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Programme Officer:
Wiltshire Housing Site Allocations Plan -
Examination
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Dear Sirs,

**WILTSHIRE HOUSING SITE ALLOCATIONS PLAN – EXAMINATION
HEARING STATEMENT RELATING TO PROPOSED ADDITIONAL HEARING ON APRIL 16TH 2019 TO
CONSIDER THE DELETION OF MARKET LAVINGTON SITES FROM THE WHSAP AND SPECIFICALLY SITE
H1.3 SOUTHCLIFFE, MARKET LAVINGTON.**

INTRODUCTION AND BACKGROUND

We write on behalf of our client who owns Southcliffe, Market Lavington ('the site'). We confirm that the site remains suitable, viable and available for residential development with a willing landowner who can bring the site forward without delay.

As the Inspector will be aware, potential housing sites at Market Lavington were originally put forward for inclusion within the WHSAP. This was meant to be delivered urgently, as the Inspector examining the Wiltshire Core Strategy back in 2014, recognised that settlement boundaries were already substantially out of date (many having last been considered in the early 2000's) and that without site allocations, this would in some cases, hinder the delivery of the identified minimum housing targets.

Being the Local Service Centre for the Devizes Community Area, it was always envisaged that as the most sustainable settlement outside of Devizes, Market Lavington would take the lion's share of new housing allocations for the remaining community area, which amounted to a minimum of 210 new homes for allocation across the villages, over the Plan period. There are now only 7 years remaining of that Plan period and yet there are still no housing sites allocated within this Local Service Centre, despite both Wiltshire Council and the parish supporting new housing growth at Market Lavington in the order of 80 – 100 new homes.

During the early inception of the WHSAP, at the Issues and Options stage, Land at Southcliffe, Market Lavington was originally omitted as one of the preferred sites due to fundamental errors with 'site scoring', which was undertaken by Wiltshire Council to decide which sites ought to be taken forward. We submitted representations on behalf of the landowner back in March 2015 to challenge major inconsistencies with the scores allocated both to this site and other scored sites within Market Lavington. This resulted in further review and following on from this, the site's inclusion as a preferred option within the DPD document.

The site has always been a locally popular choice, being an area of garden land, situated between an existing business park and residential areas, where it would appear as a better and



more efficient use of land and an infilling of the logical 'built area' of the village, rather than an incursion into the countryside. The site was also considered a good fit with the community's aim for a dispersed pattern of smaller housing sites that would provide a mix of housing and would better integrate with the existing community.

In the background, Market Lavington Neighbourhood Plan Steering Group (NPSG) were making good progress with their Neighbourhood Plan, which employed a similar strategy to that of the WHSAP, in seeking to build on Market Lavington as a Local Service Centre. As part of this process, the NPSG also undertook a rigorous site selection process (and re-examination by a consultant, following further potential sites coming forward) to direct new housing to the sites they considered most suitable.

It is worth noting that preliminary scoping work had already been undertaken in respect of the Southcliffe site by the landowner, which affirmed that the site was inherently suitable to take the proposed residential development. This work included tree surveys, a Landscape and Visual Report, Ecology Survey and Archaeology work. These have been previously submitted to the Council and these can be made available to Inspector upon request.

Following each of these evaluations, both the WHSAP and NP continue to favour Land at Southcliffe, Market Lavington as a preferred housing site.

Later, as the draft NP went forward, public consultation responses continued to endorse the site as a preferred option for the parish. We fully support the Neighbourhood Plan Steering Group and the thorough processes they have gone through.

The Market Lavington sites (including Southcliffe) were then proposed to be deleted from inclusion within the DPD by means of a 'proposed amendment'. We understand this was at the request of the NPSG which was endorsed by Wiltshire Council Cabinet in their meeting of 3rd July 2018. We understand this was primarily because it was agreed by the Council that the NP was progressing effectively, and for this reason, the NP was considered a suitable method of allocating sites within the Local Service Centre.

THE SPECIFIC QUESTIONS POSED BY THE ADDITIONAL HEARING

Turning to the specific questions posed by this additional hearing, we note that the draft WHSAP was submitted back in June 2018, but that this was quickly followed by the proposed amendment to omit the site (along with others in Market Lavington) in early July 2018. This being the case, whilst we are clearly keen to support this site for housing development whether that be through the NP process or through the WHSAP, we are concerned that the draft wording of the WHSAP does not reflect up to date circumstances and other detailed matters which have been carried out as part of the NP process. As such, we comment as follows.

Issue 5: Are the proposed sites justified, effective and consistent with national policy?

- **Does the plan provide sufficient detail on form, scale, access and quantity of development for each site?**



The draft WHSAP does identify sufficient detail on the extent of the site and the point of access. However, we do not consider that the form and quantity of development for this site accurately reflect the site's capacity or circumstances which are better represented by the draft NP.

The quantum of housing within the WHSAP at 15 homes, we believe was based upon the previous landowner's early estimations. These were subject to very specific circumstances, as the landowner wished to develop some of the houses for the family. This is no longer the case. The site is just under 1 hectare in size and the proposed numbers of about 23, which are set out within the draft NP, are more reflective of what is achievable on the ground. This would ensure an efficient use of land, whilst bearing in mind the site constraints, including landscaping, the access road and neighbouring business uses.

We are concerned about the wording suggested in the WHSAP which implies that the road and landscaped corridor must be retained in its present position. Whilst we understand the need to preserve important trees, it is not necessary to retain the business park access within the exact same position, provided a suitable access to the site is retained. Similarly, the form of development should be properly informed by the respective tree and ecology surveys, which may allow for alternative layouts subject to appropriate mitigation and enhancement.

We would therefore strongly support that descriptions of the form and quantum of development ought to be updated to reflect the draft NP and in particular, Policy H2 'Housing Sites' at Page 40 with reference also to the summary for the site selection process for this particular site at page 34.

• Is the amount of development proposed for each site justified having regard to any constraints and the provision of necessary infrastructure?

Whilst minimum accepted housing densities are often in the region of 30 dwellings per hectare, this number has been reduced appropriately within the draft NP to 23 dwellings, so as to take account of landscape and tree constraints and the need to avoid conflict with adjacent land uses. We do not consider that the use of the site for just 15 homes, would represent an efficient use of land and would therefore conflict with Chapter 12 of the NPPF. A requirement for approximately or about 23 dwellings would be more appropriate.

• 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;

An ecology report has been carried out which raises no concerns about protected species and the SEA addresses the proximity to the SPA and that this is satisfactorily mitigated by payments taken through CIL.

- green infrastructure and agricultural land;

The site is not agricultural land but a large curtilage relating to an existing dwelling. A tree report and landscape strategy would inform the development layout.



- landscape quality and character;

A Landscape and Visual Report has already been commissioned to consider the suitability of the site in landscape and visual terms. This has concluded the site has capacity to accept the proposed development without any adverse impacts.

- heritage assets;

The site is not near the conservation area nor any listed buildings. As noted within the draft NP, the site would, be visible within some of the same views as the listed St Mary's church from the Ridgeway, though there are some 600 metres separating the two sites, and both intervening countryside and development. However suitable landscape mitigation can be incorporated.

An archaeological evaluation including trial trenching has already been carried out at the site and has concluded no major impacts.

-strategic and local infrastructure including transport;

The village is a Local Service Centre and is well served by infrastructure and serviced by local buses which stop close by at Fiddington Clay.

-the efficient operation of the transport network, highway safety.

The scale of the site is relatively modest. Its access also serves the adjacent business units and is considered suitable to serve the proposed new dwellings. The site is located towards the edge of the settlement, which would limit some journeys using the High Street as some journeys would proceed in an easterly direction through Easterton, without the need to travel along the High Street. Neither the Council or the NPSG have considered highways or transportation to be a particular issue at the site. Indeed highway officers advising at pre-application stage raised no objections to the principle of the site for residential use.

Consequently, the site's allocation would fit with the community's desire for a disbursed pattern of smaller housing developments which would spread the highways impacts of housing growth across the village.

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

No particular concerns have been identified with regard to air and water quality, noise, odour or land stability. The site lies within Flood Risk Zone 1 (low risk). A small surface water risk has been identified but it has been considered that this can be readily mitigated.

- open space, recreational facilities and public rights of way.

It is proposed that the site would include some areas of public open space along with strategic landscaping, but that any shortfalls as a result of the relatively small scale of the site (such as towards equipped play or formal adults recreation), would be provided through contributions in lieu of onsite provision which has been identified as a suitable mitigation method with suitable calculations set out within the Council's Supplementary Planning Documents.

There are no public rights of way across the site. However, the site does provide access to the adjacent business park. A suitable alternative route would be provided through the site as part of the proposals with access retained throughout the construction phase. It is not agreed that the retention of the exact same access route as suggested within the draft WHSAP is necessary.



- In relation to the above, does the plan contain effective safeguards or mitigation measures necessary to achieve an acceptable form of development?

The Plan, together with the Wiltshire Core Strategy and Supplementary Planning Documents, through its planning policies would ensure effective safeguards and mitigation measures to address the above issues. However, as above, we strongly suggest that the proposed wording set out within the draft WHSAP is outdated and does not reflect the further work that has been undertaken with respect to the site which have been carried out by the landowner to inform the proposed development as part of their NP evidence work.

- 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?

Many of the infrastructure requirements in relation to this site would be covered by CIL, as there are not considered to be any notable site specific issues arising. Contributions would therefore likely be limited to public open space, education (if there is not sufficient capacity within the local primary and secondary schools to accommodate children from the site). Any legal agreement would also need to cover affordable housing provision in perpetuity. However, these matters, including appropriate calculations, are already thoroughly covered by the WCS and SPD documents.

-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?

Yes, the site lies on the edge of a Local Service Centre, where there are employment facilities on adjacent land, and a wide range of local facilities all available within easy walking or cycling distance of the site. These include various shops, a doctor's surgery, post office and primary and secondary schools. Bus services provide regular access to local towns and these are located within 350 metres of the site.

- In cases where allocations do not have specific policies, is the reliance on supporting text likely to be an effective means of delivering the Council's requirements for each site? What is the justification for some sites having specific policies and some not?

We cannot agree with the content of the supporting text outlined within the pre-submission draft WHSAP June 2017 in respect of this site for the reasons set out above with particular regard to the retention of the existing access and wildlife corridor which we do not consider is supported by the most up to date evidence. We therefore seek for the Inspector to omit this wording, if it is decided appropriate to continue to include this site within the WHSAP. However, we would certainly not wish to see this enshrined as a specific policy as we consider this conflicts with the further evidence work which has been carried out by both the landowner and the NP. These in fact, support the Draft Policy H2 of the emerging NP.

The relevant excerpt from that policy states that:

'5. The development should be screened from the surrounding landscape and views (from the listed St. Mary's church, looking south-east towards the Ridgeway, and from the Ridgeway, looking north-west towards the church and the village core). This may involve preserving existing vegetation and adding to it as required.'



6. Access roads into the site should approach from the east and north, rather than along the south and west boundaries, to connect with existing roads in the housing estate and avoid loss of vegetation.

7. The site is close to a business park. Impacts of business and residential uses on each other must be considered

8. Any loss of trees should be compensated for by replacement planting

11. Any proposals for development should be accompanied by an assessment demonstrating how flood risk from surface water flooding is to be satisfactorily managed and how sustainable drainage can be provided without adverse impacts on or off site.'

-Is the development proposed for each site deliverable in the timescales envisaged?

The applicant is ready to submit a planning application without delay and certainly within 6 months of its allocation. There is no reason to consider the delivery of this site would be held up and it is realistic to consider the site will deliver the proposed new homes within the remaining Plan period to 2026.

- Is the deletion of the site necessary to make the plan 'sound'?

No, whilst we fully support the NPSG's efforts in moving forward to the draft NP through the final stages towards referendum, the process has been rather drawn out, with (understandable) delays as a result of the sites coming forward and stalling, which has in part been due to a lack of funding.

We understand that there remain outstanding issues, including a continued funding gap, which are causing further delay. This gives no certainty as to new housing provision within this Local Service Centre, 5 years after which the Inspector examining the Wiltshire Core Strategy in 2014 deemed a review of settlement boundaries 'urgent'. However, we fully endorse the work undertaken to date within the WHSAP which is at an advanced stage.

As the earlier WHSAP work *and* the draft NP which is at an advanced stage, both offer firm support for this site going forward for residential development, we therefore see no reason why the site must be omitted from the WHSAP in order to find the Plan 'sound'. Instead we would seek that the wording is updated to reflect draft NP policy H2 (including dwelling numbers) which is based on a more detailed understanding and up to date evidence base.

Consequently, we would support the site's inclusion within both the WHSAP and the NP, subject to the quantum of housing and guiding principles set out within the draft NP only.

Yours faithfully,

Richard Cosker Bsc (Hons) DipTP MRTPI
Director - RCC Town Planning Consultancy