4th December 2015

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Your ref: PINS/Y3940/429

Dear Patrick Whitehead

Re: Chippenham Site Allocations Plan (CSAP) - Examination in Public

Thank you for your letter of 16 November 2015 in which you set out your concerns following the suspension of the examination into the above Plan. Since this date the Council has been working hard to carefully consider the points you raise in order to identify a schedule of work going forward and to allow you to respond before going on leave.

We also confirm receipt of your letter of 30 November in which you have reiterated your concerns and note that you have provided further clarification.

However, the tenor of this latest letter, which appears to have increased the emphasis on withdrawal, is giving the Council cause for concern that you may have predetermined the outcome. We note an interim letter from the Inspector examining the soundness of the County Durham Plan was challenged on grounds including predetermination and was subsequently quashed by the High Court with the consent of the Secretary of State. We therefore seek your reassurance that you will proceed with an open mind.

As detailed in this letter, we are going to carry out a transparent and comprehensive schedule of further work addressing each of your concerns. The Council do not know the outcome at this stage but there is no reason to believe that it would lead to a fundamentally different Plan or one requiring substantial modification. Even if it did lead to significant changes, there is no legal impediment to any changes being progressed through a proper consultation and modifications procedure, if necessary, and as such we see no legal reason why the Plan cannot proceed.

The main concerns outlined in your letter of 16th November relate to the adequacy of the Site Selection Procedure and the Sustainability Appraisal, requiring the Council to revisit these two exercises, as well as matters around deliverability. At the hearings the Council agreed to a suspension in order to address these concerns and review the evidence that supports the Plan. The main concerns can be summarised as follows.

(i) Site Selection Procedure:

- the basis for and use of the ranking exercise relating to criteria within Core Policy 10 of the Wiltshire Core Strategy is not clear;
- the two stage process results in some locations not being evaluated in the same detail as others before being rejected; and
- the approach to delivering an employment led strategy.

(ii) Adequacy of Sustainability Appraisal (SA):

- the two stage sequential site selection process and its influence on the SA;
- the inclusion of detailed assessment for only three broad areas (B, C and E) rather than for all areas A to E; and
- therefore, the concern that reasonable alternatives were not given proper consideration.

(iii) Deliverability of the Plan proposals:

- the need for clarity regarding the role and character of the Eastern Link Road and to acknowledge its provision as a policy requirement;
- how the Eastern Link Road (including bridges) can be delivered and funded alongside development and other infrastructure requirements;
- the co-ordinated delivery of the Eastern Link Road; and
- how the proposals comply with the Wiltshire Core Strategy on affordable housing.

In order to address points (i) and (ii) above, the Council is proposing to re-issue a revised Site Selection Report using an enhanced methodology that is informed by Sustainability Appraisal. The enhanced methodology will provide clarity on the employment led approach drawing upon the substantial evidence that is before the examination. The selection of a preferred strategy will be based on choosing the alternative with the greatest net benefit for economic growth and settlement resilience when compared to the potential harm against Core Policy 10 criteria 2 to 6. This therefore ensures that the Plan is based on delivering significant job growth, which will help to improve the self-containment of the town as required by the Wiltshire Core Strategy and replaces the ranking of Core Policy 10 criteria. The enhanced methodology will also include a more detailed consideration of site options within all strategic areas and is described in a Schedule of Work attached as an annex to this letter (**Appendix 1**). In summary this will involve:

- A review of the existing Strategic Area Assessments (Strategic Areas A-E) in both the Sustainability Appraisal and the Site Selection Report in the interest of consistency and clarity (Steps 1 and 2 in the Schedule of Work);

- Instead of the sequential approach to site selection using the outcome of the Strategic Area Assessment, the Sustainability Appraisal and Site Selection Report will be amended to consider the reasonable strategic site options in each Strategic Area (Steps 3 to 5); and

- A new section in both the revised Site Selection Report and amended Sustainability Appraisal to consider reasonable alternative development strategies (Steps 6 to 8) before identifying a preferred development strategy and any accompanying proposed modifications to the Plan (Steps 9 and 10).

In relation to (iii) above, 'Deliverability of the Plan proposals', the development of alternative development strategies will involve each being supported by a risk assessment in relation to delivery (Step 6). This will be a basis for comparing the effectiveness of each development strategy and therefore a consideration in selecting a preferred strategy. Recognising the need for co-ordinated progress over the remainder of the Plan period, revisions to the Plan will be drafted to set out measures to monitor and minimise risks and contingencies, for example, for the timely delivery of critical infrastructure.

To provide greater detail on road infrastructure, the Council is proposing to provide a position statement responding to the issues you raise concerning the Eastern Link Road. This will draw together existing evidence on the character and purpose of a link road, provide an update in relation to options on delivery (some of which were briefly discussed during the hearings) and clarify the benefits. Whilst the Council is mindful of the need not to prejudge the outcome of the review of the Site Selection Procedure and the Sustainability Appraisal, the position statement will be completed

alongside the attached schedule of work. This will ensure that the agreed timescale can be met and information is available to support the proposed development strategy should a link road remain part of the strategy of the Plan. This will also respond to your concern regarding the need for a dedicated policy within the Plan.

In response to your comments concerning the delivery of affordable housing, concerns that were also raised during the hearings, as you are aware the Council has prepared the revised Viability Assessment Report (dated November 2015), which has been submitted to the Examination. This updates the original appraisal inputs, which as reflected in the Council's response to your 'Initial Appraisal' are pessimistic, and reflects the introduction of Community Infrastructure Levy at £85 per sq m for residential development as opposed to the £40 per sq m adopted in the earlier iteration of the report. With these updates the report indicates that there are scenarios where 40% affordable housing could be achieved on all sites. It is appreciated that the hearings did not progress as far as Matter 12 when this would have been discussed in more detail.

Further viability assessment will also be undertaken for alternative development strategies, as referred to at Step 6 in the Schedule of Work. This will help consideration of the comparative effectiveness of each and the justification for the Plan's proposals. The Transport and Accessibility evidence will be reviewed and amended as necessary to ensure that each alternative development strategy is tested.

The Council also recognise that this further work allows the opportunity to reflect on specific issues that have been raised in representations.

As part of this work, Wiltshire Council is in discussion with the Planning Advisory Service to engage their services in providing critical friend support.

The schedule of work to fulfil the commitments set out above, as you may imagine, is complex but the Council is confident that the work can be completed within the 6 month period proposed. The initial proposed timings for the work are set out in **Appendix 2**.

This includes a 6 week consultation on the revisions to the evidence base arising from this work including the revised Site Selection Report, amended Sustainability Appraisal Report and any consequential changes to the Plan, which will be set out in a schedule of proposed modifications. The consultation is proposed to commence late March 2016. At the end of the consultation it is proposed that comments received will be forward to you for consideration.

In relation to the meeting in public proposed towards the end of January, the Council understand that this will be focused on verbal updates provided by the Council to questions raised by you and that members of the public will be able to observe but not take part in the discussion.

We look forward to hearing from you and trust that this letter reinforces the Council's willingness to consider reasonable alternatives and that this satisfies your concern, enabling the examination to continue.

Yours sincerely

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APPENDIX 1: CHIPPENHAM SITE ALLOCATIONS PLAN: SCHEDULE OF WORK IN RELATION TO SUSTAINABILITY APPRAISAL AND SITE SELECTION REPORT

1. Introduction

1.1 The Inspector examining the soundness of the draft Chippenham Site Allocations Plan raised concerns about the adequacy of the Site Selection Report and Sustainability Appraisal prepared to support the Plan's preparation. In accordance with Examining Local Plans Procedural Practice this paper sets out a schedule of work the Council is proposing to carry out to address the concerns identified by the Inspector specifically in relation to these two pieces of evidence. This Appendix should be read together with the Council's letter of response to the Inspector, which refers to a Position Statement that will be prepared responding to the Inspector's concerns in relation to the proposed Eastern Link Road. Appendix 2 sets out the timeline for this work.

1.2 The proposed further work focuses on an enhanced methodology, which removes the two stage approach and replaces it with a parallel assessment of Strategic Areas and strategic sites that culminates in the comparison of alternative development strategies. The methodology revisits the Sustainability Appraisal and the Site Selection Process and the outputs will include:

- A revised Site Selection Report that recognises the importance of the Core Policy 10 criteria, which are reflected within the Plan objectives, as part of a more straight forward employment-led approach by removing the explicit ranking of criteria. This 'employment-led approach' will ensure the Plan provides a good choice of sites for a range of business as soon as possible, supports the vitality and viability of the town centre, and supports settlement self-containment;
- An amended Sustainability Appraisal, which introduces additional assessments of new strategic site options within all Strategic Areas; and
- Proposed modifications to the Plan resulting from the work including setting out measures to monitor and minimise risks to ensure the 'smooth and co-ordinated' delivery of the preferred strategy and associated infrastructure.

1.3 The background and context for the proposed enhanced methodology is provided in summary below following which the enhanced methodology is set out in steps.

2. Background and Context

2.1 The strategy for Chippenham, as set out in the Wiltshire Core Strategy "*is based on delivering significant job growth, which will help to improve the self-containment of the town*" and include the provision of new employment sites as part of mixed use sustainable urban extensions at the town (paragraph 5.46). The Wiltshire Core Strategy sets a minimum amount of additional housing and employment for Chippenham between 2006 and 2026. It also establishes a set of six criteria to guide Chippenham's expansion, as set out in Core Policy 10. They are translated into the six objectives for the Plan and form the central basis for selecting 'Strategic

Sites'. A Strategic Site Assessment Framework was developed to define how the Core Policy 10 criteria are interpreted and was informed by comments from the community and other stakeholders[1].

2.2 The Wiltshire Core Strategy identifies, diagrammatically, a set of indicative Strategic Areas located east of the A350 as potential areas of future expansion for strategic mixed use sites to be identified in accordance with Core Policy 10. The 'Strategic Areas' are defined by barriers such as main roads, rivers and the main railway line. Land west of the A350 is not considered a reasonable alternative for the allocation of strategic sites. The Council's reasoning is set out in Briefing Paper 2, which explains the definition of strategic areas[2].

2.3 The proposed enhanced methodology seeks to add to the Site Selection Process, as set out in the Site Selection Report, and Sustainability Appraisal (SA) process to present an equitable assessment of all reasonable alternatives within the parameters set by: the overall scale of growth included within the Wiltshire Core Strategy; the Strategic Areas identified as A to E[3]; the definition of what a strategic site is[4], and the agreed Strategic Sites Assessment Framework[5].

3. Enhanced methodology

Step 1: Review Sustainability Appraisal of Strategic Areas

Objective: To improve the consistency and clarity of the Sustainability Appraisal of Strategic Areas A to E

3.1 Each of the Strategic Areas has been assessed against the Sustainability Appraisal (SA) objectives in the SA Framework (Table 6.1, SA Report[6]). During the hearing sessions there was some concern about whether the assessments presented in Appendix 1 to the SA Report and summarised in Chapter 7 of the SA Report correctly reflected the evidence on which it relied. The first step is, therefore, to review this work for consistency and clarity.

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[1] Chippenham Strategic Sites Assessment Framework: http://www.wiltshire.gov.uk/planninganddevelopment/planningpolicy/chippenhamsiteallocationsplan/chippenhamsiteselectionmethodology.htm

[2] Briefing Note 2: Definition of the Chippenham Strategic Areas (Jan 2015) http://www.wiltshire.gov.uk/chippenham-briefing-note-2-definition-of-strategic-areas-updated-2015-january.pdf

[3] Wiltshire Core Strategy (January 2015) Figure after paragraph 5.56: http://www.wiltshire.gov.uk/corestrategydocument?directory=Adoption/Figures%20within%20the%20Core%20Strategy&fileref=29

[4] Briefing Note 5: The Role of Strategic Sites http://www.wiltshire.gov.uk/briefing-note-5-the-role-of-strategic-sites.pdf

[5] Strategic Sites Assessment Framework http://www.wiltshire.gov.uk/chippenham-strategic-sites-assessment-framework-final-2.pdf

[6] Sustainability Appraisal Report (February 2015) http://www.wiltshire.gov.uk/chippenham-draft-sa-report.pdf

3.2 This work will include a review of decision aiding questions in the SA Framework to establish whether they are appropriate to identify the impacts arising from development at Chippenham. No change to the SA objectives is proposed. These remain the core objectives of the SA.

3.3 The SA will continue to identify, for Strategic Areas, the likely significant effects of a large scale mixed use development, highlighting and explaining where the mitigation of impacts may be problematic.

Step 2: Policy review Strategic Area Assessments

Objective: To present the existing policy analysis of strategic areas against the objectives of the Plan to clarify the differences between each.

3.4 Informed by SA, the revised site selection report will present the evidence of the most significant strengths, weaknesses, opportunities and threats for each strategic area (A to E) that the evidence presents.

3.5 Using the six criteria from the Wiltshire Core Strategy (which are consistent with the Plan objectives) and evidence requirements set out in the Strategic Site Assessment Framework, the assessment will report under each objective as follows:

- Strength: There would be a benefit from developing here because...
- Weakness: There would be harm from developing here because...
- Opportunity: Developing here would offer the wider benefit of...
- Threat: Developing here would risk the wider harm of...

3.6 Much of this assessment is already presented in the Site Selection Report in Section 1 in a narrative manner. The revisions to this will reflect any amendments to the SA of Strategic Areas and present the evidence in a manner which will better highlight the differences between Strategic Areas.

3.7 Although this analysis may suggest some preference for one Strategic Area over another no Strategic Area will be removed from further consideration.

3.8 As part of the review there will be consideration of the opportunities the Strategic Areas present in combination with other Strategic Areas to help deliver the objectives of the Plan. The likely strengths and weaknesses of the combination(s) of Strategic Areas (potential development concepts) will be summarised and any theoretical interdependencies between Strategic Areas identified. This work will inform the development of alternative development strategies (see Step 6).

Step 3: Identify Strategic Site Options

Objective: To identify reasonable alternative strategic site options in all Strategic Areas (A to E).

3.9 The Inspector is concerned that some locations have not been evaluated in the same detail as others before being rejected. This proposed approach ensures that all locations promoted for development continue to be assessed.

3.10 Additional work will ensure that all reasonable alternative strategic site options have been considered in addition to those already examined in the Site Selection Report in Strategic Areas E, B and C in Sections 1, 2 and 3. Identification of strategic site options will be extended to include strategic site options in strategic areas A and D and, potentially, additional options in Strategic Areas E, B and C. In generating the strategic site options the comments received on the Plan in relation to alternative site options will be considered.

3.11 The Strategic Housing Land Availability Assessment (SHLAA) provides evidence of what land is being promoted or may be available for development in each of the Strategic Areas. Guided by the Planning Advisory Service strategic site toolkit and the objectives of the Plan, the Council will develop from these individual SHLAA sites additional strategic sites options.

3.12 Land parcels submitted for inclusion in the SHLAA range in size from several hundred hectares to single figures. As a consequence some strategic site options may involve a combination of separate land interest whilst others may need to be divided or reduced. The Council's reasoning for the development of each strategic site option will be set out. The outcome from this work will be used in Step 4.

Step 4: Sustainability Appraisal of Strategic Site Options

Objective: To undertake Sustainability Appraisal of the reasonable alternative strategic site options in each Strategic Area.

3.13 Chapter 8 of the SA Report considered strategic site options in Areas E, B and C. This work will extend this assessment to include potential strategic site options in Areas A and D and, potentially introduce new strategic site options in Areas E, B and C. Considering all locations promotes consideration of strategic sites on an equitable and transparent basis.

3.14 Evidence papers map constraints or map information in their assessments. This information will be combined and the SA will refer to a map of constraints impinging on development around the town. This will guard against wider area judgements being applied to specific sites within an area.

3.15 Each site option will be assessed using the SA Framework. As stated above, decision aiding questions will have been reviewed to ensure that there is a sufficiently detailed assessment and conclusions are fully evidenced.

3.16 The appraisal will conclude with recommendations for each strategic site option on what would be important from a sustainability perspective and should therefore influence the decision as to whether or not a site is taken forward (and, if it is, the conditions or mitigation that might be attached to development). It will suggest what mitigation measures would be necessary to ensure particular sustainability benefits are realised or identify essential measures to ensure a development's acceptability. The appraisal may suggest that a strategic site option is not taken forward; in which circumstance it will set out its reasons.

Step 5: Policy review of Strategic Site Options

Objective: To undertake a review of reasonable alternative strategic site options in each strategic area to highlight the strengths and weaknesses of each against existing Plan Objective.

3.17 The Site Selection Report includes strategic site options in Areas E, B and C in Sections 1, 2 and 3. This analysis will be extended to include strategic site options in each strategic area and potential additional options in Strategic Areas E, B and C.

3.18 The existing narrative assessment of each strategic site will be replaced, using the same evidence base, with a more detailed SWOT analysis to highlight the strengths and weaknesses of each. The examination of each strategic site option against the Plan's objectives will identify those sites with the most potential to support the employment led strategy for Chippenham established in the Core Strategy.

Step 6: Identify Reasonable Alternative Development Strategies

Objective: To develop from the Sustainability Appraisal and policy review of Strategic Areas alternative development strategies that could, in different ways, deliver the objectives of the Plan and the scale of growth proposed in the Wiltshire Core Strategy.

3.19 The SA assessment and policy assessment of each strategic area (Steps 1 and 2) and different strategic site options (Steps 3 to 5) will be used to identify alternative development strategies in Step 6. These alternative development strategies will comprise one or more identified sites and supporting infrastructure requirements.

3.20 A site may fit with more than one development strategy. If a site does not support or 'fit' any development strategy it may at this stage be rejected from further assessment. If this is the case the revised Site Selection Report informed by the SA, will set out the Council's reasoning.

3.21 The alternative development strategies will be led by the evidence. Alternative development strategies already presented in evidence to the examination that could be considered at this stage are:

- The current plan proposals
- A strategy with a southern focus
- A strategy with an eastern focus

3.22 Each alternative development strategy will be developed to provide the 'at least' strategic requirements for housing and employment at Chippenham as set out in Core Policy 10 of the Wiltshire Core Strategy. Supporting evidence for each alternative will involve understanding traffic impacts, viability assessment and an assessment of risks to delivery associated with each development strategy. Each reasonable alternative strategy can therefore be tested as to whether it has a reasonable prospect of delivery.

Step 7: Sustainability Appraisal of Reasonable Alternative Development Strategies
Objective: To identify a development strategy that promotes the most sustainable pattern of development at Chippenham.

3.23 Sustainability Appraisal will report the like significant effects of each reasonable alternative development strategy and recommend one strategy based on achieving sustainability benefits across the spectrum of economic, social and environmental impacts. It may also suggest amendments and additional mitigation measures. It will provide reasons for rejecting the other strategies under consideration.

Step 8: Selection of a preferred development strategy
Objective: To identify a preferred development strategy that delivers the Plan's objectives informed by Sustainability Appraisal.

3.24 The alternative development strategies will be compared on an equitable basis using a similar SWOT framework to the one used in Step 2. This will be informed by Sustainability Appraisal.

3.25 Selection of a preferred development strategy will have the goal of achieving social, economic and environmental benefits together. Reflecting an employment-led strategy, the selection of a preferred strategy will however be based on choosing the alternative with the greatest net support for economic growth and settlement resilience when compared to the potential for harm against Core Policy 10 criteria 2 to 6. Harm can be considered to include:

- lack of infrastructure, a poor mix of homes including affordable housing
- poor traffic impacts on the local network, harm to the vitality and viability of the town centre because of congestion and little wider transport benefit
- poor access to every day destinations by alternatives to the private car
- poor impacts on the landscape, substantial harm to heritage assets and biodiversity
- increasing flood risk

3.26 Using the SWOT framework, the revised Site Selection Report will set out the justification for the chosen strategy and for not taking forward the development strategies it rejects. This will be informed by the risk analysis in Step 6.

3.27 Proposed modifications to the Plan to support the preferred development strategy and its delivery, arising from the work, will be set out.

Step 9: Sustainability Appraisal of preferred development strategy
Objective: To ensure the preferred development strategy delivers the Plan's objectives informed by Sustainability Appraisal.

3.28 The preferred strategy, in the form of Plan proposals (draft policies), will be subject to Sustainability Appraisal as appropriate and may result in further refinements to the draft Plan. This Appraisal may suggest:

- further changes in development components:

- the removal of components / statements that are not environmentally sustainable:
- the addition of new components / statements;
- including 'protective' statements requirements to substitute or offset for certain types of impacts, for instance, through projects that replace any benefits lost; and/or
- requirements in terms of reference for Environmental Impact Assessment and master plans for plan proposals, with detail on aspects of such as further landscape or traffic assessment

Step 10: Proposed Modifications to the Plan Proposals and revised evidence

3.29 At the conclusion of the review the following will be made available for consultation:

- An amended Sustainability Appraisal with addendum to present additional appraisals in relation to the new strategic site options and new reasonable alternative development strategies;
- A revised Site Selection Report, informed by Sustainability Appraisal, which presents the evidence as a series of SWOT analyses to highlight the strengths and weaknesses of each alternative considered against the objectives of the Plan (Core Policy 10 criteria);
- Proposed modifications to the Plan to support the preferred development strategy, its implementation and delivery. This may include an extended section in the Plan on implementation and delivery in Chapter 6.
- Revised Transport and Accessibility evidence and Viability Appraisal evidence to support the consideration of alternative development strategies.

APPENDIX 2: CHIPPENHAM SITE ALLOCATIONS PLAN - TIMELINE FOR SCHEDULE OF WORK