

**Wiltshire Council**

**Cabinet**

**9 February 2016**

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**Public Participation – Chippenham Sites DPD**

**Question from Mr Richard Hames**

Answers should be considered in the context of the Council's position regarding the ongoing Examination as promulgated through the Cabinet meeting, 15th December 2015 as noted below:

Cabinet: 15 December 2015

*Council Position Statement:*

*The Examination in relation to the Chippenham Site Allocations Plan is still open. The proceedings have been suspended by the Inspector, not closed. The Council has been asked to do further work by the inspector. Whilst this work is being undertaken, the Council will not be responding to communications relating to the evidence before the Inspector as in the interests of fairness and openness such an exchange should be considered through the examination process and therefore managed by the Inspector.*

1. Could you please confirm that the council agrees with the flood analysis provided by the environmental agency at the September public meeting and at the inquiry in November.

**Response:**

*This is a question relating to evidence before the inspector and subject to further consideration and therefore it is inappropriate for the Council to comment at this time apart from confirming that the Council will always use the up to date evidence from the Environment Agency.*

2. If there were brown field sites which could have say 400 homes built on them would you please confirm that they would be taken into consideration in the required number of houses of not less than 1935. So if brown field sites for 400 homes were found the number of houses needed would fall to not less than 1535.

**Response:**

*This is a question relating to evidence before the inspector and subject to further consideration and therefore it is inappropriate for the Council to comment at this time.*

3. A number of sites have recently received planning permission for houses to be built on in adjacent towns in the North & West HMA as Chippenham was

not able to meet its 5.25 year plan, for example Calne and Corsham. Will the number of not less than 1935 be reduced accordingly.

**Response:**

*The Chippenham Site Allocations Plan will need to be in conformity with the Core Strategy including Core Policy 10 that sets out the housing requirement for the Town*

4. It seems very unreasonable that the public have until I think 11th February to respond on the request to build 700 houses in area B and 1500 houses in area C. Would it not make more sense for this decision to be delayed until the council has produced its report later this year and consultation has been received from the public.

**Response:**

*The consultation period for making comments on these applications ends on 11 February 2016. Once the consultation period has concluded the Council can proceed to determine the planning application. To ensure comments are taken in to account it is important to submit comments before the statutory deadline. However, should representations be received after this date and no decision has been made, they will be taken into consideration by the Council.*

*If valid applications are submitted to the Council then we, as Local Planning Authority, have a statutory duty to process those applications within a specified time frame as you recognise in your next question. Any failure could result in an appeal against the Council for non-determination.*

5. The council has to comply with the timetable laid down by central government in deciding whether to grant planning consent to Chippenham 2020s application for 1500 houses in area C.

If the council decides to grant consent for building on land to the east of Chippenham prior to the inspectors decision at the end of 2016, would the council confirm that in such a case they will refuse to sell land owned by them to C2020 unless the inspector has given his findings and has confirmed development may take place on such land.

If the council fail to give such an undertaking the council is effectively bypassing the inspector so that it can sell its own land for profit and is abusing its position as both landowner and issuer of planning consent. This cannot be correct. The council can not allow building on its own land unless the inspector agrees that it should be part of the Chippenham site allocation

**Response:**

*This is a hypothetical question as to something that may or may not occur in the future based on a decision by the Council as Local Planning Authority which must base its decision on planning grounds only. The Council's land ownership is not a material planning consideration and therefore would have no part in any such decision. Any decision by the Council as landowner after*

*that occurrence would be taken having regard to all of the relevant facts at that time.*