

# Working towards a Core Strategy for Wiltshire

Application of the PAS Self Assessment Toolkit, comprising current soundness and Legal Compliance Tests

July 2012



#### **Wiltshire Core Strategy**

#### Application of the PAS Self Assessment Toolkit, comprising current Soundness and Legal Compliance Tests

The Planning Advisory Service (PAS) have produced two self assessment tools for plan making.

Firstly, the Soundness Self-Assessment toolkit, which is process based and concentrates on meeting the soundness tests in the now superseded PPS12. It is acknowledged that this toolkit is now quite out of date, being based on the tests of soundness set out in the now superseded PPS12, but in the absence of a more up-to-date Soundness Toolkit, this assessment has still been carried out, as set out below. It is understood that PAS intend to update this toolkit in the next 4 weeks (i.e in August). There is also a legal compliance toolkit providing content and procedural questions about legal requirements to be met when producing a DPD. Again, it is understood that PAS intend to update the legal compliance tool imminently but in the absence of this at the time of writing, the current legal toolkit has been used to assess the Core Strategy, as set out below.

Secondly, PAS have also produced a NPPF checklist which looks at the new policy aspects as expressed in the NPPF. This checklist can be found in the Statement of Compliance.

#### Soundness tool

Key question	
Justified	
Participation	
<ol> <li>Has the consultation process allowed for effective engagement of all interested parties?</li> </ol>	The Core Strategy process has involved four periods of public consultation – Issues and Options, carried out by the former District councils in 2008; the Wiltshire 2026 consultation in 2009; the Wiltshire Consultation document between June and August 2011; and the pre-submission consultation between February and April 2012.  The consultation involved: Awareness raising including: Press and media; Website; Written material (posters, leaflets, flyers); and Direct mail. Existing networks including: Area boards; Libraries; Parish and town councils; and Wiltshire Assembly (WA). Direct involvement including: Drop-in events; Questionnaire; Consultation software; and Topic specific discussions.  The Statement of Consultation sets this out in more detail.
Research/ fact finding	
<ul><li>2. Is the content of the development plan document justified by the evidence?</li><li>3. What is the source of the evidence?</li><li>4. How up to date and convincing is it?</li></ul>	The content of the Core Strategy is based on an extensive raft of evidence. A series of Topic Papers covering specific subjects have been completed. These papers set out the issues arising around each subject and identified areas where policies might be developed or further investigation might be appropriate. The Topic Papers were revisited and Addenda or new Papers have also been completed.  At each stage previous conclusions were rigorously reassessed, taking into account consultation responses, changes in national and regional policy and any other relevant new evidence.  A series of studies were also carried out by, or on behalf of, the Council, and their findings used to inform the Strategy. These studies explored such matters as Housing Needs, Employment, Retail and Leisure, Public Open Space and Landscape Character.
<ol><li>What assumptions had to be made in preparing the</li></ol>	No assumptions have been made regarding the formulation of policies. However, as a general point there has been an 'assumption' that the economy will revive (i.e. The Core Strategy plans for a 'best case scenario'). This is considered to be

Key question		
6.	development plan document?  Are the assumptions reasonable and justified?	a reasonable and justified approach – avoiding the risk of a policy void and planning by appeal.
Alterna	-	
7.	Can it be shown that the council's chosen approach is the most appropriate given the reasonable alternatives?	Alternative approaches were considered during the previous stages of the Plan preparation.  The Strategy and supporting evidence base clearly show how and why options were taken forward or discounted at each stage, and how and why decisions were made in the case of competing options.
8.	Have realistic alternatives been considered and is there a clear audit trail showing how and why the preferred strategy/approach was arrived at?	
9.	Where a balance had to be struck in taking decisions between competing alternatives is it clear how and why these decisions were made?	
10	Does the sustainability appraisal show how the different options perform and is it clear that sustainability considerations informed the content of the development plan document from the start?	An SA accompanies the Core Strategy and provides a clear indication of how the options perform against sustainability considerations.  An SA has been undertaken iteratively at all stages of the process and has been a key driver in the evolution of the Core Strategy. Where appropriate, the policies contained in the strategy have been adapted or redrafted to incorporate the recommendations of the SA.
11	Does the development plan document adequately expand upon regional guidance rather than simply duplicate it?	N/A
12	Does the strategy take forward the regional context reflecting the local issues and objectives?	

Effective	
Deliverable	
<ul><li>13. Has the council clearly identified what the issues are that the development plan document is seeking to address?</li><li>14. Have priorities been set so that it is clear what the development plan document is seeking to achieve?</li></ul>	The spatial vision and strategic objectives to address the issues, problems and challenges facing Wiltshire, both as a whole and in area-specific terms are set out in clear detail within the Core Strategy.  The Strategy identifies a series of desired outcomes for each strategic objective, and these are prioritised in terms of timing within an Integrated Delivery Plan annexed to the document ("The IDP").
15. Are there any cross-boundary issues that should be addressed and, if so, have they been adequately addressed?	Cross-border relationships are discussed within the Core Strategy.
16. Does the development plan document contain clear objectives?	Strategic objectives and desired outcomes are set out in clear detail within the Core Strategy
<ul><li>17. Are the objectives specific to the place; as opposed to being general and applicable to anywhere?</li><li>18. Is there a direct relationship between the identified issues</li></ul>	All the objectives, desired outcomes and policies contained within the Core Strategy have evolved from issues identified as being specific to Wiltshire.
and the objectives?	
19. Is it clear how the policies will meet the objectives?	The Core Strategy is set out in a manner that explains how the objectives are spatially applied both across Wiltshire as a whole and in terms of individual Community Areas.
20. Are there any obvious gaps in the policies, with regard to the objectives of the development plan document?	Supporting text explains how each policy relates to, and helps to deliver, a strategic objective. The policies have been drafted to complement one another in a manner that ensures all strategic objectives will be fully met.
21. Are there realistic timescales	The IDP identifies realistic targets and timescales for achieving the individual desired outcomes for each strategic objective.

related to the objectives?	
22. Are the policies internally consistent?	The Core Strategy policies are complementary to one another and do not therefore result in conflict within the plan. Regard has also been had to a wide range of other local guidance and plans.
<ul> <li>23. Does the development plan document contain material which:</li> <li>is already in another plan</li> </ul>	The policies contained within the Core Strategy have been formulated to address strategic matters in a manner that does not merely repeat national and/or regional policy, and are necessary to resolve issues specific to Wiltshire. The Core Strategy specifically continues some of the former districts' Local Plan policies, in order to support the delivery of identified housing and employment needs, but none have been repeated unnecessarily.
<ul> <li>should be logically be in a different plan</li> </ul>	
<ul><li>should not be in a plan at all?</li></ul>	
24. Does the development plan document explain how its key policy objectives will be achieved?	The IDP demonstrates how individual desired outcomes would collectively ensure that all strategic policy objectives are achieved.
25. If there are development management policies, are they supportive of the strategy and objectives?	Some issues emerged during the process in Wiltshire, which required that new development management policies were produced, in order to ensure development delivers outcomes specific to the area. These are supportive of the strategy and objectives.
26. Have the infrastructure implications of the strategy/policies clearly been identified?	The Core Strategy has been produced working in partnership with infrastructure providers, who have scoped the measures required to support the proposed growth levels, as well as confirming that there are no insurmountable barriers to delivery.
	Development Templates are included in the Core Strategy and show in detail the infrastructure required to deliver each strategic site.
27. Are the delivery mechanisms and timescales for implementation of the policies clearly identified?	Realistic targets and monitoring and review mechanisms support each Core Strategy policy. Furthermore, the IDP identifies realistic delivery mechanisms and timescales for achieving the individual desired outcomes for each strategic objective.
28. Is it clear who is going to deliver the required infrastructure and does the timing of the provision complement the timescale of the strategy/policies?	Where appropriate, the responsibilities and timings for delivering the infrastructure essential to support the Core Strategy, as agreed in the forward plans of the partner organisations, are included within the IDP.
29. Is it clear who is intended to	The IDP identifies delivery agencies for achieving the individual desired outcomes for each strategic objective.

implement each part of the strategy/ development plan document?  30. Where actions required to implement policy are outside the	The Core Strategy has been produced working in partnership with infrastructure providers, who have scoped the measures required to support the proposed growth levels, and included them within their own forward plans.
direct control of the council, is there evidence of commitment from the relevant organisation to implement the policies?	
<ul> <li>31. Does the development plan document reflect the concept of spatial planning?</li> <li>32. Does it go beyond traditional land use planning by bringing together – and integrating – policies for development, and the use of land, with other policies and programmes from a variety of organisations that influence the nature of places and how they function?</li> <li>33. Does the development plan document take into account</li> </ul>	The Core Strategy is set out in a manner that explains how issues and objectives are spatially distinctive both to individual Community Areas and to Wiltshire as a whole.  The policies contained in the Core Strategy are also aimed at addressing issues identified in other plans and strategies emanating from within the Council (e.g. The Visions) and elsewhere (i.e. Parish Plans).  The Core Strategy has been designed to have the flexibility to adapt to unexpected events without the need to reopen the process, whether or not these events are within the control of the Council.
matters which may be imposed by circumstance, notwithstanding the council's views about the matter?  Flexible	
	The Core Strategy has been produced during difficult economic times and designed to be flevible and baye contingency
34. Is the development plan document flexible enough to respond to a variety of, or unexpected changes in, circumstances?	The Core Strategy has been produced during difficult economic times and designed to be flexible and have contingency.  No one site is essential to meet the five year supply of housing, or the overall plan period requirement of housing and jobs.
35. Is the development plan	A flexible and responsive approach to employment and housing land delivery is enabled through the identification of

document sufficiently flexible to deal with any changes to, for example, housing figures from an emerging regional special strategy?	strategic sites and through setting a quanta of development to be delivered with local communities through other mechanisms, namely retained Local Plan allocations, existing commitments, regeneration projects such as those in the Principal Settlements of Chippenham, Salisbury and Trowbridge, business expansion plans and non strategic sites to be identified through neighbourhood plans or a site allocations development plan document.
36. Does the development plan document include the remedial actions that will be taken if the strategies/policies are failing?	The Core Strategy includes review milestones, which will trigger detailed contingency measures if targets are seen to be failing or unexpected events occur.
Monitoring	
37. Does the development plan document contain targets and milestones that relate to the delivery of the policies, including housing trajectories where the plan contains housing allocations?	In addition to the IDP, each policy within the Core Strategy contains targets specific to its delivery.  The Core Strategy also includes the Housing Trajectory, indicating how housing growth will be delivered from a variety of sources over the plan period.
38. Is it clear how these are to be measured and are these linked to the production of the annual monitoring report?	In addition to the IDP, each policy within the Core Strategy contains methods of monitoring and review specific to its delivery including the Council's AMR.
39. Are suitable targets and indicators present (by when, how and by whom)?	In addition to the IDP, each policy within the Core Strategy contains targets and responsibilities specific to its delivery.

National policy	
40. Does the development plan document contain any policies or proposals that are not consistent with national planning policy?	All policies within the Core Strategy are consistent with national planning policy and guidance.
41. If yes, is there a local justification?	

42. Does the development plan
document contain policies that
do not add anything to existing
national guidance?

43. If so, why have they been included?

All policies within the Core Strategy are spatially distinctive and do not therefore represent a simple repetition of national planning policy or guidance.

## **Legal Compliance Toolkit**

## Stage 1: Inception

A	tivity	Evidence	
1.	Is the development plan document identified in the adopted local development scheme and have you recorded the timetable for its production?	- The adopted loc development solution - The relevant and monitoring report changes need to explained)	heme nual ort (if
2.	Have you considered how community engagement will be programmed into the preparation of the development plan document?	<ul> <li>The statement of community involvement</li> <li>The project plan the development document</li> </ul>	for
3.	Have you considered the appropriate bodies you should consult?	- The statement of community involvement - Reports and decisetting out the approach to be to specific and goonsultation books Consultation statement	cisions taken eneral
4.	Is baseline information being collected and evidence being gathered to keep the matters which affect the development of the area under review?	<ul> <li>Documents deal with collection of baseline informations</li> <li>Relevant technic studies</li> <li>The annual mon</li> </ul>	of ation cal

A	ctivity	Evidence	
		r	eport
5.	Is baseline information being collected and evidence being gathered to set the framework for the sustainability appraisal?	- 9	Sustainability report scoping document Sustainability appraisal report
6.	Have you consulted the statutory environment consultation bodies for five weeks on the scope and level of detail of the environmental information to be included in the sustainability appraisal report?	(	Copies of the consultation letters sent to the bodies

## **Stage 2: Plan preparation - frontloading phase**

Activity		Evidence	
1.	Have you notified the specific consultation bodies that have an interest in the subject of the development plan document and invited them to make representations about its contents?	<ul> <li>Consultation statement</li> <li>Copies of documents consulting these bodies</li> <li>Record of discussions</li> <li>Copies of representations made</li> <li>A brief statement setting out the reasons why any bodies have been omitted from consultation</li> </ul>	
2.	Have you notified the general consultation bodies that you consider have an interest in the subject of the development plan document and invited them to make representations about its contents?	<ul> <li>Consultation statement</li> <li>Copies of documents consulting these bodies</li> <li>Record of discussions</li> <li>Copies of representations made</li> <li>A brief statement setting out the reasons why any bodies were or were not included</li> </ul>	
3.	Are you inviting representations from people resident or carrying out business in your area about the content of the development plan document?	<ul><li>Consultation</li><li>statement</li><li>Copies of documents</li></ul>	

Activity	Evidence
	consulting these persons Record of discussions Copies of representations made
4. Are you engaging with stakeholders responsible for delivery of the strategy?	<ul> <li>Consultation statement</li> <li>Copies of documents consulting these people</li> <li>Record of discussions</li> </ul>
5. Are you taking into account representations made?	<ul> <li>Consultation         statement</li> <li>Any reports on the         selection of         alternatives and         options for the         development plan         document</li> </ul>
6. Does the consultation contribute to the development and sustainability appraisal of alternatives?	<ul> <li>Consultation         statement</li> <li>Any reports on the         selection of         alternatives and         options for the         development plan         document</li> <li>Sustainability         appraisal report</li> </ul>
<ul> <li>7. Is the participation:</li> <li>following the principles set out in your statement of community involvement</li> <li>integrating involvement with the sustainable community strategy</li> </ul>	<ul><li>Consultation</li><li>Statement</li><li>The statement of community</li></ul>

Activity	Evidence	
proportionate to the scale of issues involved in the development plan document?	involvement - The relevant sustainable community strategies	
<ul> <li>8. Are you keeping a record of:</li> <li>the individuals or bodies invited to make representations</li> <li>How this was done</li> <li>The main issues raised?</li> </ul>	<ul> <li>Consultation         statement</li> <li>Reports by the council         on the consultation</li> <li>Copies of         representations and         relevant         correspondence</li> <li>Technical reports on         the engagement         process</li> </ul>	
9. Are you developing a framework for monitoring the effects of the development plan document?	<ul> <li>Sustainability         appraisal report</li> <li>The annual         monitoring report</li> <li>Reports or documents         setting out the         appraisal and         monitoring         framework</li> </ul>	

# Stage three: Plan preparation - formulation phase

Activity	Evidence
14. Are you preparing reasonable alternatives for evaluation during the preparation of the development plan document?	Documents supporting
	decisions on alternatives and

Activity	Evidence	
	any preferred strategy	
<ul> <li>12. Have you assessed alternatives against:</li> <li>consistency with national policy</li> <li>general conformity with the regional spatial strategy?</li> </ul>	- Supporting documents - Correspondence with Government Offices	
<ul> <li>13. Are you having regard to:</li> <li>adjoining regional spatial strategies, the spatial development strategy for London, or Welsh Spatial Plan (as appropriate)</li> <li>the National Planning Framework for Scotland?</li> </ul>	<ul> <li>Supporting documents</li> <li>Correspondence with the relevant bodies</li> </ul>	
<ul> <li>14. Are you having regard to:</li> <li>the sustainable community strategy of the authority or other authorities whose area comprises part of the area of the council</li> <li>any other local development documents adopted by the council?</li> </ul>	<ul> <li>Supporting documents</li> <li>The Sustainable community strategies</li> <li>Relevant local development documents</li> </ul>	
<ul> <li>15. Do you have regard to other matters and strategies relating to:</li> <li>resources</li> <li>the regional development agencies' regional economic strategy</li> <li>the local transport plan and transport facilities and services</li> <li>waste strategies</li> <li>hazardous substances and accidents?</li> </ul>	- Supporting documents - Correspondence with the relevant bodies	
16. Are you having regard to the need to include policies on mitigating and adapting to climate change?	Supporting documents	
17. Have you undertaken the necessary sustainability appraisal of alternatives, including consultation on the sustainability appraisal report?	<ul> <li>Reports on the sustainability of alternatives</li> <li>Record of work undertaken on</li> </ul>	

Activity	Evidence
	sustainability appraisal
	<ul> <li>Supporting documents</li> </ul>
18. Are you setting out clear reasons for any preferences between alternatives?	<ul> <li>Any reports setting out alternatives and choices considered</li> <li>Supporting documents</li> </ul>
<ul><li>19. Have you taken into account any representations made on the content of the development plan document and the sustainability appraisal?</li><li>20. Are you keeping a record?</li></ul>	<ul> <li>Correspondence from those making representations</li> </ul>
20. Are you keeping a record?	- Any reports on issues raised
	<ul><li>Consultation statement</li><li>sustainability appraisal report</li></ul>
21. Where sites are to be identified or areas for the application of policy in the development plan document, are you preparing sufficient illustrative material to:	- Proposals map
enable you to amend the currently adopted proposals map	
• inform the community about the location of proposals?	
22. Are the participation arrangements compliant with the statement of community involvement?	- The statement of community involvement - Consultation statement
23. Have you remained in close contact with the Government Office and discussed any emerging issues that might affect the soundness of the development plan document?	- Consultation statement

## Stage 4: Publication

Activity	Evidence
Have you prepared the sustainability appraisal report?	Sustainability appraisal report
2. Have you made clear where and within what period representations must be made?	<ul> <li>Report or record of decisions</li> <li>The statement of community interest</li> </ul>
<ul><li>1. Have you made copies of the following available for inspection:</li><li>the proposed submission documents?</li></ul>	- Copies of the relevant statements
the statement of the representations procedure?	<ul> <li>Report on where and when made available</li> </ul>
	- Record of where and when made available
Have you published on your website the following:	Record of publication
the proposed submission documents?	
the statement of the representations procedure?	
statement and details of where and when documents can be inspected?	
5. Have you sent to each of the specific consultation bodies invited to make representations under Regulation 25(1):	- Copies of
A copy of each of the proposed submission documents	correspondence
The statement of the representations procedure?	- Record of sending
6. Have you sent to each of the general consultation bodies invited to make representations under Regulation 25(1):	- Copies of
the statement of the representations procedure?	correspondence
where and when the documents can be inspected?	- Record of sending
7. Have you given notice by local advertisement setting out:	- Copy of advertisement
8. the statement of the representations procedure	- Where and when
where and when the documents can be inspected?	placed

Activity	Evidence	
8. Have you requested the opinion of the regional planning body (or the Mayor in London) on the general conformity of the development plan document with the regional spatial strategy (or spatial development strategy)?	- Copies of correspondence	

## **Stage five: Submission**

Question	Evidence	
<ul> <li>26 Are you ready to submit the DPD?</li> <li>26 Are there any major issues revealed by the representations on publication?</li> <li>26 Are all the relevant documents in place?</li> </ul>	- The Core Strategy	
<ul> <li>Has the development plan document been prepared in accordance with the local development scheme?</li> <li>Does the development plan document's listing and description in the local development scheme match the document?</li> <li>Have the timescales set out in the local development scheme been met?</li> </ul>	<ul> <li>The local development scheme</li> <li>Relevant annual monitoring reports</li> </ul>	
26 Has the development plan document had regard to any sustainable community strategy for its area (like a county and district)?	The sustainable community strategy  Reference to sections of the Core Strategy showing how regard has been had to them	
26 Is the development plan document in compliance with the statement of community involvement (where one exists)?  26 Has the council carried out consultation as described in the statement of community involvement?	- The statement of community involvement	
26 Has the development plan document been subject to sustainability appraisal?	Sustainability appraisal	

Question	Evidence
26 Has the council provided a final report of the findings of the appraisal?	report
26 Is the development plan document to be submitted consistent with national policy?	- Statement of compliance
26 Does the development plan document contain any policies or proposals that are not in general conformity with the regional spatial strategy?	N/A
26 If yes, is there local justification?	
26 Has the council got confirmation from the regional planning body about the general conformity of the plan with the regional spatial strategy?	
26 Does the development plan document comply with the 2004 regulations (as amended)?	- The documents
26 Specifically, has the council published the prescribed documents, and made them available at their principal offices and their website?	r prescribed at Regulation30(1)
26 Has the council placed local advertisements?	- Relevant annual
26 Has the council notified the development plan document bodies?	monitoring reports
26 Does the development plan document contain a list of superseded saved policies?	- Records of the actions undertaken
26 Are there any policies applying to sites or areas by reference to an Ordnance Survey map or to amend an adopted proposals map?	- Submission proposals map
26 If yes, have you prepared a submission proposals map?	
26 If the development plan document is not a core strategy, is it in conformity with the core strategy?	The DPD in question is the Core Strateygy
24. Have you prepared a statement setting out:	- Consultation
Which bodies and persons were invited to make representations under Regulation 25	statement
How they were invited	- The Statement as
A summary of the main issues raised	required in Regulation 30(1)(d)
How the representations have been taken into account?	
25. Have you prepared a statement giving:	The Statement as required
the number of representations made under Regulation 28(2)	in Regulation 30(1)(e)
a summary of the main issues raised	
OR	
that no representations were made?	

Question	Evidence
26 Have you collected together all the representations made under Regulation28?	Copies of the representations
27 Have you assembled the relevant supporting documents?	All necessary evidence and records of decisions relevant to the development plan document
28 Has your council approved the development plan document for submission?	Report and resolution of the council
29 Have you sent the Secretary of State (the Planning Inspectorate) a paper copy of the following:	Record of sending
<ul> <li>the development plan document?</li> <li>the submission proposals map (unless there are no site allocation policies)?</li> </ul>	
• the documents prescribed in Regulation 30(1)?	
30 Have you sent the Secretary of State (the Planning Inspectorate) an electronic copy of the:	Record of sending
development plan document?	
• submission proposals map (unless there are no site allocation policies)?	
documents prescribed in Regulation 30(1)?	
31. Have you made the following available at the same places where the proposed submission documents were to be seen:	Record of where and when
The development plan document?	made available
The documents prescribed in Regulation 30(1)?	
32 On your website, have you published the:	Record of publication
development plan document	
submission proposals map	
sustainability appraisal report	
Regulation 30(1)(d) statement	
Regulation 30(1)(e) statement	
supporting documents (where practicable)	
representations made under Regulation 28 (where practicable)	

Question		Evidence	
•	statement as to where and when the development plan document and the documents are available?		
33	For each specific consultation body invited to make representations under Regulation 25(1), have you sent the: development plan document submission proposals map sustainability appraisal report adopted statement of community involvement Regulation 30(1)(d) statement Regulation 30(1)(e) statement supporting documents you consider relevant to each body statement as to where and when the development plan document and the documents are available?	corre	es of espondence ord of sending
34 1. 2. 35 •	notification that the documents prescribed in Regulation 30(1) are available for inspection where and when they can be inspected?	corre - Reco - Copy adve	ertisement ere and when
36	Have you given notice to persons who have requested to be notified that submission has taken place?	corre	es of espondence ord of sending
•	If an examination is being held, at least six weeks before its opening has the Programme Officer: published the time and place of the examination and the name of the person appointed to carry out the examination on your website notified those who have made representations on the published development plan document which have not been withdrawn of these details advertised these details?	publ infor - Recc - Copi corre - Copy	ord of lication of rmation ord of sending les of espondence y of ertisement

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For further information please visit the following website:

<a href="http://consult.wiltshire.gov.uk/portal">http://consult.wiltshire.gov.uk/portal</a>

