

AGENDA SUPPLEMENT (1)

Meeting: Council
Place: Civic Centre, Trowbridge
Date: Tuesday 7 February 2012
Time: 10.30 am

The Agenda for the above meeting was published on Friday 27 January 2012. Since then a number of representations have been received in the form of questions and statements. These are now available and are attached to this Agenda Supplement.

Please direct any enquiries on this Agenda to Yamina Rhouati, of Democratic Services, County Hall, Bythesea Road, Trowbridge, direct line 01225 718024 or email yamina.rhouati@wiltshire.gov.uk

Press enquiries to Communications on direct lines (01225)713114/713115.

This Agenda and all the documents referred to within it are available on the Council's website at www.wiltshire.gov.uk

7. **Wiltshire & Swindon Waste Site Allocations Development Plan Document - Proposed Submission Arrangements** (Pages 1 - 4)

Questions and statements

9. **Pre-Submission Draft Wiltshire Core Strategy Development Plan Document** (Pages 5 - 28)

Questions and statements

DATE OF PUBLICATION: 03 February 2012

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Wiltshire Council

Council

7 February 2012

Public Participation

Question From Edward Nicholson, Dr Peter Alberry & Lynne Eddy

To Councillor Fleur De Rhé-Philipe, Cabinet Member For Economic
Development and Strategic Planning
and Councillor Toby Sturgis, Cabinet Member For Waste Property,
Environment And Development Control Services

Question 2

In the Draft Waste Allocation Site Document, Lower Compton is not identified as a strategic Materials Recycling Facility or Waste Transfer Station site (MRF/WTS). It is also noted that a single centralised MRF/WTS Facility is inefficient compared to local MRF/WTS's close to the SSTIs and that Lower Compton is only identified as a strategic "waste treatment site", excluding waste to energy. Given these points drawn from the strategic document, in addition to the fact that the existing strategic waste treatment (landfill) permission at Lower Compton will expire in 2022, will Wiltshire Council confirm that Lower Compton will cease to be a strategic site when the expiry of this permission happens?

Response

The existing facilities at the Lower Compton site operate in a strategic manner by virtue of scale and geographic catchment. The draft Waste Site Allocations DPD identifies the site as having the potential for accommodating treatment uses to compliment the current permitted operations. Therefore, the definition of scale applied to the proposed site allocation reflects the current operational context.

In terms of the long-term status of the Lower Compton site, it is an accepted fact that the existing waste management permissions covering operations are time limited. The adopted Waste Core Strategy presents a clear commitment to the principles of '**plan, monitor and manage**'. Therefore, as with all planning policy documents adopted by the council(s), the Waste Site Allocations DPD (and allocations therein) will be kept under review and monitored through the Annual Monitoring Report process. If monitoring evidence concludes that the Lower Compton site no longer serves a strategic-scale role in the overall framework of waste facilities (at the time of expiry of the current permission), then a change in status will need to be considered as part of any subsequent plan review process.

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Wiltshire Council

Council

7 February 2012

Public Participation

Statement From Chitterne Parish Council
On item 7 – Wiltshire and Swindon Waste Site Allocations DPD

Chitterne Parish Council would like to see the Valley Farm Site at Chitterne removed from the Wiltshire & Swindon Waste Site Allocations DPD. We have submitted objections about all aspects of its selection for further development for waste management purposes and are dismayed that the site still remains within the document.

- The land adjacent to the greenfield site proposed for development, is a valley currently used as an inert landfill only for chalk and topsoil and was given planning permission by the Planning Inspector in 1991 solely as an agricultural improvement scheme to fill in the steep valley to make farming safer. “Subject to some careful final shaping, I consider that the end result would reflect the undulating form of the attractive scenery hereabouts and would not look out of place.” (J T Griffiths, Inspector 07.03.91) Once completed and grassed over the effect on the landscape will be negligible. Chitterne Parish Council fail to see how Wiltshire Council can even be considering allowing the development of agricultural land for a permanent industrial type of development in this open, rolling rural landscape.
- Chitterne Parish Council have made very clear in their submissions that the site is unsuitable due to the potential impact of increased traffic movements through the village which already suffers from heavy and speeding traffic where there are few pavements and narrow road widths.
- Chitterne is not local to anywhere, the Parish Council have not been given any information about where the waste is to come from for this ‘local’ site.

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Wiltshire Council
Council

7 February 2012

Statements From The Public

Statement From Michael Orr, Director CSJ Planning Ltd On behalf of Chippenham 2020 On item 9 – Wiltshire Core Strategy

I act for Chippenham 2020 LLP, owners of a substantial land holding known as New Leaze Farm, located on the eastern edge of Chippenham. I wish to draw your attention to specific flaws within both the planning process deployed by Wiltshire Council to date, and to the content of the Draft Core Strategy itself. In latter regard, fundamentally unsound conclusions have been drawn from a vast, perplexing and often contradictory evidence base, which in turn gives rise to wholly misguided spatial allocations for future town growth and development.

In light of the above, Chippenham 2020 have made extensive efforts to enter into positive dialogue with officers and members. To date, the expression of considerable concern has not resulted in any meaningful reassessment. It appears that primacy has been afforded to a tight programme for delivery, rather than the urgently necessary reconsideration from first principles. In consequence, a direct address was made to Cabinet on 17th January 2012, but no specific action was taken to address the legitimate and well founded concerns that were raised.

Within your Full Council Meeting information pack you may well pick up that officers have portrayed the above concerns as an entirely expected consequence where a land owner feels aggrieved by a decision that does not go their way. Such a response does not seek to address the major errors of process and plan content that is a legislative requirement placed upon the Local Authority. Should the Council continue this track and fail to put procedural matters and its evidence base in order, then legal challenge will become inevitable and the entire Core Strategy will be significantly delayed.

I attach a copy of the legal representation made to Cabinet Members last month. I urge you to read this in full the content is serious and alarming. For the sake of simplicity I summarise the key points below.

1. Incorrect Allocations Strategic Sites and Inadequacy of Evidence for the Allocations

- Topic Paper 12 provides no evidence or justification for setting aside the previously allocated land at East Chippenham.
- Evidence in the 2011 Sustainability Appraisal is not corroborated by the above Topic Paper. It is inconsistent.

- There is no adequate assessment as to why land to the South of Chippenham is preferable.
- There is no proper Proposals Map and the 'Area of Search' is misleading
- Key evidence for spatial allocation is missing and 'planned for the coming months'. This is legally deficient.

2. Inadequacy of Evidence Base – Prematurity

- The massive shift in the Local Authority's approach to consultation and evidence is unexplained. Site selection criteria must be consistently applied on an objective basis. They have not.
- Certain parts of the evidence base were unavailable at the time of the last consultation and without them the process could not be described as meaningful.
- Consultation on critical parts of the evidence base has taken place at the same time as the Draft Core Strategy. Such a process is unsound.
- There is a clear absence of objective reporting of consultation responses received.

3. Consultation Issues

- Contrary to PPS12, (national policy guidance) the consultation process has not been 'continuous', 'transparent' or 'accessible'.
- The number of documents that have been consulted upon, and which will actually form part of the evidence base to be relied upon during Examination, is unclear.

4. Failure to Take Account of Representations Received

- No explanation is provided as to how stakeholder consultations have been fully considered and conclusion formed.
- There is no evidence base as to how the responses have been addressed in detail.
- Members have not been provided with information on which they can make a reasonable and fully informed decision. For example, officers report that no new evidence has been put forward to justify a change to the overall housing numbers. That is simply not the case.
- The 300 representations opposing development in South Chippenham have not been clearly portrayed against the 104 opposing development to the East

In light of the above I urge you not to accept the emerging Draft Core Strategy with its contradictory and unreliable evidence base.

I respectfully submit that your officers should be instructed to conduct a thorough and impartial review of all Draft Core Strategy Topic Papers which has lead to wholly unsound conclusions and, therefore, inappropriate strategic land allocations. The Sustainability Appraisal and Topic Paper 12 are obvious starting points to begin a scrutiny and reappraisal process. If necessary, the Council should bring in expert consultants to address the serious errors of plan content and due process.

A failure to do so can only cause conflict which is in the interest of no party concerned. I therefore ask that you treat this matter with the seriousness and



BY E-MAIL

Our Ref 28718884.3\ac10\644552.07000

FAO Yamina Rhouati
Democratic Governance Manager
Wiltshire Council
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13 January 2012

Dear Sirs

**PRE-SUBMISSION DRAFT WILTSHIRE CORE STRATEGY DEVELOPMENT PLAN
DOCUMENT ("DPD") – CABINET MEETING ON 17 JANUARY 2012, AGENDA ITEM 6**

Cabinet is being asked to recommend to Full Council that the Draft Core Strategy be approved for publication. However, as previously outlined to the authority there are significant flaws and irregularities in the Core Strategy process to date, particularly in relation to the suggested allocation of the southern site within Option 2 for housing. The authority does not have the requisite reasoned and justified evidence base to support this proposed site allocation, and we would reiterate that the authority is risking legal challenge to the whole Core Strategy if it cannot robustly justify the selection of the southern site within Option 2.

We write to you on behalf of our client, Chippenham 2020, which owns 170 acres at New Lease Farm to the east of Chippenham, forming part of what is commonly known as "Land to the East of Chippenham".

Given the significance of the proposed recommendation at item 6, we would strongly urge you to review and consider the representations previously submitted by our client in relation to the emerging Draft Core Strategy (by letter dated 8 August 2011, a copy of which is attached at Appendix 1). It is for the reasons set out within the previous representations (as also summarised in this letter) that the Draft Core Strategy cannot, at this stage, be approved for publication.

Our Client's previous detailed representations do not appear to have been addressed to date by the authority. The report to Cabinet does not deal with any of the concerns raised (and neither does the purported evidence base), and as such the report is fundamentally misleading, highly selective and flawed. It is now imperative that these concerns are considered and properly addressed by officers, and, in due course, members.



1. **SUMMARY OF CURRENT POSITION IN RELATION TO LAND TO THE EAST OF CHIPPENHAM**

1.1 By way of background, the Land to the East of Chippenham was included in the preferred strategic site options for Chippenham in the previous iteration of the Emerging Core Strategy, "Wiltshire 2026 Planning for Wiltshire's Future, October 2009". The site was selected through a process of consultation and evidence gathering that was clearly set out in a "Strategic Sites" background paper published in October 2009. Clear justification was provided for the inclusion of the site as a preferred option.

1.2 As members will be aware, the production of development plan documents ("DPDs") should be an iterative process, supported at all times by reference to the evidential basis for any options preferred. The previously preferred option of the inclusion of the Land to the East of Chippenham was not included within the subsequent draft Core Strategy in 2011. There has been no plausible explanation of the change in policy direction in respect of the Land to the East of Chippenham, particularly in terms of evidential justification for such a significant change.

1.3 There are further and fundamental flaws in respect of the current and proposed submission draft Core Strategy, as summarised below.

2. **INCORRECT ALLOCATION OF STRATEGIC SITES WITHIN THE CORE STRATEGY AND INADEQUACY OF EVIDENCE FOR SITE ALLOCATIONS**

2.1 It is fundamental that members have due regard to the guidance in PPS12 when considering agenda item 6, particularly in relation to the robustness of the evidence base that purports to support the allocation of housing within the southern site within Option 2. PPS12 (para 4.36) is clear that DPDs must be founded on a "*robust and credible evidence base*", and that the options must be "*the most appropriate strategy when considered against the reasonable alternatives*".

2.2 It is purported that the southern site within Option 2 has been selected on the basis of the evidence now contained within draft Topic Paper 12. However, the contents of this document are flawed, as the topic paper provides no evidence or justification to support the dismissal of the previous option for development on land to the East of Chippenham. In addition, the interim sustainability appraisal produced by the authority in 2011 did not reach or corroborate this conclusion, and so the authority has not demonstrated that the southern part of the Option 2 site is preferable when considered against the alternatives.

2.3 No plan is included within the Draft Core Strategy that constitutes an appropriate proposals map, and the plan of Chippenham showing the strategic sites (page 65 of the Draft Core Strategy) is wholly misleading, as the southern site remains an "area of search", giving no indication of where the housing is to be located.

2.4 It would also appear that the authority is planning on dealing with strategic site allocation in a further document, the "Strategic Site Allocations DPD" which, we understand, is "planned for the coming months". Accordingly, the Draft Core Strategy would best be limited to including an overall vision, strategic objectives and delivery strategy.

2.5 A sustainability appraisal has been prepared by the authority and PPS12 (para 4.43) states that:

"Sustainability assessment should inform the evaluation of alternatives. It should provide a powerful means of proving to decision makers, and the public, that the plan is the most appropriate given reasonable alternatives."



However, the sustainability appraisal is flawed and does not include adequate assessment of the reasonable alternatives. For example, the assessment of the southern site states that the southern area of search is no further from the town and its amenities than the 2009 preferred option to the east - without knowing where the housing is located, how can this statement be substantiated and justified as part of the evidence base?

- 2.6 The Land East of Chippenham remains the most sustainable option, and this must be the conclusion of any reasonable sustainability appraisal. It is simply not understood (and nor has it been evidenced to date by the authority), how the sites selected are preferred over an integrated site within walking and cycling distance of the town centre, railway station and amenities.

3. **INADEQUACY OF EVIDENCE BASE - PREMATURITY**

- 3.1 Fundamentally, there is a lack of a coherent and meaningful evidence base for the Core Strategy. The evidence base that exists is different to that which went before it in relation to the Wiltshire 2026 document (in 2009) and the massive shift in the authority's approach to evidence and consultation is inexplicable. Selection criteria should be consistently applied based on an objective basis, in order to allow for meaningful consultation to take place.

- 3.2 In particular, the position in relation to the topic papers is unclear; these are designed to *"form part of the evidence base to support the emerging Wiltshire Core Strategy"*. However, not all of the topic papers were immediately available at the start of the 2011 consultation on the emerging Draft Core Strategy, and any consultation without them could not be described as "meaningful", as consultees did not have access to the full evidential context.

- 3.3 Furthermore, the authority has consulted upon parts of its evidence base at the same time as the Draft Core Strategy. This approach will not stand up to scrutiny at an Examination in Public ("EiP") into the "soundness" of the Draft Core Strategy, as the Draft Core Strategy should be informed by the evidence base, and this cannot be the case if the evidence base itself is still in draft form.

- 3.4 In addition, there is, and continues to be, a clear absence of reporting, for example our client (and the public generally) has not seen the results of any authority-commissioned work (eg a transport assessment) which analyses, provides options and suggests a preferred option. On the advice of the authority's officers, our client has commissioned its own independent traffic and transport modelling report and submitted this to authority. However, this has not been taken into account by the authority as part of the evidence base.

- 3.5 Accordingly, consultation on the emerging Draft Core Strategy has been premature given the evidence available to the public.

4. **CONSULTATION TO DATE**

- 4.1 We would draw the attention of members to PPS12, which is clear that the production of DPDs should be, amongst other things, *"continuous"*, *"transparent"* and *"accessible"*. Paragraph 4.26 of PPS12 discusses the need to involve the community in the process of refining and improving the options. Paragraph 4.37 is clear that the evidence base should contain *"evidence of the views of the local community and others who have a stake in the future of the area"*. For the reasons set out in the previous representations, the consultation to date has been inadequate.

- 4.2 Furthermore PPS12 advises that the extent of consultation undertaken should be proportionate to the issues within the scale of the plan. Accordingly, the consultation



carried out to date in relation to the allocation of sites cannot be described as "adequate" given the significance of the change in policy direction.

- 4.3 The number of documents being consulted on by the authority has been confused and remains confusing, for example the authority states that the Topic Papers *"will form part of the evidence base to support the emerging Wiltshire Core Strategy"*. However, the status of the Topic Papers is unclear. If they have been prepared to *"accompany"* consultation on the Core Strategy, one must conclude that they are intrinsic to the Core Strategy and are therefore inherently part of the Core Strategy Consultation.

5. **FAILURE TO TAKE ACCOUNT OF REPRESENTATIONS RECEIVED IN RELATION TO THE DRAFT CORE STRATEGY**

- 5.1 The Department of Communities and Local Government has produced a plan-making manual to accompany PPS12, and this manual is clear that *"the local authority must take into account any representations received as a result of preparing the development plan document"*. Indeed, throughout the process, *"early and effective community engagement through the scoping of the sustainability appraisal and engagement with key delivery stakeholders is very important"*.

- 5.2 The report to Cabinet states that the document has *"been developed in consultation with the local community, partner organisations and other stakeholders"*. However, there is no explanation as to how any representations made in relation to the emerging document have been taken into account and there is no evidence base to demonstrate how these responses have been considered and taken into account. The consultation responses have not been discussed in any detail at all in the report to Cabinet. Accordingly, members have not been given all of the requisite information in order to make a reasonable and fully informed decision (as required by PPS12 and the plan-making manual), as to whether the document should be recommended to Full Council for approval for publication.

- 5.3 For example, at paragraph 13 the report discussed the authority's view in terms of consultation responses received and states that:

"No new evidence has been put forward that would justify a change to the overall housing numbers, which are still considered to be sound".

This issue was raised in our client's previous representations and clear evidence was provided in relation to housing numbers.

- 5.4 Taking the 2009 and 2011 consultations together, there were over 300 separate written representations against development to the South of Chippenham and only 104 against the East. However, the impression given by the authority throughout the documentation is the opposite, as the strength of the objections to the East is stressed whilst remaining silent on the objections to the South. This is misleading and fails to draw members' attention to a material consideration to their decision making process.

6. **NEXT STEPS FOR THE AUTHORITY**

- 6.1 To progress with the proposed submission draft Core Strategy makes legal challenge inevitable, and this will ultimately cause delay to the County-wide Plan and unnecessary cost to all parties

- 6.2 This situation is avoidable. The Emerging Core Strategy is based on a hurried and unsound evidence base. We suggest the only reasonable avenue open to the authority is to abandon the southern site within Option 2 and revert to the preferred option identified the previous iteration of the Core Strategy, Wiltshire 2026, which was



supported by a clear evidence base and is the obvious (and only genuine) sustainable option.

Our clients are committed to their investment in Chippenham and will continue to scrutinise all Emerging Core Strategy and other policy documents. It is not in anyone's interests to incur wasted time and expense at EIP when the matters addressed in this letter are capable of remedy now. We urge the authority to address the fundamental issues addressed in this letter as a matter of urgency.

Yours faithfully

Pinsent Masons LLP

Pinsent Masons LLP

This letter is sent electronically and so is unsigned

Copy to: Chippenham 2020
 CSJ Planning

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Wiltshire Council

Council

7 February 2012

Councillors' Questions

Questions From Councillor Chris Caswill
Chippenham Monkton Division
On Item 9 – Wiltshire Core Strategy

To Councillor Fleur De Rhé-Philippe
Cabinet Member For Economic Development
and Strategic Planning

Question 1

- a) What assumptions have been made about population growth in the Chippenham community area for the Core Strategy period?
- b) Given the well-known uncertainties about in- and out-migration flows to a local area of this kind, what locally researched data has been drawn upon for the Chippenham population and housing projections in this Core Strategy draft?

Response

Wiltshire Council has projected the population and resulting housing requirement for Wiltshire as a whole assuming four different policy scenarios (natural change, population led, economic led and job alignment led). This is summarised within Topic Paper 15. These scenarios were used to inform the development of the requirement for 37,000 homes over the plan period.

These scenarios were also applied to the Chippenham Community Area and produced the following results:

- (i) The natural change from 2009 scenario assumed that births, deaths and headship rates (persons per household) would align with the national projections (i.e. the trends from the recent past would continue) and that there would be no migration in or out of the area. This is unrealistic in a free market economy, as migration will continue and cannot be prevented. If the number of dwellings resulting from this scenario were built, they would not cater to a local need, but rather to more affluent in-migrants (largely from the South East), requiring the local population to find accommodation elsewhere. Nevertheless this scenario is considered useful as it provides a baseline. This produces a requirement for 3,100 homes.

- (ii) The population led scenario assumes that births, deaths, migration and headship rates align with the national projections. This produces a requirement for 5,600 homes.
- (iii) The economic led scenario assumes that births, deaths, and headship rates align with the national projections, and places a further requirement that the future population should be sufficient to support a proportionate growth of jobs (according to the Cambridge Econometrics economic projections) assuming that the 2001 proportionate commuting flows are maintained. This produces a requirement for 4,900 homes.
- (iv) The job alignment led scenario assumes that births, deaths, and headship rates align with the national projections, and places a further requirement that the future population should be sufficient to support a proportionate growth of jobs (according to the Cambridge Econometrics economic projections) assuming that there will be no net commuting flows to or from the area (so that local jobs provide for local residents and vice versa). This produces a requirement for 2,600 homes.

These scenarios, when considered at the Community Area level should be used with caution, as projections are inherently less robust at a smaller geography.

Nevertheless, on balance, the identified requirement for 4,500 homes for the Chippenham Community Area provides sufficient homes to support economic growth, but would not allow for recent levels of migration to continue. This level of growth is considered appropriate as it ensures the sustainability as well as the economic prosperity of the area.

Question 2

It appears that the Council not reduced its housing requirement for Chippenham by a single dwelling relative to the proposals put forward in the last consultation. This appears to be based on a failure to recognise a current and predicted decline in in-migration into North Wiltshire. Should that decline prove to be substantiated, would the Council agree that these housing numbers should be significantly reduced downwards in order to avoid the damaging consequences of over allocation, such as an unnecessary loss of high quality Grade 1 and 2 farmland, green open space and, more formally, an environmental and infrastructure deficit?

Response

The housing requirement identified in the June consultation was based upon the most recent national population projections and no further evidence has come to light that would negate these. These most recent national projections (2008 based) actually identify an increase in both in-migration and net in-migration to North Wiltshire. The housing requirement for the Chippenham

Community Area (4,500 homes) already assumes that in-migration will decrease, in order for the area to become more sustainable. The plan will be monitored and reviewed, as and when substantive evidence arises to demonstrate that existing policies are not achieving their objectives.

Question 3

With reference to the Rawlings Farm site, to the North East of Chippenham:

- a) Does she accept that Wiltshire Council's own Sustainability Appraisal highlights a number of key 'significant adverse environmental impacts' in relation to this, for which "there are no mitigation or inadequate mitigation has been proposed or for which mitigation is considered unachievable."
- b) Why does the latest Core Strategy draft not acknowledge that proposed development on this site is in direct conflict with Wiltshire Council's out-commuting and climate change policies, and would generate more congestion and carbon emissions than alternative sites to the north and west of Chippenham of which in recent months several have come forward with a more rational basis for local employment.
- c) Given the lack of evidence as to how the Sustainability Appraisal has informed the appraisal of reasonable alternatives, which is required by the SEA Directive under Article 5(1), should not the Council reconsider the overall costs and benefits of this site, relative to more sustainable alternatives?

Response

The Sustainability Appraisal has considered the social, environmental and economic effects of developing the strategic sites identified in the Core Strategy. Where significant adverse impacts have been identified, mitigation and enhancements measures have been suggested where appropriate.

The more significant strategic sites within the Core Strategy, including those in Chippenham, have been assessed as likely to lead to significant adverse effects against particular sustainability objectives where mitigation is considered difficult. This is by virtue of the scale of these developments and the fact that they need to take place on greenfield sites on the edge of the settlement rather than more sustainable brownfield sites. Inevitably growth will also lead to increased demands on energy use in the construction of the houses, through their occupation and as a result of residents' travel. This is an inherent consequence of growth and as such will be identified within the Sustainability Appraisal.

The Rawlings Green site is not in conflict with out-commuting and climate change policies. Indeed the site provides for employment land alongside housing, community uses and greenspace achieving a sustainable pattern of development in alignment with the Core Strategy's objectives.

Alternative employment sites to the west and north of Chippenham do not form part of a sustainable mixed use urban extension to the town and therefore are less able to contribute to achieving a sustainable pattern of development in order to reduce carbon emissions (paragraph 2.13, Pre-Submission Draft Wiltshire Core Strategy).

A Sustainability Appraisal Report will be published alongside the Pre-Submission Draft Core Strategy to enable the soundness of the document to be considered. The Appraisal has considered all reasonable alternatives as required by the SEA Directive.

Wiltshire Council

Council

7 February 2012

Councillors' Questions

Questions From Councillor Chris Caswill
Chippenham Monkton Division
On Item 9 – Wiltshire Core Strategy

To Councillor Jane Scott
Leader Of The Council

Question 4

With reference to the designation of Chippenham as a Wiltshire 'Principal Settlement:

- a) On what basis was Chippenham designated as a Principal Settlement rather than a Market Town?
- b) Does this not have its origins in the assessments of the regional development process and the Regional Spatial Strategy proposals, which I hope she will agree were flawed and unhelpful to Wiltshire?
- c) Given the implications of this designation, not least in terms of expansion in the built environment that seems to follow from this designation, should not the residents of Chippenham have been consulted and their aspirations listened to?
- d) Will she acknowledge that the shortfall in that consultation has contributed significantly to the extensive and widespread opposition to developer-led expansion of the town that has emerged in every consultation that has since been carried out.
- e) Taking all this into account, should the Core Strategy not be adapted to take account of the stated preferences of local people for Market Town status?

Response

Chippenham is commensurate in terms of employment, housing, facilities, infrastructure and potential for sustainable development with the other Principal Settlements of Salisbury and Trowbridge. It is significantly better served than the largest Market Town identified in Core Policy 1. For example:

- Chippenham provides employment for 16,000 persons (the third highest in Wiltshire after Salisbury), which is some 55% greater than the largest Market Town.
- Chippenham is well served in terms of facilities – it has the third largest number of schools of any settlement in Wiltshire (some 60% greater than the largest Market Town); it has the third highest comparison retail turnover; it has the second highest number of comparison retail units;

its mainline railway station, with direct access to London and proximity to the M4 makes it one of the most attractive location for investment, which should be maximised.

- Chippenham is only one of three settlements of this scale in Wiltshire.

The designation of Chippenham within the RSS as an SSCT did not in itself influence the designation within the Core Strategy. The Settlement Strategy (Core Policy 1) has been developed in the national policy context (as was the RSS), with development being focussed at the most sustainable settlements. The identification of Chippenham as a Principal Settlement arises from its role and function which holds true irrespective of the planning framework. The strategic importance of Chippenham was also identified in the adopted Structure Plan, which was locally derived planning policy.

It is recognised that concerns have been raised by the local community regarding the scale of growth at Chippenham. Extensive consultation has been undertaken with the local community and the level of growth revised with a reduction from the 5,500 new homes proposed for the town in the RSS and Wiltshire 2026 (October 2009) to 4,000 new homes now proposed. Chippenham is one of the few Wiltshire settlements where growth has been reduced. Core Strategies must be based on robust and credible evidence and there is no compelling evidence to justify a lower scale of growth at the town.

Question 5

I believe we are in full agreement about the need for the Wiltshire Core Strategy to be “employment-led”. If so, will she outline the steps that are being, and will be, taken to embed this within the draft Core Strategy?

Response

The Core Strategy is employment led, this is reflected within the strategic objectives and a significant number of Core Policies within the document, particularly the Delivery Strategy (Core Policy 2) which priorities the release of employment land and at mixed use strategic sites ensures that employment land is phased for delivery at the early stage of a site’s development. The new Swindon and Wiltshire Local Enterprise Partnership will work alongside the Wiltshire Strategic Economic Partnership and the Council to ensure successful implementation of the Core Strategy.

Wiltshire Council

Council

7 February 2012

Councillors' Questions

Questions From Councillor Judy Rooke
Chippenham Lowden And Rowden Division
On Item 9 – Wiltshire Core Strategy

To Councillor Fleur De Rhé-Philippe
Cabinet Member For Economic Development
and Strategic Planning

Question 6

I am extremely disappointed that 800 houses have been proposed to be built on green fields and grade 1 agricultural land around Rowden and Patterdown.

One of the many challenges for this development is going to be traffic from this large estate pouring onto already congested roads in the area.

The Highways Agency supports the use of brown field land wherever possible and suggests amending proposals if suitable additional brown field becomes available. Their general position is that green field development should only take place where suitable brown field sites are not available (para.9.12 Appendix 3, Topic paper 12).

In the recent Wiltshire Core Strategy Consultation Document, (para. 5.1.21) it was made clear from the Strategic Housing Land Availability Assessment that there were brown field sites in Chippenham that could accommodate housing, a potential of 545 houses.

The breakdown was Langley Park – 250, Middlefield - 55, Hygrade - 55, Cocklebury Road - 25 and 160 on small sites in Chippenham.

The Cabinet Member has responded, in a reply to my question at Cabinet on January 17th 2012, only 150 houses are to be considered for Langley Park as it is an important employment site. I understand that the total area of Langley Park is 20ha and that 250 houses would cover about 7ha. It is clear that Chippenham will have an ample supply of employment land from the proposed sites in the Core Strategy at least 26.2 ha. The Workspace and Employment Land Review 2011, suggests only 13.2ha is required for Chippenham and goes on further to comment that Wiltshire Council will need to carefully consider apparent over supply of land (para 10.8, Appendix 3, Topic Paper 12).

In the light of this evidence, will the Cabinet Member now agree that it would be possible for at least 250 houses to be built at Langley Park, with a plentiful supply of employment land remaining?

Will the Cabinet Member also agree to reduce the development in Rowden and Patterdown by the amount of housing brought forward from the brown field sites in Chippenham?

Response

One of the specific issues to be addressed in planning for the Chippenham Community Area is that *'new employment provision in Chippenham is a priority and will help to redress the existing levels of net out-commuting. New employment provision will be supported on the allocated strategic sites and on identified town centre regeneration/ brownfield opportunity sites.'*

Langley Park is an identified regeneration site, which retains a number employers and its proximity to the railway station and town centre offers potential to secure its long term use as an important employment site for the town. The Core Strategy supports the redevelopment of the site to *"deliver a mixed use site solution for a key redevelopment opportunity area to support the retention of significant business uses on part of the site."* (Core Policy 9).

The Workspace and Employment Land Review (2011) suggests a greenfield employment land figure of 13.2ha employment land at Chippenham. However the Core Strategy provides for a higher figure in order to provide choice and encourage inward investment to help redress the high levels of out-commuting and rebalance employment and employee numbers within the town.

Langley Park is an existing site. The report acknowledges that *"that there is little developable space remaining on the existing sites and limited availability of good quality built premises... There is a requirement for new allocations, particularly around the larger settlements, to meet demand for leaseholds and also to provide space for larger design and built options."*

Therefore, whilst the continued provision of employment land at Langley Park is supported, to ensure that demand from existing and new employers are met, it is necessary to allocate new employment land as part of the strategic sites at Chippenham. The number of dwellings for the site was revised from 250 down to 150 following detailed site assessment which concluded that a lower number of dwellings were more appropriate for the site. However, in bringing forward development on the site, in line with Core Policy 9, it is recognised that the mix of uses may change depending on the viability of differing options. This could result in a higher or lower number of houses being brought forward on the site.

Question 7

Natural England, a government body which advises on the natural environment, noted that one area of the South West Chippenham site was visibly more prominent, and that consideration should be given to this sensitivity and possibly used as additional parkland (para 9.10 Appendix 3, Topic Paper 12).

Did Natural England specify in their comments to the Council where that area was and if they did, could the Cabinet Member give a specific indication of the area?

Response

The comments from Natural England refer to land south west of the site within the Chippenham Community Area. Details of the exact area weren't provided, although the land referred to is **not** included as part of the site. The development template for the South West Chippenham site includes landscaping criteria which are required to be addressed in the masterplanning for the site, one of which will address the concerns of Natural England:

“Development should consider the views from Public Rights Of Way and the high visual sensitivity of the Lacock to Lyneham limestone ridge. Development should maintain the visual integrity, open views and characteristics to the east and avoid harsh urban edges fronting open countryside.”

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Wiltshire Council

Council

7 February 2012

Public Participation

Question From David Scane, On Behalf Of Curtin & Co, Acting For Bloor Homes

**To Councillor Fleur De Rhé-Philippe
Cabinet Member For Economic Development
and Strategic Planning**

Question 1

Issue 1

Today the Council will be asked to vote on the Cabinet's recommendation to support the Pre-Submission Draft Wiltshire Core Strategy Development Plan Document for delivery of up to 37,000 homes over the next 14 years.

We would firstly point out that the proposed plan period to 2026 is inadequate. PPS3 requires development plans to identify specific sites and broad locations to enable the continuous supply of housing for at least 15 years from the date of adoption. This would suggest a plan period of at least until 2028.

Response

The Core Strategy plans for a twenty year period from 2006 to 2026, as with many Core Strategies the changes to the planning system has influenced the timing of their preparation. Although the draft National Planning Policy Framework, which will replace PPS3 in due course, states that it is preferable to cover a 15 year period, this is not a requirement and 14 years is considered reasonable. The Council will have the option to undertake an early review.

Issue 2

For several years, our clients Bloor Homes have made representations to Wiltshire Council to support the delivery of a sustainable strategic site on the southern side of Chippenham at Hunters Moon.

This site offers a number of significant advantages for both the Chippenham area, and wider core strategy process, which our clients feel are in danger of being discounted should members see fit to approve the document before them today.

- The Hunters Moon site has already been tested at examination – it was assessed as being suitable for mixed use development by the Planning Inspector in the North Wiltshire Local Plan 2011 inquiry in 2005.

Response

The Hunters Moon site was considered for inclusion in the North Wiltshire Local Plan 2011. Although the site wasn't allocated, the Inspector did conclude:

“The site is undeveloped and consists mainly of rough grazing land. If there were a need to consider the allocation of greenfield urban extension sites in order to provide sufficient capacity to meet the agreed housing capacity, I accept that the objection site, in conjunction with other land in the wider ‘Hunters Moon’, is in principle appropriate for mixed-use development. It is located on the edge of the principal town within the District and the land is well-contained by clearly defined physical boundaries. There are no significant constraints in terms of agricultural land or landscape features. Development would, in my view, be seen as a logical extension of the Methuen and Turnpike employment estates and the Cepen Park development to the north of the A4.” (Paragraph 9.111 Inspectors Report)

Old-style local plans are being replaced with Local Development Frameworks, which includes Core Strategies. PPS12 states that “Core strategies may allocate strategic sites for development. These should be those sites considered central to achievement of the strategy” (paragraph 4.6), therefore it is not appropriate for the North Wiltshire Local Plan Inspectors comments to be given precedence in determining whether this site should be allocated in the Core Strategy. The Site Selection Process set out in Topic Paper 12 has assessed all the promoted sites including Hunters Moon at Chippenham against a number of factors including the delivery of the overall strategy for the town and for Wiltshire.

Issue 3

- Unlike the large sites currently identified for strategic housing growth around Chippenham, our client's site is not reliant on significant infrastructure which can delay the delivery of housing.
- The site could start to deliver housing within 2-3 years to help meet the council's short term housing requirement and protect it from unplanned development.

Response

For all strategic sites included in the Core Strategy, work has taken place to ensure they are viable and deliverable. Templates have been prepared for all strategic sites setting out criteria to be met as part of the masterplanning for the sites.

The strategic sites identified in the Core Strategy including for Chippenham will help to deliver the housing requirement in the short term. Trajectory information has been obtained for all the sites to ensure this is the case.

The deliverability of sites is not the only consideration in determining how a settlement should be developed.

Issue 4

- Our site is not located in an area of flood risk, or ecological sensitivity; points which have understandably led to widespread local opposition and objection from local people at other sites in the Chippenham area which remain as locations for large-scale housing growth.
- Our clients recognise the council's commitment to promotion of mixed-use development to encourage job creation, and are eager to work with Wiltshire Council if some employment use is considered to be desirable at part of a mixed use allocation at the Hunters Moon site.

Response

Part of the site is an outstanding employment allocation in the North Wiltshire Local Plan 2011. There haven't been any detailed proposals or planning applications for employment on this site. In 2005 employment provision was promoted as part of a mixed use development. More recently, the site been promoted for housing only.

The employment site was reviewed as part of the Workspace and Employment Review 2011. The report concluded that "*Hunters Moon, Chippenham, is located close to Methuen Business Park. It is unsuitable because it is currently accessed via narrow roads, is sloping and is relatively detached from the town. Even with significant investment on road links and site levelling it is only likely to be seen as a secondary business location which will not generate sale and rental levels to make development viable for employment uses. The site owner has not demonstrated any intention to develop this site for employment use in the last 10-15 years.*"

The delivery of employment land to enable jobs to be provided is an important part of the strategy for Chippenham. Alternative sites now included in the Core Strategy at Chippenham offer better opportunities for employment provision early in the plan period with housing and community uses alongside.

In the Wiltshire Core Strategy Consultation Document (June 2011), it was considered that the Hunters Moon site could provide an opportunity to deliver housing and contribute to meeting the strategic housing requirement for the town. This was on the basis that the strategic employment provision at Showell Farm is located nearby and it was felt that that the site could be included as part of a sustainable urban extension linking Showell Farm and Patterdown with the town centre.

Following the consultation, further consideration has been given to this issue. The Hunters Moon site topography is in particular very challenging as it contains a hill which presents a physical, visual and perceived barrier from the western side. Access to the site is currently poor and it is considered that the railway line and road to the east create barriers to the connectivity of Hunters Moon and Saltersford Lane sites with Showell Farm/Patterdown/Rowden and the Methuen park employment site and A4 to the north create barriers to connectivity with Cepen Park and the town centre. Therefore, it is now considered that the site is separated from the remainder of the area of search.

Although the Hunters Moon site could help meet the strategic housing requirement for Chippenham, it is unclear as to what other benefits this will have for the town, the strategy set out in the Core Strategy and the vision objectives. Therefore, it is considered that Hunters Moon and Land at Saltersford Lane should not be taken forward as part of the South West Area of Search at present.

Issue 5

In short, our clients feel that their site at Hunters Moon is able to provide the Council and Chippenham with a more balanced strategy for housing growth than is currently being considered. The submission Core Strategy currently relies on large strategic sites dependant on significant infrastructure projects, but excludes Hunters Moons in spite of its acknowledged potential to deliver housing and employment uses in a sustainable location.

Response

Work has taken place to ensure that all strategic sites in the Pre-Submission Core Strategy are viable and deliverable. The proposed sites for Chippenham will ensure that the community has a better balance of jobs, services and facilities and homes.

Issue 6

We would urge the council to reconsider the sites put forward in the latest Core Strategy draft document for consultation and examination by an Inspector as a result of today's meeting, and would ask in respect of Agenda Item 9: "Pre-Submission Draft Wiltshire Core Strategy Development Plan Document":

- a) Given the inspector's comments at the Local Plan review and its inclusion in all previous rounds of the Wiltshire Core Strategy; when was it decided, by whom and on what basis to exclude the Hunters Moon site from the Core Strategy put before members today?
- b) Given that the council has indicated the intense public opposition to development to the north, east and southwest of Chippenham, whilst acknowledging that there is comparatively little opposition to

development at Hunter's Moon, why are the views of local people not being listened to?

- c) Do councillors not agree that it would be sensible to have Hunters Moon included in the core strategy, as a site that could come forward in a short time frame, to help the council to maintain a 5-year housing supply?

Response

As explained above, the views of the Inspector expressed in his report regarding the North Wiltshire Local Plan are not a consideration which can be given any significant weight in the site selection process for the Core Strategy. The site selection process for Chippenham is set out in Topic Paper 12 and has had regard to previous consultations and evidence gathered as part of the core strategy process. This fully explains why the site is not included in the Pre-Submission Draft Wiltshire Core Strategy. The inclusion of Hunters Moon is not necessary to meet the 5 year housing supply.

The development of Chippenham has been the subject of significant public consultation including a number of workshops. The Strategy as now proposed takes a balanced view of the consultation and evidence underpinning the merits of the different sites. Cabinet has endorsed the Core Strategy at its meeting on 17th January 2012 and recommends that Council approve the document for consultation.

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