

**LAND AT CHURCH LANE, UPPER STUDLEY,
TROWBRIDGE**

**WILTSHIRE HOUSING SITE ALLOCATIONS PLAN
EXAMINATION - STATEMENT OF COMMON GROUND**

On Behalf of Mrs Judith Parry and Wiltshire Council

190227 R JPW1108
Statement of Common
Ground
v7
April 2019



Signed on behalf of Mrs Judith Parry:

Signed on behalf of Wiltshire Council:

Rhian Lees
Associate, RPS
2nd April 2019

Georgina Clampitt Dix
Head of Spatial Planning, Wiltshire Council
2nd April 2019

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Appendices

1. Site Allocation
2. Site Location Plan (LPA Ref: 18/10035/OUT)

1 INTRODUCTION

- 1.1.1 This Statement has been prepared to inform the Examination of the Wiltshire Housing Sites Allocation Plan (WHSAP) and relates to the site identified as Church Lane, Trowbridge (“the site”) under Policy H2, site allocation H2.4.
- 1.1.2 The Statement provides the most up to date information available relating to the site and aims to provide clarity to the Inspector regarding which elements of the WHSAP are agreed between the Council and the site owner/applicant and conversely highlight any substantive issues that remain not agreed.
- 1.1.3 The site is allocated for residential development in the WHSAP under Policy H2.
- 1.1.4 The purpose of this Statement is to provide:
- A description of the site;
 - The background to site allocation H2.4;
 - Details of the current planning proposals for the site; and
 - Areas of common ground and disagreement between the site owner and the Council.

2 THE SITE

Site Description

- 2.1.1 The site is located within Trowbridge, approximately 2km to the south west of the town centre.
- 2.1.2 The site is irregular in shape, extends to 5.93ha (incorporating Proposed Change 67) and sits at the southern urban edge of Trowbridge. Church Lane and the rear of properties on Frome Road (A361) form the site's north eastern and south eastern boundaries.
- 2.1.3 The south/southwestern boundary is formed by Lambrok Stream. Southwick Country Park lies beyond. Residential development bounds the site to the north west.
- 2.1.4 The site is undeveloped and comprises grass paddocks. The north eastern and north western boundaries comprise hedgerows, with some mature trees.
- 2.1.5 The site falls wholly within private ownership, aside from the required visibility splays for any access to the site from the public highway.
- 2.1.6 A plan showing the proposed extent of the site allocation is included at **Appendix 1**.

Access and Movement

Accessibility by Road

- 2.1.7 The site is well located in relation to the existing road network. Existing vehicular access is located on Frome Road, which forms a main road into Trowbridge.

Walking

- 2.1.8 There are no public rights of way crossing the site but there are several bounding it, including Church Lane (designated as public footpath TROW8), off road footpaths, bridleways, restricted byways or byways.

Cycling

- 2.1.9 The surrounding network of public rights of way also connects with regional and national cycle paths and the regional canal towpath network. There are a number of recommended cycle routes within the vicinity of the site. Church Lane is a public footpath (TROW8) and a recommended cycle route.

Accessibility by Public Transport

- 2.1.10 The site is served by public transport, benefitting from southbound and northbound bus stops on Frome Road. All bus stops are serviced by routes 94 and X34, which provide links to Frome, Midsomer Norton and Bath to the south/east and Trowbridge, Melksham and Chippenham to the north.
- 2.1.11 Trowbridge Railway Station is serviced by bus route X34. This provides a direct link from the site to the National Rail network and regular First Great Western services to Swindon, Salisbury, Bath Spa, Bristol Temple Meads, Westbury and Southampton Central. There are between two and

three services during the peak hours to Bristol and Bath. The station itself is located approximately 2.2km to the north of the site.

Site Constraints

Flood Risk

- 2.1.12 The majority of the site (as amended by Proposed Change 67), approximately 4.21ha, falls within Flood Zone 1. The south/southwestern portion of the site falls within Flood Zones 2 and 3.

Ecology

- 2.1.13 The site is in an area used by Bechstein bats associated with the Bath and Bradford on Avon Special Area of Conservation. Sensitive features include Framfield, boundary hedgerows and the Lambrook Stream and any development will need to accord with the draft Plan and Trowbridge Bat Mitigation Strategy (TBMS).

Built Heritage

- 2.1.14 There are no designated heritage assets within the site. There are four Grade II listed buildings to the north east: the Church of St John; St John's Church School, Hall and Schoolmasters Dwelling, 344 Frome Road and Rose Villa.

Local Facilities

- 2.1.15 The site's location on the edge of Trowbridge means that it is served by a range of educational establishments, retail, community, health, and leisure facilities and numerous employment opportunities.

3 BACKGROUND TO POLICY H2.4

- 3.1.1 The site falls within the North and West Wiltshire Housing Market Area and is allocated for residential development under Policy H2 in the WHSAP. The allocation in the Pre-Submission WHSAP was informed by a Trowbridge Community Area Topic Paper (June 2017), which set out the findings of a housing site selection process in relation to the Trowbridge Community Area.
- 3.1.2 The SHELAA (2011 methodology) site capacity was estimated at 133 dwellings for this site which formed a starting point for assessment using 30 dwellings per hectare and applying a multiplier to reduce the developable area to allow for non-housing uses. The site area was 5.92ha.
- 3.1.3 Stage 2 of the WHSAP site assessment process then considered whether exclusionary criteria (such as Flood Zones 2/3) should result in a reduction of the SHLAA site capacity. In the case of H2.4, the site capacity was reduced from 133 to 95 dwellings due to the site's partial location within Flood Zone 3.
- 3.1.4 The amount of development proposed at this site was further reduced due to constraints identified through the Sustainability Appraisal, including the impacts on heritage assets and their setting, the need to protect the habitat of Bechstein's bats and the presence of the Lambrok Stream and its flood plain to the east and south of the site.
- 3.1.5 The pre-submission Plan identified site allocation H2.4 as being 45 dwellings on 3.72 hectares, this site size reflected the developable area of the wider site.
- 3.1.6 The allocation as per the Wiltshire Housing Site Allocations Plan Submission Draft Plan (July 2018) as amended by the Schedule of Proposed Changes (July 2018) is for approximately 5.93 ha of land for the development of approximately 45 dwellings, as identified in Annex E of the Schedule of Proposed Changes.
- 3.1.7 In response to comments from Natural England, the Schedule of Proposed Changes extended the boundary of the allocation from 3.72 ha to 5.93 ha, to take account of the need to allow land between the current boundary and the river to be used to mitigate impact on bats. However, the number of proposed dwellings remains at 45.

4 CURRENT APPLICATION PROPOSAL

4.1.1 The site is subject to a current planning application (application number 18/10035/OUT), being promoted by the site owner and proposing the following:

“Outline application for residential development (up to 65 dwellings) with the creation of new vehicular access off Frome Road and removal/demolition of all existing buildings (all matters aside from the formation of the new vehicular access are reserved)”

4.1.2 The application site area extends to 4.21ha – the extent of the “suitable area” identified in the SHLAA in August 2017. A Site Location Plan is included at **Appendix 2**.

4.1.3 The application is supported by an Illustrative Masterplan, for 65 dwellings. The Masterplan has been informed by a range of supporting technical documents and surveys undertaken by the applicant including:

- Transport Assessment – informed by classified turning counts and queue length surveys, results from an automatic traffic counter and personal injury accident data;
- Preliminary Ecological Appraisal drawing on bat, badger and reptile survey reports;
- Archaeological Desk Based Assessment based on Wiltshire Historic Environment Record data;
- Built Heritage Assessment assessing the potential impact on identified heritage assets - four Grade II listed buildings to the north east of the site - the Church of St John, St John's Church School, Hall and Schoolmasters dwelling, 344 Frome Road and Rose Villa.
- Flood Risk Assessment and Conceptual Drainage Strategy based on Environment Agency Product 6 flood data

4.1.4 Vehicular access to the site is proposed via a new junction on Frome Road. Pedestrian access is proposed via the same and a further potential pedestrian link is identified onto Church Lane on the northern boundary of the site.

4.1.5 The application remains undetermined.

5 COMMON GROUND

Principle of Development

- 5.1.1 It is agreed that the site is suitable for residential development.

Developable Area

- 5.1.2 It is agreed that the area minus flood zones 2 and 3 is 4.21 ha.

Access

- 5.1.3 It is agreed that vehicular access to the site should be secured via a new junction from Frome Road, rather than Church Lane. It is agreed vehicular access via Church Lane is not appropriate.

Landscape

- 5.1.4 It is agreed the site is neither covered by, nor abuts, any statutory or non-statutory landscape designations.
- 5.1.5 It is agreed the key landscape features of the site including boundary hedgerows and mature trees should be retained.
- 5.1.6 It is agreed that the design and layout of the proposal should enhance the urban edge of the town.

Flood Risk

- 5.1.7 It is agreed the southern portion of the site is not suitable for development due to its location within Flood Zones 2 and 3 and should be retained as an ecological buffer to mitigate bat impacts.

Ecology

- 5.1.8 It is agreed the site falls within the “yellow zone” for bat habitat sensitivity and the “medium zone” for bat recreation sensitivity as set out in the Draft Trowbridge Bat Mitigation Strategy (February 2019).
- 5.1.9 It is agreed any development on the site must provide mitigation for all impacts on target bat species through retention and enhancement of suitable bat habitat and provision of buffer zones, as set out in the Plan and Draft Trowbridge Bat Mitigation Strategy.
- 5.1.10 It is agreed commuting and foraging bat habitats adjacent to the site, including Framfield, boundary hedgerows and the Lambrok Stream should be retained and buffered from any development by dark, continuous corridors of native landscaping in line with requirement in the Draft Trowbridge Bat Mitigation Strategy.

Built Heritage

- 5.1.11 It is agreed any harm to the setting of the four heritage assets identified within the vicinity of the site must be minimised. The layout and design of the site would need to give great weight to conserving the significance of the heritage assets and their setting to minimise harm. Access to

the site must be sensitively designed and accommodated in a manner that minimises harm to heritage assets. This would need to be secured via a new junction arrangement off the A361, rather than improvements to Church Lane (proposed change 68).

6 AREAS OF DISAGREEMENT

Quantum of Development

- 6.1.1 The number of dwellings proposed in Policy H2 for site allocation H2.4 is not agreed.
- 6.1.2 The applicant considers the current quantum of development set by the allocation does not maximise the development potential of the site.
- 6.1.3 The applicant considers the site can accommodate up to 65 dwellings without impact on identified heritage or ecological assets or impinging on key views across the site from Southwick Country Park.
- 6.1.4 The applicant considers the survey work undertaken and the supporting information submitted with the application demonstrates the site is capable of accommodating up to 65 dwellings.
- 6.1.5 It is not agreed that development needs to be excluded from the paddock to the rear of the listed buildings that front Frome Road and adjacent to Church Lane.
- 6.1.6 The applicant considers the proposal responds to Policy H2.4 and the table below sets out how the proposal complies:

Paragraph No.	Policy H2.4 Wording	Application Response
5.67	<i>Approximately 5.93ha of land at Church Lane is allocated for the development of approximately 45 dwellings, as identified on the Policies Map.</i>	<p>The allocation proposes 45 dwellings on a site area of 5.93ha. The planning application proposes up to 65 dwellings on a site area of 4.21ha. The remaining 1.72ha within the applicant's ownership is retained as a bat corridor.</p> <p>The technical assessments undertaken to date by the applicant have informed the Illustrative Masterplan submitted with the application, demonstrating the site is capable of accommodating 65 dwellings.</p>
5.68	<i>The site is adjacent to the Church of St John (Grade II listed), associated church school and schoolmasters house and is enclosed from the road by two rows of buildings at White Row Hill and Frome Road including</i>	The application proposal considers fully the potential impact on the four Grade II listed buildings and the Illustrative Masterplan

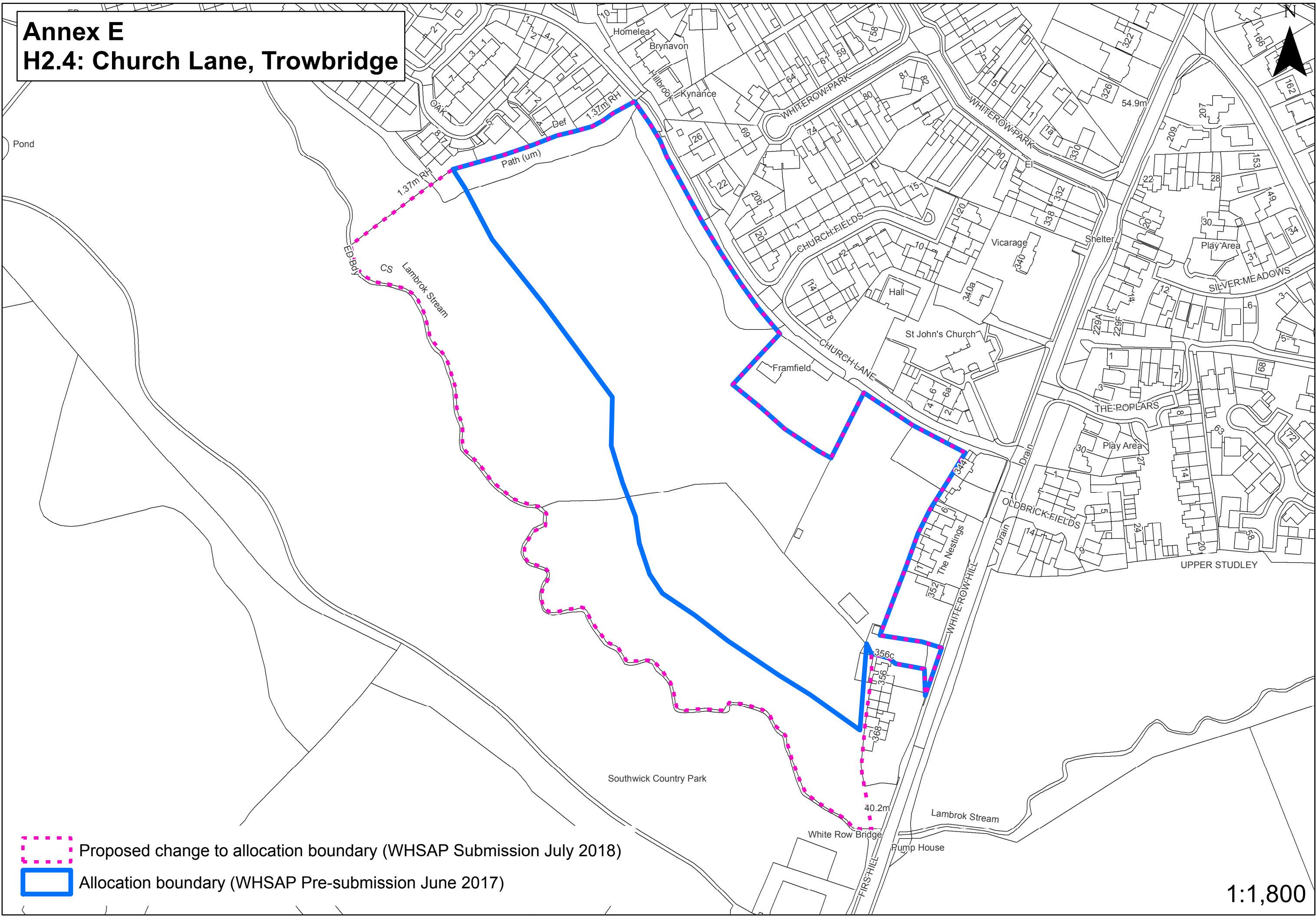
	<p><i>Rose Villa (Grade II listed), 344 Frome Road (Grade II listed) and paddocks. There are key views across the site to St John's spire from Southwick Country Park. The site comprises the degraded fragmentary remains of a post medieval water meadow system. The layout and design of the site would need to give great weight to conserving the significance of these heritage assets and their setting to minimise harm. Access to the site must be sensitively designed and accommodated in manner that minimises harm to heritage assets. This would need to be secured via a new junction arrangement off the A361, rather than improvements to Church Lane.</i></p>	<p>serves to minimise harm to their setting.</p> <p>Built development is set back from Church Lane to retain the rural experience travelling along Church Lane and two viewing corridors are provided to provide long range views to the Church of St John from the site and Southwick Country Park beyond.</p> <p>Landscaping will assist in separating the proposal from heritage assets and street lighting will be minimised, utilising bollard style where possible to reduce light spill.</p> <p>The proposed vehicular access on Frome Road represents the most sensitive location and WCC and the applicant agree that vehicular access from Church Lane would be inappropriate.</p>
5.69	<p><i>Proposals would need to provide a design and layout that enhances the urban edge of the town. Existing hedgerows and trees would need to be retained and enhanced through new landscaping features along the line of the Lambrok Stream. Such features would need to be of sufficient scale to protect and enhance the character and amenity provided by Southwick Country Park. Links between the site, the Country Park and existing built form would be achieved through improvements to footpath TROW8.</i></p>	<p>The Illustrative Masterplan allows for the retention of key landscape features including boundary hedgerows and mature trees. Increased structural landscaping (a combination of native hedging and trees) is proposed along the south western edge of the site boundary to create a structural and clear interface between the</p>



		urban edge and Southwick Country Park.
5.70/5.71	<p><i>The site is in an area likely to be used by Bechstein's bats associated with the Bath and Bradford on Avon Bats SAC. Sensitive habitat features on/ adjacent to the site include: Framfield; boundary hedgerows; and the Lambrok Stream.</i></p> <p><i>These features should be retained and/or buffered from development (including residential gardens) by wide (10-16m), dark (< lux), continuous corridors of native landscaping which will allow for their long-term protection and favourable management in order to secure continued or future use by Bechstein's bats. Development will be required to contribute towards the delivery of the Trowbridge Recreation Management Mitigation Strategy.</i></p>	<p>The bat surveys undertaken to inform the application identify that the trees and hedgerows across the site may be suitable habitats for foraging and commuting Bechstein's bats and these features will be retained in the detailed design of the scheme.</p> <p>A bat corridor will be retained in the southern part of the allocation; lying outside of the application boundary, but still within the ownership of the applicant.</p>
5.72	<p><i>In order to facilitate development, appropriate contributions would be likely sought to help fund additional local school capacity. Funding contributions may also be sought where needed to increase capacity at local GP surgeries and dentists at the town.</i></p>	<p>The application submission includes Draft Heads of Terms.</p>



Appendix 1

Annex E H2.4: Church Lane, Trowbridge

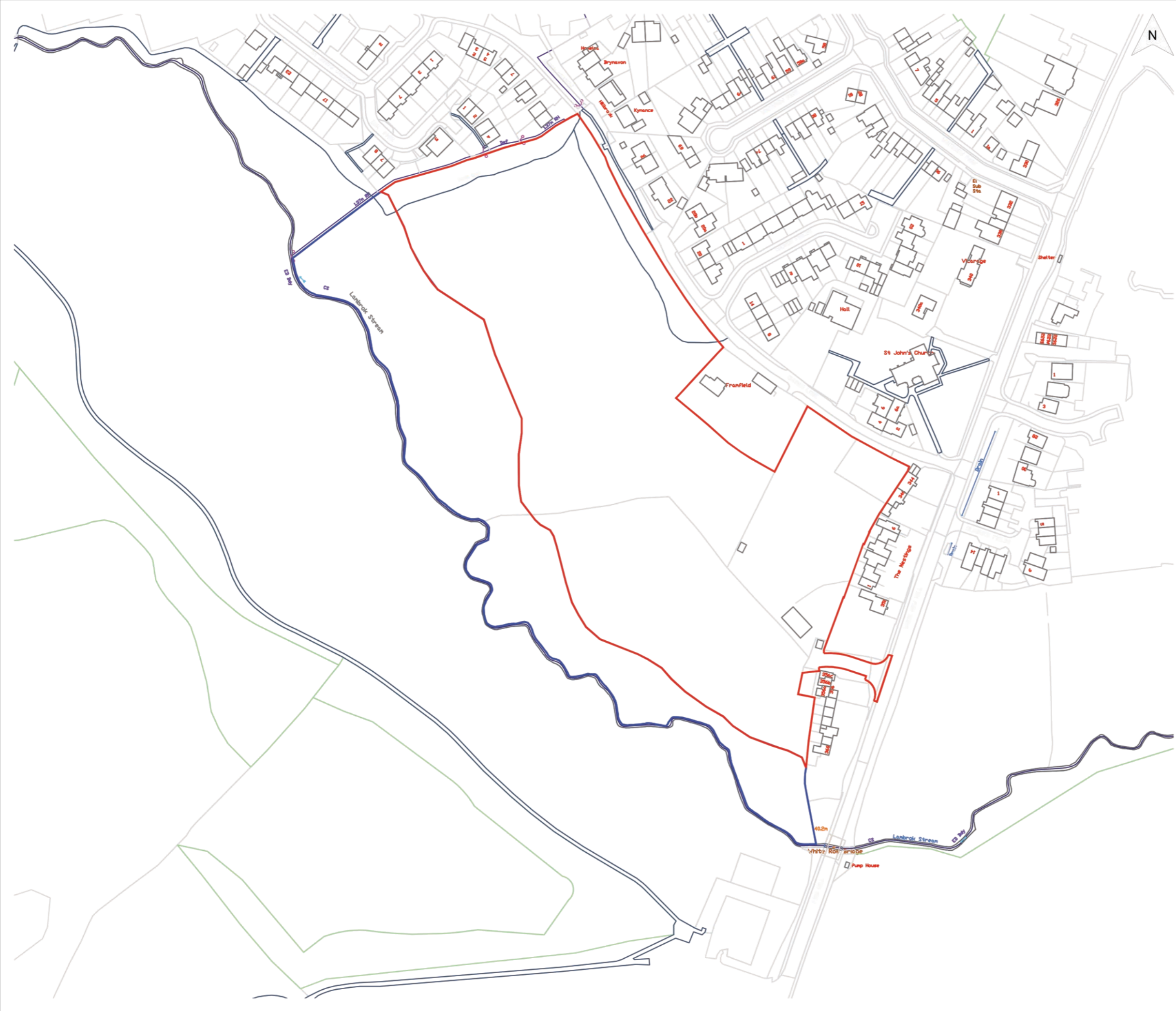


 Proposed change to allocation boundary (WHSAP Submission July 2018)
 Allocation boundary (WHSAP Pre-submission June 2017)

1:1,800



Appendix 2



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Notes

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- Application Boundary
- Ownership Area

Rev	Description	Date	Initial	Checked



260 Park Avenue, Aztec West, Almondsbury, Bristol, BS32 4SY
 T: +44(0)1454 853 000 E: rpsbl@rpsgroup.com W: rpsgroup.com

Client Parry

Project Upper Studley, Trowbridge

Title Site Location Plan

Status	Drawn By	PM/Checked by
-	AW	DP
Job Ref	Scale @ A3	Date Created
JPW1108	1:2000	April 18

Drawing Number	Rev
JPW1108 005	A

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