

Gladman Hearing Statement
Wiltshire Housing Site Allocations Plan (WHSAP)
Examination

Matter 4 – Settlement Boundaries



March 2019

MATTER 4: SETTLEMENT BOUNDARIES

Issue 6: Are the proposed settlement boundaries justified, effective and consistent with national policy?

General Questions

6.1 What is the policy basis for use of settlement boundaries and their review?

- 6.1.1 The National Planning Policy Framework has never made reference to the use of settlement boundaries as a policy mechanism (taking into account the 2012, 2018 and 2019 versions). However, they are a planning tool that has historically been used in some local planning authority areas (including plans within Wiltshire) to assist in distinguishing between a settlement and the surrounding countryside. They are often accompanied by local policies relating to the principle of development that will be acceptable within settlements and the forms of development that are acceptable in the countryside. Clearly, it is vital that any such policy mechanisms take full account of the importance of sustainable settlements in accommodating the new growth that is required to meet the needs of the area. Indeed, the approach taken in this regard has a critical role to play in ensuring that local plans contain the flexibility that is needed to ensure that development needs can be met in full in sustainable locations over a plan period.
- 6.1.2 The policy basis for the settlement boundary review in Wiltshire at this time relates to the need to positively plan to meet the development requirements of the Wiltshire Core Strategy (WCS) over the remainder of the 2006 to 2026 plan period.
- 6.1.3 The WCS indicates that in Wiltshire, the approach will be for development outside of settlement boundaries to be strictly controlled and that the *“Relaxation of the boundaries will only be supported where it has been formally reviewed through a subsequent DPD or a community-led neighbourhood plan, which includes a review of the settlement boundary to identify new developable land to help meet the housing and employment needs of that community”*¹. It therefore follows that the WCS requires settlement boundaries to be reviewed and amended to include the land that is required to meet the development needs of communities across Wiltshire over the remainder of the plan period and that this is a critical role of the Wiltshire Housing Site Allocations Plan (WHSAP).
- 6.1.4 Core Policy 2 of the WCS sets out the delivery strategy for Wiltshire and provides minimum housing requirements for the East Wiltshire HMA, North and West Wiltshire HMA, South Wiltshire HMA, West of Swindon and a total for Wiltshire as a whole.

¹ Paragraph 4.15, Wiltshire Core Strategy

- 6.1.5 Core Policy 2 also sets out the different approach that will be taken towards managing development depending on whether it is located within the defined limits of settlements or outside of the defined limits of development. This indicates that:
- There is a presumption in favour of sustainable development within the defined settlement limits of Principal Settlements, Market Towns, Local Service Centres and Large Villages.
 - A restrictive approach to development will be taken outside of defined limits of development and that limits may only be altered through subsequent Site Allocations DPDs and neighbourhood plans (although a small number of exceptions are highlighted at paragraph 4.25 in relation to employment land, military establishments, tourism, rural exception sites, specialist accommodation and supporting rural life).
- 6.1.6 The preparation of the WHSAP therefore has a critical role to play in ensuring that up-to-date settlement boundaries are put in place that fully reflect and support the development requirements of the WCS and that associated policies provide the flexibility that is needed to ensure that a five year housing land supply can be maintained. Gladman remain concerned that the approach being taken by Wiltshire in setting settlement boundaries does not contain the flexibility that is needed to ensure that the Local Plan requirement will be met in full and that headroom of between 10% and 20% should be included to reflect that the WCS contains a minimum requirement. Such an approach is advocated in order to promote a continuous supply of housing land in line with national policy and reduce the risk of under-delivery.
- 6.1.7 The housing requirement figure outlined in Core Policy 2 is a minimum of 42,000. It is important to note that this figure was the subject of much discussion through the WCS Examination process and was accepted on the basis of the Council's commitment to an early review linked to the completion of a new SHMA. Indeed, it is made clear at Paragraph 81 of the WCS Inspector's Report that: *"the minimum housing figure within the CS should reasonably equate to at least 42,000 homes over the plan period with the flexibility to deliver more"*. It therefore follows that the 'Housing Site Allocations Plan' (WHSAP) must ensure that such flexibility is provided by taking a positive approach to the setting of settlement boundaries that ensures that sustainable forms of development are not arbitrarily prevented from coming forward when they are needed to meet the housing and employment needs of the area in full over the plan period and maintain a five year housing land supply.
- 6.1.8 The WCS was submitted for examination in July 2012 and adopted in January 2015. It is now at a stage that it has just seven years left to run and the planned early review of the WCS has yet to reach an advanced stage, despite the Swindon and Wiltshire Strategic Housing Market Assessment (SHMA) having been completed and published in early 2017. The settlement boundaries that are set through the WHSAP will therefore have only a limited shelf life and will need to be comprehensively reviewed as part of the preparation of the new Local Plan.

- 6.1.9 Core Policy 2 refers to 'development limits'. The setting of settlement boundaries through the WHSAP must not therefore attempt to overlook developed areas that are contiguous to the built form of settlements and any areas where the principle of development has been established through a planning consent or allocation should be included within the defined limits of a settlement. To exclude them would result in the continuation of 'out of date' settlement limits in a manner that is not positively prepared, justified, effective or consistent with national policy.
- 6.1.10 The Council has indicated that the WHSAP will address two key matters: 1) Revise, where necessary, settlement boundaries in relation to the Principal Settlements of Salisbury and Trowbridge, Market Towns, Local Service Centres and Large Villages; and, 2:)Allocate new sites for housing to ensure the delivery of homes across the plan period in order to maintain a five year land supply in each of Wiltshire's three Housing Market Areas over the period to 2026. Gladman are of the view that these two matters are inter-related and that the existing built form, allocations and committed sites need to be included within the development limits that are being reviewed through the WHSAP. In its current form, the WHSAP fails to fully address these key matters and modifications are required to the proposed settlement boundaries to rectify this.
- 6.1.11 The need to review settlement boundaries is considered within the WCS Inspector's Report at Paragraph 36, which highlights that the Council continues to rely on development plan documents that were adopted several years ago, indicating that it cannot be argued with great strength that the settlement boundaries contained therein are up to date for the purposes of the WCS plan period (2006 to 2026). Notably, the Inspector's Report states that the Council (through WCS Topic Paper 3 'Settlement Strategy') concedes that the existing settlement boundaries are out of date as they do not reflect the current urban form and require review and updating. Furthermore, Paragraph 37 of the WCS Inspector's Report highlights that the large geographical scale of Wiltshire presents challenges to the practical completion of an appropriate and swift review of settlement boundaries, but makes clear that the "Sites DPD" provides scope to advance a timely review. Paragraph 4.13 of the WCS was therefore modified through Main Modification 5 and includes the following text:
- "These settlement boundaries will be reviewed as part of the Wiltshire Housing Site Allocations and Chippenham Site Allocations DPDs, as set out in the Council's Local Development Scheme, in order to ensure they are up to date and can adequately reflect changes which have happened since they were first established."**
- 6.1.12 Settlement boundaries should reflect all proposed housing allocations and committed sites in order to demonstrate a commitment towards their role in boosting the supply of housing over the remainder of the plan period in line with the requirements of paragraph 47 of the NPPF 2012. Indeed, by excluding such sites, the proposed settlement boundaries will become out of date as soon as development starts and calls into question the Council's commitment towards enabling the

timely delivery of site allocations and committed sites where the principle of development has already been established.

- 6.1.13 The current and planned built form of settlements should be included within the development limits that are being set by settlement boundaries. This requires the inclusion of all employment sites (both existing and planned), together with other contiguous land uses (such as community buildings and retail uses) that perform an important role in terms of how the settlement functions.
- 6.1.14 In summary, the policy position confirms that it is essential for settlement boundaries to be re-drawn through the process of preparing the WHSAP in order to accurately define the development limits of settlements in a manner that can endure over the remainder of the plan period. They must therefore include the land that is needed to deliver the level of development that is required by the WCS with sufficient flexibility provided within the policies of the Plan to meet this requirement as a minimum and for the Plan to be in a position to positively respond to rapid change.

6.2 Is the Council’s methodology for reviewing settlement boundaries soundly based?

- 6.2.1 No, as set out in response to 6.1 above, Gladman are of the view that the Council’s methodology is not soundly based in that it does not represent a positively prepared, justified or effective approach to the setting of settlement boundaries. Furthermore, it is not consistent with national policy in that it fails to enable the delivery of the sustainable development that is needed to meet development needs in full, with sufficient flexibility to respond to changing circumstances.
- 6.2.2 One down side to the use of settlement boundaries is that they very quickly become out of date as sustainable development comes forward at settlement edge. As a result, a criteria based alternative approach to the consideration of development at the settlement edge is preferable. Where settlement boundaries are proposed, it is therefore important that they are accurately defined through the local plan making process with longevity in mind by ensuring that the existing built form, committed sites and site allocations are included within them.
- 6.2.3 In view of our comments outlined above, Gladman object to the Council’s methodology for the setting of development limits and are of the view that the following criteria should be used as an alternative:

Table 1:- Gladman’s Proposed Settlement Boundary Review Methodology

Gladman’s proposed settlement boundary review methodology
<ul style="list-style-type: none"> • Settlement boundaries will define the proposed development limits over the plan period 2006 to 2026. • The settlement boundaries define the built form of the settlement by, where practicable, following but not including clearly defined physical features, such as walls, fences, hedgerows, roads and water courses.

<p>Areas which have been included are:</p>	<ul style="list-style-type: none"> • Both built and extant planning permissions for residential and employment uses for areas which are physically and functionally related to the settlement; • Existing and extant planning permissions for community facilities, such as religious buildings, schools and community halls which are considered to be physically and functionally related to the settlement; • Site allocations identified in the development plan for both residential, community and employment uses which are physically and functionally related to the settlement; • The curtilage of a property that relates more closely to the built environment (e.g. a garden) or has limited capacity to extend the built form of the settlement in terms of scale and location; and, • Recreational or amenity space at the edge of a settlement that relates closely to the built environment
<p>Areas which have been excluded are:</p>	<ul style="list-style-type: none"> • Curtilages of properties which have the capacity to extend the built form of the settlement. This includes large residential gardens; • Recreational or amenity space at the edge of settlements which primarily relate to the countryside (in form or nature); and,

	<ul style="list-style-type: none"> Isolated development which is physically or visually detached from the settlement (including farm buildings or agricultural buildings, renewable energy installations).
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6.2.4 At the Regulation 18 stage, Wiltshire Council published a methodology which is summarised in Table 5.1 on page 13 of the Council's Topic Paper 1: Settlement Boundary Review Methodology. This approach is broadly consistent with what Gladman is proposing above. Indeed, the approach set out here is also broadly consistent with the settlement boundary methodologies that the Council has identified as 'best practice' within the Council's Topic Paper 1 at Section 3. Such an approach would also align with the soundly based methods taken by a large number of local planning authorities when setting settlement boundaries that have been reviewed by Gladman in recent years when preparing representations as part of their plan making processes. A number of examples of the principles that have been used by local planning authorities when setting settlement boundaries through the local plan making process can be seen in Table 2 below:

Table 2: – Review of Local Plan Settlement Boundary Methodologies.

Local Plan	Approach to setting settlement boundaries
Hinckley and Bosworth Borough Council Site Allocations (2016)	Settlement Boundaries demark a contiguous concentration of existing residential and employment premises as well as services and facilities. They also include existing allocations and commitments (i.e. unimplemented planning permissions and implemented permissions).
South Derbyshire District Council Part 2 Local Plan (2017)	Where practical, settlement boundaries will be drawn tightly following defined physical features, such as walls, fences, hedges, roads etc. Settlement boundaries do not always need to be continuous. In some instances it may be more appropriate to define more than one element of a settlement, due to a settlements nature and form. Settlement boundaries include: housing allocations; existing housing and employment commitments, (i.e. unimplemented planning permissions and implemented planning permissions) which are physically/functionally related to the settlement; Curtilage of buildings or other land which closely relate to the character of the built form;

	undeveloped land allocated within the 1998 adopted local plan, which relates closely to the character of the built form of the settlement; and, Employment allocations.
Milton Keynes Settlement Boundary Study (2017)	<p>The 1995 settlement boundaries in the existing local plan being used as a starting point, with changes made to them only where evidence exists to support that change;</p> <p>The boundaries of Site Allocations within the emerging Plan:MK (none of which had been consented at the time of writing) and allocations within made neighbourhood plans; and</p> <p>Development consents for non-agricultural uses within or adjacent to existing built-up areas, both implemented and not implemented, affecting settlement boundaries between 1995 and present.</p>
The Plan for the Borough of Wellingborough Part 2 (2019)	Settlement boundaries include: Buildings and curtilages which are contained and visually separate from the countryside; land with planning permission; and, new allocations within the Plan.
Derbyshire Dales Local Plan (2017)	<p>Paragraph 4.24 of the adopted Local Plan provides the criteria against which settlement boundaries have been set.</p> <ul style="list-style-type: none"> i. existing commitments by virtue of an extant planning permission, for residential or employment development on the fringes of settlements; ii. allocations of the land for residential, employment and other purposes within this plan; iii. the presence of clearly defined physical features such as wall, fences, hedgerows, roads, streams;

	<ul style="list-style-type: none"> iv. the inclusion of schools, halls, large houses and other buildings which stand in extensive grounds, would depend on their relationship to the overall fabric of the settlement. In some cases, their relative isolation caused by their spacious setting would justify total exclusion, whereas in other cases, the building itself could be included within the Settlement Development Boundary but the curtilage excluded; v. residential curtilages exclude; paddocks, orchards, land used for recreational purposes and similar uses and land separated from the main curtilage by a physical boundary; vi. open areas, including formal and informal recreation space, which contribute to the character or setting of a settlement, are excluded either to safeguard their use or to maintain their contribution to the wider landscape setting.
<p>Charnwood Borough Council Settlement Limits Draft Assessment (2018)</p>	<p>Principle 1: The boundary will tightly define the settlement by enclosing the established, cohesive built form. Where possible it will follow defensible boundaries - distinct features such as walls, watercourses, roads and hedgerows which have a degree of permanence.</p> <p>Settlement boundaries will include:</p> <ul style="list-style-type: none"> a. Existing commitments for built development (implemented and unimplemented planning permissions).

	<p>b. The curtilages of buildings which clearly relate to the building through their proximity and character</p> <p>c. Planned allocations in development plan documents where a boundary has been identified</p> <p>d. Community Buildings which are adjacent to the main built form of the settlement such as schools, public houses and community halls.</p> <p>Principle 2: Settlement boundaries do not need to be continuous, in some instances the nature and form of the settlement may make it appropriate to define two or more separate elements, for example as currently exists in Barkby.</p> <p>Settlement boundaries will exclude:</p> <p>a) Playing fields or other open spaces at the edge of settlements (e.g. allotments, cemeteries)</p> <p>b) Outlying or isolated buildings or structures which are physically or visually detached from the built form of the settlement.</p> <p>c) Large gardens or other open areas, such as adjacent paddocks and orchards</p> <p>d) Agricultural/farm buildings and their curtilages which are situated on the edge of the settlement.</p>
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6.3 Has the review of settlement boundaries been carried out in a consistent manner across the plan area?

6.3.1 Further to comments made in response to questions 6.1 and 6.2, Gladman are of the view that the methodology for setting settlement boundaries needs to be re-visited through the examination process to follow the criteria set out in Table 1 (above). This will ensure that a consistent approach is taken that is in line with the WCS and the best practice that has been identified within the Council's evidence (Topic Paper 1 at Section 3) and within Table 2 (above).

Specific settlements**6.4 For specific settlements, are there factors which indicate the settlement boundary is not justified or effective?**

- 6.4.1 Further to comments made in response to questions 6.1, 6.2 and 6.3 above, it is Gladman's view that there is a need for the Council to revisit the proposed settlement boundaries across the plan area to reflect the criteria that is set out in Table 1 above. This will include the need to reflect committed sites and the proposed allocations contained within the WHSAP.
- 6.4.2 The Council's latest Housing Land Supply Statement published in March 2018 provides a summary breakdown of all sites in the deliverable supply at Appendix 1. These deliverable sites should therefore be included within the settlement boundaries that are being defined within the WHSAP.
- 6.4.3 As set out in Section 5 our response to the Council's WHSAP Pre-submission draft, Gladman are promoting a number of sites across the county. Each of these sites has the ability to form a sustainable extension to the associated settlement and contribute towards meeting the housing needs of the area.
- 6.4.4 In addition, Gladman has an interest in the 150 dwelling 'Land North of Bath Road, Corsham', site which is included in the Council's list of committed dwellings. This site must therefore be included within the settlement boundary for Corsham.
- 6.4.5 Gladman are of the view that the built form associated with MOD Lyneham should be recognised through the setting of the settlement boundary and associated policies for Lyneham. The MOD site is contiguous to the built form of the settlement and is accessed from a central location off the A3102. The site is an important employer in the area and houses the Royal Electrical and Mechanical Engineers (REME) Museum, which also provides café and educational facilities and is open to the public.