

Signed on behalf of

Nick Matthews

Position: Director at Savills (on behalf of Hallam Land Management)

Date: 1 April 2019

Signed on behalf of: Wiltshire Council

Georgina Clampitt-Dix

Position: Head of Service, Spatial Planning

Date: 1 April 2019

1. Overview

- 1.1. This Statement of Common Ground (SoCG) has been prepared to confirm the points of agreement between Wiltshire Council (WC), and Hallam Land Management (HLM) in relation to Policies H2 and H2.7 (East of the Dene, Warminster) of the draft Wiltshire Housing Site Allocations Plan (WHSAP).

2. Background to Site and Policy Evolution

- 2.1. HLM control the area of land approximately 6.84 hectares in size adjacent to the eastern edge of Warminster which is allocated under Policies H2 and H2.7 of the WHSAP (East of the Dene, Warminster) for residential development. HLM also control land to the east of the allocation, extending to the field boundary.
- 2.2. Alongside the promotion of the site allocation, an outline planning application was submitted in October 2016 for the development of the wider site for up to 135 residential dwellings (LPA Ref: 16/10502/OUT). The application has been held in abeyance pending the completion of the Examination of the WHSAP and extensions of time agreed accordingly.
- 2.3. Technical work has been prepared to support the pending application proposals, which is referred to as appropriate in Section 3 below.
- 2.4. The proposed allocation is for approximately 100 dwellings. Policy H2.7 states that development of the site should include 2ha of undeveloped land within the south west part of the site, and for development to take place in accordance with a masterplan approved by the Council as part of the planning application process.
- 2.5. HLM has liaised with officers in the WC planning policy team to discuss the policy wording and concerns raised by Historic England in relation to the allocation of the site.

3. Site Suitability

Highway Access

- 3.1. Stage 4 of the site assessment process, which forms part of the evidence base for the Plan, indicates that direct vehicular access to the site from Boreham Road is achievable. This would require removal of part of a wall fronting Boreham Road.
- 3.2. HLM's outline planning application is supported by a Transport Assessment and Travel Plan, as well as detailed highway access plans. These illustrate that the highways access into the application site is proposed via a new priority junction on Boreham Road (B3414). The consultation responses from WC's Highways Officer have raised no objection to the planning application.

Flooding and Drainage

- 3.3. It is agreed that the site is located in Flood Zone 1, and therefore at low risk of flooding although sufficient land will need to be set aside for surface water management measures and it is agreed that a Flood Risk Assessment is necessary to inform appropriate measures in accordance with Proposed Change 78.
- 3.4. The outline planning application is supported by a Flood Risk Assessment (FRA) and Drainage Strategy, prepared in 2016. The FRA for the planning application indicates that there are no prohibitive engineering constraints to developing the proposed site for residential use, and that the site is in Flood Zone 1 and hence the preferable location for residential development in the context of the sequential test in the Framework. The Technical Assessment also concludes that the land has a low probability of flooding from overland flow, ground water and sewer flooding.

- 3.5.** The consultation responses from WC's Drainage Officer have raised no objection (with conditions) to the development of the site from a flood risk and drainage perspective.

Heritage

- 3.6.** There is potential for the development to impact upon the significance of a number of designated and non-designated heritage assets, including the contribution made by their respective settings including.
- Bishopstrow House – Grade II listed building and associated designed landscape/agricultural setting;
 - Bishopstrow Home Farm ('model farm' complex) – non-designated farmstead and associated agricultural setting;
 - Bishopstrow Conservation Area – potential for development to affect the setting of the Conservation Area;
 - 196/198 Boreham Road – non-designated dwellings of historic character; and
 - Potential loss of a section of historic, non-designated walling along the Boreham Road.
- 3.7.** Following advice from Historic England, the site has been assessed through a Heritage Impact Assessment (HIA) prepared by LUC.
- 3.8.** A Heritage Assessment has been submitted by HLM to support their outline planning application and an additional Archaeological Evaluation Report was provided in March 2017 following trial trenching. The Council's Archaeological Officer stated in their response on the planning application (30th May 2017) that the content of the report is acceptable, that there is no evidence to indicate significant remains (of national importance) which would preclude development of the site, and that necessary mitigation measures can be secured by condition.
- 3.9.** With regard to conservation and heritage, the Framework advises that great weight should be given to the conservation of designated heritage assets, it reaffirms the decision-making framework from the original NPPF, advising that where development would result in 'less than substantial harm' to a designated heritage asset, this harm should be weighed against the public benefits of the proposed development. There is no suggestion from any party, including Historic England, that the harm caused by the proposed development would fall within the definition of substantial and hence it is the public benefit test that should be applied in assessing the soundness of the allocation and in the determination of the planning application.
- 3.10.** In this respect, and for the purposes of 'plan-making' both HLM and WC agree that the development would result in 'less than substantial harm' to designated heritage assets, and that such harm would be outweighed by the public benefits of the proposed development, including:
- The provision of market and affordable housing;
 - Balanced delivery of housing across Warminster;
 - Delivery of substantial areas of public open space including a new sports pitch, children's play area and allotment provision;
 - Resolution of an existing drainage problem which causes localised flooding on the Boreham Road (B3414); and
 - Economic benefits arising from job creation during the construction process and the increased expenditure within the local Warminster economy.

Ecology

- 3.11. Both HLM and Wiltshire Council agree that any impacts of development on biodiversity can be managed and mitigated and would not preclude development of the site.
- 3.12. An Ecological Appraisal undertaken by FPCR has been submitted by HLM to inform the planning application. This is based upon Ecological Surveys undertaken over several years including an Extended Phase I Habitat Survey and several Phase 2 Surveys.
- 3.13. The Ecological Appraisal concludes that the impact upon the Salisbury Plain SPA/SAC can be adequately mitigated in line with the conclusions of the WHSAP HRA. The application site lies within the River Avon SAC catchment where development is now required to demonstrate it will be phosphate neutral. This development will come within the scope of the Interim Development Plan which has been agreed between members of the River Avon SAC Working Group and is covered in a separate SoCG with Natural England. No impacts are therefore anticipated to this SAC. With appropriate mitigation, including a significant level of green infrastructure, the allocation of the site and its subsequent development would have no significant adverse impact upon protected species or habitats.
- 3.14. Within the site itself, there are a number of features of ecological value, some of which contribute to biodiversity conservation beyond the site boundaries. Protection and buffering of hedgerows will be necessary to protect these interests together with lighting restrictions to ensure dark corridors are maintained. In conclusion there are no reasons on ecological grounds to prevent development of the site.

Open Space Provision

- 3.15. It is agreed between HLM and WC that green infrastructure and agricultural land have been adequately considered through the site selection process, and that neither matter presents a reason to preclude development on this site.
- 3.16. In addition, it is agreed that the site provides a good opportunity to ensure that green infrastructure is provided to avoid or minimise adverse impacts on landscape character, as well as providing landscape and environmental enhancements.

Support of Warminster Town Council

- 3.17. Warminster Town Council responded to consultation on the pre-submission WHSAP to states that they would support the allocation of the site, albeit would prefer delivery to take place within the next plan period (post 2026). In December 2016, the pending planning application proposals received support from Warminster Town Council.

4. Deliverability

- 4.1. The site is available, suitable for development and deliverable.
- 4.2. All of the land required for the delivery of development is controlled under long-term legal agreements or is within highway land. No third party land is needed to deliver the allocation.

Development Trajectory (WHSAP allocation of approximately 100 dwellings)

Year	No of completions
2021	25
2022	50
2023	25

Development Trajectory (site promoter's alternative capacity of 135 dwellings)

Year	No of completions
2021	50
2022	50
2023	35

It is agreed by HLM and Wiltshire Council that Policy H2.7 may benefit from further enhancement. The aim of re-phrasing the Policy would be to provide greater certainty over how the site will be master planned and developed so as to make a positive contribution to local character and distinctiveness, thereby sustaining and enhancing the significance of local heritage assets.

Matters not agreed

HLM do not agree with the proposed site allocation boundary. HLM are promoting a larger site which includes land to the east field boundary.
HLM do not agree about the proposed capacity of the site allocation. HLM consider there to be potential for a development of 135 dwellings.
HLM do not support the reference to 2ha of land remaining undeveloped within the south west part of the allocation site.