

**WILTSHIRE HOUSING SITE ALLOCATIONS PLAN
EXAMINATION IN PUBLIC**

MATTER 1

**STATEMENT ON BEHALF OF
LEDA PROPERTIES LTD**

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1.0 INTRODUCTION

- 1.1 This statement is submitted by Leda Properties Ltd (“Leda”) in relation to the Examination in Public of the Wiltshire Housing Site Allocations Plan (“WHSAP”). Carter Jonas LLP is instructed by Leda.
- 1.2 Leda is the owner of Land at Marsh Farm, Royal Wootton Bassett (RWB). A description and outline of the full extent of the site is shown at **Appendix 1** of this representation.
- 1.3 It is understood that the WHSAP was submitted for examination in July 2018 and therefore before the deadline (24 January 2019) for assessing development plans against the revised National Planning Policy Framework (NPPF) as outlined in the ‘transitional arrangements.’ This statement therefore, is with reference to the NPPF 2012, unless where necessary some cross reference has been made to the revised 2019 version.
- 1.4 Leda has an overall view that the WHSAP is a plan that has been overtaken by the passage of time and includes more development that has already been completed or consented – in the various calculation tables – than is allocated for future development. There is a surplus of development identified above the quoted needs of the WCS that renders the WHSAP unnecessary. The purpose of the WHSAP is therefore not clear, and its value in managing development is severely limited by its critically flawed 6.5 year time horizon.
- 1.5 The WHSAP should be withdrawn from examination and instead energy and resource should be better directed into a review of the strategic plans for Wiltshire, this potentially jointly with Swindon Council. The housing needs for at least the next 15 years should be identified and planned for effectively.
- 1.6 A revised strategy that will identify a continued need for new housing development should include a spatial strategy and housing targets for the unitary authority area of Wiltshire, each of the identified housing market areas and for settlements and/or parishes should they wish to develop a Neighbourhood Plan. As part of the revised spatial strategy – whether at a local or neighbourhood level – land at Marsh Farm should be allocated for mixed use development. This development could be effectively landscape led to ensure the management of its settlement edge setting and include an element of employment to help reduce the out-commuting of residents to get to work.
- 1.7 This statement is in response to the Inspector’s **Matter 1, question 7** only, and should be read in conjunction with statements for Matters 2 and 4.

2.0 MATTER 1: LEGAL COMPLIANCE, DUTY TO COOPERATE, SUSTAINABILITY APPRAISAL AND CONSULTATION

Issue 1: Whether all Statutory and Regulatory requirements have been met?

Question 7

Has the preparation of the WHSAP complied with the Planning and Compulsory Purchase Act 2004 Part 2 and the Town and Country Planning (Local Plan) (England) Regulations 2012 in all other respects?

- 2.1 The answer, in short, to this question is ‘no.’
- 2.2 Section 19(2) of the Planning and Compulsory Purchase Act 2004 requires local planning authorities, when plan making, to have regard to:
- “(a) national policies and advice contained in guidance issued by the Secretary of State”*
- 2.3 There is a fundamental failing in the plan making exercise that was undertaken by Wiltshire Council and this is to have due regard to the provisions of the National Planning Policy Framework (2012). This is with particular reference to boosting significantly the supply of housing and preparing a plan to meet this objective over an appropriate time frame.
- 2.4 Paragraph 47 of the NPPF states that to boost significantly the supply of housing, local planning authorities should:
- *“identify a supply of specific, developable sites or broad locations for growth, for years 6-10 and, where possible, for years 11-15;”*
- 2.5 Furthermore, paragraph 157 of the NPPF states:
- “Crucially, Local Plans should...
...be drawn up over an appropriate time scale, preferably a 15-year time horizon, take account of longer term requirements, and be kept up to date...”*
- 2.6 According to the indicative timetable on the Council’s website (Last updated: 13 February 2019 and accessed 4 March 2019), the WHSAP is expected to be adopted in quarter 3 2019. At best, this will mean a deliverable housing supply of 6.5 years. This is some way from the NPPF requirements identified above: It does not help to ‘boost significantly the supply of housing’; and neither does it demonstrate the preferable time horizon.
- 2.7 It is noted that the Wiltshire Core Strategy was adopted in January 2015, and the housing and economic need baseline was set at 2006. This baseline has been reset in the Council’s monitoring to 2015 after the adoption of the Core Strategy. It is also accepted that some inclusion of housing and employment ‘completions’ in plan making is standard practice so the plan period can be said to include some previous years. However, for the plan to be effective and for it to properly comply with the NPPF (as quoted above) the future parts of the plan – where *planning* is necessary and not merely the reporting of past completions and commitments is demonstrated – ought to be 15 years or close to that, and certainly more than 6.5 years. The WHSAP is, in effect, more of a monitoring report than a Local Plan.

- 2.8 Leda also notes that in finding the Core Strategy sound, the Inspector for the plan's Examination in Public was clear that his decision was based on the premise that there would be an early review of the plan. Paragraph 20 of the Inspector's report states:

"Indeed, the Council has clarified that it will be undertaking a planned early review of the core strategy to ensure 'the development provision looks to an appropriately long term end date' which will be supported by an updated Strategic Housing Market Assessment (SHMA)."

- 2.9 Furthermore, paragraph 81 of the Inspector's report states that:

"...I am particularly mindful that the Council intends to produce a new SHMA by early 2016 which may revise the objectively assessed needs for the relevant HMAs affecting the county and which will inform its plan making processes. Consequently I consider that at this current time the minimum housing figure within the CS should reasonably equate to at least 42,000 homes over the plan period with the flexibility to deliver more."

- 2.10 Wiltshire Council did commence work on a Core Strategy review in 2015, but this has since been abandoned in favour of joint work with Swindon Borough Council. A "Swindon and Wiltshire Joint Spatial Framework: Issues Paper" was published for consultation between 7 November and 19 December 2017. This was based on revised housing needs and the potential for unmet needs from Swindon.

- 2.11 It is therefore clear from the above that the Council is pressing ahead with the WHSAP that is based on old and outdated housing targets. The Council has also failed to work to the Inspector's agreed and expected time frame.

- 2.12 Moreover, the revised NPPF (2019) and the associated standard methodology for housing need, demonstrates a continued need for around 2000 homes a year in Wiltshire. Whilst this is not strictly material to the examination of the WHSAP it does demonstrate that time, evidence and national policy has moved on leaving this plan and its evidence as out-of-date and not fit for purpose.

- 2.13 It is Leda's view that the WHSAP should be withdrawn and work and resource should be focused on the joint Core Strategy with Swindon Council, which would be up to date and *plan* for future growth, and (as updated through the NPPF 2019) identify a supply of:

*"a) specific, deliverable sites for years one to five of the plan period; and
b) specific, developable sites or broad locations for growth, for years 6-10 and, where possible, for years 11-15 of the plan."*

APPENDIX 1

Land at Marsh Farm, Royal Wootton Bassett

Land at Marsh Farm is located on the northern edge of the town at Coped Hall, lying to the west of the A3102 and north of the B4042, extending northwards to the M4 motorway. The land is presently in agricultural use and generally has gentle contours and a level topography. There is varied landscaping around the site's perimeter, with hedges demarcating the existing field pattern and some mature trees.

To the southwest, across the B4042, are residential properties, while to the east, across the A3102, are agricultural fields. To the west is an area that is being developed to accommodate a new sports 'hub' comprising a range of facilities for rugby, cricket, football and tennis. Along the A3102 frontage of the site there are also a number of residential properties and the Marsh Farm Hotel.

The Coped Hall roundabout to the south west corner of the site is a key gateway into Royal Wootton Bassett from Swindon and the M4 and is the focus for a range of commercial activities including a car sales garage (given permission to become Aldi supermarket), public house, Travis Perkins builder's merchants and a Rapid Hire tool and plant hire centre.

There is potential at Land at Marsh Farm to deliver a comprehensive landscape led mixed use development of around 100 (or more) dwellings, a care home, community facilities, employment, public open space, a supermarket, landscape works, and an extension to the sports 'hub'.

A number of studies have already been carried out on the site including:

- Landscape and Visual Impact Assessment
- Ecology Survey
- Air Quality Assessment
- Flood Risk Assessment
- Noise Survey
- Archaeological Evaluation
- Transport Assessment
- A Statement of Community Involvement
- Illustrative Masterplan

No 'show stopper' constraints were identified in the studies. The site is not located within any areas where development should be restricted i.e. it is not designated as a SSSI, Green Belt, green space, schedule ancient monument etc. In short, there are no over-riding obstacles to development. The site is readily available for development.

Location plan

The plan shows Leda's whole land holding north of Royal Wootton Bassett but it is not necessarily considered that the entire land area would be pursued for development.