, public transport accessibility, and highway connections. Indicative costs of the schemes are also outlined within the Trowbridge Transport Strategy Refresh (2018).
39. The TTSR sets out the development sites relationship to the pedestrian/cycle scheme, determining whether a development sites have a 'direct' or 'cumulative' relationship. This identifies 'direct' and 'cumulative' relationships that the allocation site has with pedestrian and cycle schemes.
40. In regards to public transport accessibility, the A363 Bradley Road is identified as a bus corridor to be enhanced for direct access to the allocation. Alongside this, a cumulative impact scheme to improve town centre public transport infrastructure is considered.
41. The TTSR identifies highways schemes which are necessary infrastructure measures for delivering development. The document identifies 'Direct Route 1 (A361 Frome Road)' and 'Cumulative Route 1 (Town Centre and Trowbridge Rail Station)' as main access routes to the allocation. The schemes, and relevant cost, related to these routes are also shown within the document.
42. In regards to how schemes related to the allocation will be delivered, the Trowbridge Transport Strategy Refresh (2018) states:

“At this stage, there is no expectation that all of these schemes would be funded in full by developments at the allocated sites. A range of funding options will be considered. £14.3m has been secured to date towards the £26m costs for YAWARR, £5.5m from Local Growth Fund (LGF) grant and £8.8m from Housing Infrastructure Fund (HIF).”

43. It is clear that the schemes identified would provide a direct and clear benefit to the allocation site, however the cumulative residual impacts are shown not to be severe and therefore the allocation would be deemed acceptable without these schemes coming forward.

Q5.6 IS THE SITE IN AN ACCESSIBLE LOCATION WITH GOOD ACCESS TO EVERYDAY FACILITIES BY A RANGE OF MEANS OF TRANSPORT? DOES THE PLAN PROVIDE AN ADEQUATE BASIS TO ADDRESS ANY AREAS OF DEFICIENCY?

44. The WSHAP states that: *“... [the site] is reasonably well located with regard to services and facilities” (Pg. 44).*

45. The allocation’s proximity to North Bradley and south Trowbridge means there are a range of facilities and services nearby. The multiple points of access into the site, both vehicular and non-vehicular, will ensure permeability of the site and enable access to the full range of existing facilities in the local area. The Transport Plan Review Repts (Oct 2018) produced by Vectos demonstrates a number of key facilities and relevant transport links in proximity to the development. Access to a number of day-to-day destinations such as a primary school, employment and local leisure and retail are all within a comfortable walking distance.

46. It can therefore be concluded that the allocation is considered to be in a sustainable location as recognised by Wiltshire Council.

Q5.8 IS THE DEVELOPMENT PROPOSED FOR EACH SITE DELIVERABLE IN THE TIMESCALES ENVISAGED?

47. Linden Homes have control over the central 6.4ha portion of the allocated site H2.2 Land off the A363 at White Horse Business Park, Trowbridge. Linden have been liaising with other parties within the allocation in order to bring forward a co-ordinated scheme for the whole area.

48. Linden are a National House Builder and keen to develop the site as soon as possible. The Linden part of the site is served by Little Common, a public highway which has been assessed to provide appropriate access for the site. The Linden part of the site could therefore come forward independently of the other parts of the site (whilst being in accordance with a wider masterplan) or act as Phase 1 of development. A pre-application enquiry has already been undertaken with the Council and an application could be progressed shortly.

49. The WHSAP currently grossly under allocates the H2.2 site and therefore the potential contribution that the allocation could make to the delivery of housing within Trowbridge in the remaining part of the plan period. As noted in previous representations and in the accompanying hearing statement, it has been demonstrated that in excess of 300 dwellings

could be provided on site whilst ensuring that the aims and objectives of the Core Strategy are met.

Q5.10 For sites in Trowbridge, will the plan be effective in ensuring adequate protection for bat habitats? What is the status of the Trowbridge Bat Mitigation Strategy referred to in the HRA and paragraph 5.44 of the WHSAP? How will this be implemented?

50. The consultation draft Trowbridge Bat Mitigation Strategy (TBMS) was published on 21 February 2019. There is no date set for adoption as SPD.
51. Given the above status, there is uncertainty as to how development proposals will be required to respond. Any habitat requirement, with respect to quantifiable areas, should be clearly evidenced and justified.
52. The draft TBMS;
 - whilst not being specific in terms of widths of habitat or geographic areas, states a requirement for suitable habitat comprising continuous 'wide swathes of unlit habitat' through allocation site H2.2 as well as areas of suitable foraging for bats;
 - indicates that financial payments will be required to be paid, through an as yet to be agreed arrangement, for habitat and recreational mitigation.
53. The illustrative masterplan (reps 580-581) includes a range of opportunities for suitable habitats to be provided. However, the adequacy of the provision will be subject to consultation and agreement with statutory consultees.
54. Financial payments will be made where these are accepted as reasonable and proportional.