

**MATTER 2 STATEMENT – CONSISTENCY WITH THE WILTSHIRE CORE  
STRATEGY**

WILTSHIRE HOUSING SITE ALLOCATIONS PLAN EXAMINATION  
SUBMISSION ON BEHALF OF GLEESON STRATEGIC LAND  
MARCH 2019



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Issue / revision	Prepared by	S Ible
Reference	Signature	
This document is issued for  <input type="checkbox"/> Information <input type="checkbox"/> Approval <input type="checkbox"/> Comment <input checked="" type="checkbox"/> Submission	Date	March 2019
	Checked by	J Mulliner
Comments	Signature	
	Date	March 2019
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## 1.0 Issue 2 – Does the WHSAP make adequate provision to meet housing requirements as set out in the WCS?

*2.1 The WCS contains housing figures at a County, HMA and settlement level. Which is the most appropriate scale at which to consider provision in order to assess consistency with the WCS?*

1.1 The starting point should be considering provision by HMA, meeting housing need where it arises.

1.2 The HMA figures were only divided up ‘indicatively’ through the examination of the Wiltshire Core Strategy, and could only be indicative due to the lack of a comprehensive evidence base of available sites and their sustainability across Wiltshire. The Core Strategy Inspector confirmed:

*“The CS is clear that the distribution of housing land in terms of ensuring adequate supply will be disaggregated in accordance with three housing market areas. I am satisfied, based on the broad assessments of housing need, that such an approach is an appropriate scale for consideration rather than the smaller community areas which would limit the flexibility and effectiveness of the plan. I am also satisfied that the identification of indicative levels of housing for Community Areas is not unduly rigid or prescriptive; such an approach will enable suitable flexibility to be applied by the Council in managing the effective delivery of necessary housing within the HMAs.” (IR para 43) (our emphasis)*

1.3 Indeed, **it may at times be more sustainable to meet a housing requirement in a different settlement or community area**, than where the need arises (which is the fundamental justification for the Wiltshire Core Strategy approach to the settlement hierarchy).

1.4 The DPD evidence base has not considered this opportunity, it has not assessed whether this is the case, and has simply moved forward with the indicative requirements, taking a more restrictive approach to exceeding them than was intended. Therefore, the plan cannot be considered to be ‘the most appropriate strategy’ for Wiltshire, as required by paragraph 182 of the NPPF (2012).

*2.2 Based on the most up-to-date evidence, what is the residual level of development required to meet the housing requirement identified in the WCS? What component of this is the WHSAP expected to meet?*

1.5 Paragraph 47 of the NPPF (2012) states that a Local Plan should meet the full objectively assessed needs for market and affordable housing in the relevant HMA as far as is consistent with the other policies of the Framework.

1.6 The Wiltshire Core Strategy Inspectors report at paragraph 78 identified the OAN as around 44,000 and later in paragraph 80 stated “... the sites DPD, the

*Chippenham Site Allocation DPD and the neighbourhood planning processes will enable the Council to proactively seek to meet, and if necessary reassess, its objectively assessed housing need and plan for its provision accordingly”.*

1.7 The inspectors report goes on to state:

*“Indeed, 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”.*

1.8 As stated, 42,000 was the ‘minimum housing figure’ and not the OAN. The Inspector was expecting a revised SHMA with a new OAN early 2016 and set Wiltshire Council clear expectations that it should be planning, through subsequent DPDs, to meet the OAN and accommodate the ‘Swindon allowance’ (900 homes) as an entirely separate provision to that required for the HMAs, because it does not meet Wiltshire’s housing needs.

1.9 The updated SHMA dated March 2017 stated that the OAN across Wiltshire was 43,247 correlating with the Government’s recently published standard methodology OAN figure for Wiltshire of circa 44,540 across a 20 year period.

1.10 It is noteworthy that, whilst the government has confirmed use of the 2014 household projections for calculating OAN, this is because the 2016 household projections reduce OAN across much of the country, which runs contrary to the imperative to boost supply, yet for Wiltshire the 2016 demographic base actually increases the OAN to 2,365 dpa; 47,300 across 20 years.

1.11 Whilst we acknowledge that the DPD is a daughter document of the Core Strategy and that the Council has not taken the opportunity to review the OAN (as suggested by the CS Inspector) this ‘increasing need’ context is highly relevant. In January 2020 the Core Strategy housing requirement will be out of date (more than five years old and in need of review because it is less than the OAN – see NPPF paragraph 73). Without further allocations to meet the OAN, the Council will not be able to maintain a five year housing land supply across the plan period.

1.12 As a minimum the council should be allocating sufficient land where there is clear evidence of delivery within the plan period to achieve 44,900 within the plan period (noting the Swindon allowance), with flexibility to account for delays in site delivery and recognising that the plan will soon be out of date and the standard methodology OAN will require a significant further boost in supply.

1.13 As an example, in the context that the inspector found the Core Strategy sound whilst envisaging a reconsideration of the housing requirement through

subsequent DPDs, in respect of the Wootton Bassett and Cricklade Community area he reported:

*“Consequently, the level of indicative housing contained in Core Policy 19 is proposed to be 1,455 homes, of which some 1,070 would be at Royal Wootton Bassett and 385 in the remainder of the Community Area. Given the levels of need across the wider county, I consider that these are relatively low figures”.*

- 1.14 Further he stated, at IR paragraph 326, that in dismissing the view that WC should make a strategic allocation in the community area:

*“the Council’s strategy towards this community area is cogent, consistent with the objectives of the CS as a whole, is supported by evidence and the housing volumes are expressed Indicatively thus not precluding additional provision”.*

- 1.15 In paragraph 327 the Inspector in fact considered that:

*“The Sites DPD will provide an opportune moment, working alongside any neighbourhood planning processes, to review the need for additional housing land in Royal Wootton Bassett and the Community Area as a whole”.*

- 1.16 In this Site Allocations DPD Wiltshire Council should have taken this ‘opportune moment’ to review housing need and opportunities for additional housing land in all of the community areas to meet demand for market and affordable housing, instead of disregarding the opportunity to make any allocations in areas where indicative requirements are met, including in areas where there is no neighbourhood plan or that plan does not allocate sites.

***2.3 Are the components of delivery identified in the Plan, including completions, committed developments and windfalls, justified and realistic?***

- 1.17 Given significant delays in delivering strategic sites identified in the Core Strategy, we do not consider that all components of supply are justified or realistic.

- 1.18 For example, the latest Housing Land supply Statement in respect of the North West HMA now identifies:

- For committed ‘large permitted’ and ‘subject to s106’ sites, 905 homes to be delivered beyond the end of the plan period.
- For committed ‘Adopted and Emerging Strategic Sites and Local Plan allocations’, 1,446 homes to be delivered beyond the end of the plan period.

- 1.19 In South Wiltshire 1,109 committed homes will be delivered after the current plan period.
- 1.20 It's not clear if these delays (slipping delivery beyond the plan period) have been acknowledged in the supply figures produced by the council for the plan period. If not, in itself the gap left by the non-delivery of these homes would need to be plugged by the allocation of more sites.
- 1.21 There is also concern in respect of the reliance on neighbourhood plan allocations, partly arising because the neighbourhood planning process requires much less scrutiny in respect of deliverability. For example, the neighbourhood plan site in Malmesbury (Backbridge Farm), was allocated for 170 dwellings (Malmesbury NP was made February 2015). A planning application was submitted in 2016 (ref: 16/06401/FUL), however no decision has been made, and there is no resolution to approve - three years following submission and numerous revised plans, seeking to address the issues necessary to comply with the neighbourhood plan policy. This leads to concern that the neighbourhood plan sites cannot be relied upon.
- 1.22 Indeed, the new definition of delivery in the updated NPPF provides further guidance on the type of evidence necessary to support a position that there is a realistic prospect of delivering housing within a five-year period. Whilst we acknowledge that this plan is being examined for consistency with the 2012 NPPF, these matters must be material and are in any event enshrined in the Planning Practice Guidance which is directly relevant:

*"In order to demonstrate 5 years' worth of deliverable housing sites, strategic policy-making authorities will need to provide robust, up to date evidence to support plan preparation. Their judgments on deliverability of housing sites, including windfall sites, will need to be clearly and transparently set out. Authorities may also consider how they can involve people with an interest in delivery in assessing the deliverability of sites. They may develop benchmarks and assumptions based on evidence of past trends for development lead-in times and build-out rates. Testing these assumptions with developers and using them to inform assessments of deliverability can also make deliverability assessments more robust." (ID 3-030-20180913)*

*"What constitutes a 'deliverable site' in the context of housing policy? Annex 2 of the National Planning Policy Framework defines a deliverable site in terms of an assessment of the timescale for delivery and the planning status of the site. For sites with outline planning permission, permission in principle, allocated in a development plan or identified on a brownfield register, where clear evidence is required to demonstrate that housing completions will begin on site within 5 years, this evidence may include:*

- *any progress being made towards the submission of an application;*
- *any progress with site assessment work; and*

- any relevant information about site viability, ownership constraints or infrastructure provision.

For example:

- a statement of common ground between the local planning authority and the site developer(s) which confirms the developers' delivery intentions and anticipated start and build-out rates.
- a hybrid planning permission for large sites which links to a planning performance agreement that sets out the timescale for conclusion of reserved matters applications and discharge of conditions." (ID: 3-036-20180913)

- 1.23 This information has not been provided to the examination thus the Council's position on delivery cannot be confirmed, further noting that there are only 7 years left in the plan period, hence the vast majority of this supply now needs to meet the relevant tests of deliverability.

**2.4 In light of the above, does the WHSAP make adequate overall provision to ensure the delivery of the minimum housing requirement as set out in the WCS?**

- 1.24 The plan sets out in Annex A that, across the plan period, there will be the following surplus in delivery:
- 979 in the East Wiltshire HMA
  - 2,353 in the North and West Wiltshire HMA
  - 216 in the South Wiltshire HMA
  - Total surplus of 3,548, giving a total provision of 45,548, hence exceeding the requirement.
- 1.25 However, this relies upon commitments delivering and there is concern, as set out above, that they will not.
- 1.26 It also relies upon 3,775 dwellings in a windfall allowance. Without the windfall allowance 41,773 dwellings will be delivered in the plan period with the proposed allocations. It is acknowledged in paragraph 5.16 of Topic Paper 3 that:
- "The Council recognise that a windfall allowance is a further source of supply which contributes towards delivery of the indicative housing requirements. However in line with the Plan objective to provide surety of supply through allocations, the use of a windfall allowance should not be relied upon."*
- 1.27 Therefore whilst it appears at face value the council is meeting the OAN, when taking into account sites that will now be developed out past the end of the plan period, the uncertainty surrounding neighbourhood plan sites and the reliance on windfall, the council should be allocating further sites.

- 1.28 Through this plan, the supply should be supplemented with a range of smaller sites that are suitable, available, achievable and deliverable quickly to help meet local housing need, in order to be sound.

*2.5 Is the predicted delivery of allocated sites realistic in terms of the contribution they would make through the Plan period?*

- 1.29 The latest trajectory that we have located is the March 2018 HLS statement, base-dated to 1 April 2017. In order to consider the soundness of the position/plan, the statement must be updated to reflect the latest position, comply with the PPG, and provide the necessary clear evidence.



## 2.0 Issue 3: Does the distribution of site allocations accord with the spatial strategy in the WCS?

### 3.1 Is the overall distribution of housing allocations consistent with the spatial strategy set out in the WCS?

2.1 It is not considered that the overall distribution of housing allocations is consistent with the Wiltshire Core Strategy. Paragraph 4.22 of the Core Strategy states:

*“The indicative figures [for each community area] also allow a flexible approach which will allow the council, including through the preparation of the Site Allocations DPD, and local communities preparing neighbourhood plans, to respond positively to opportunities without being inhibited by an overly prescriptive, rigid approach which might otherwise prevent sustainable development proposals that can contribute to delivering the strategic objectives of the plan”.*

2.2 By restricting allocations only to those community areas and settlements that haven't yet met their indicative requirements, a rigid and negative approach is taken, frustrating sustainable development, contrary to the core strategy and contrary to national policy.

2.3 Indeed, the opposite approach should have been taken, assessing all sustainable opportunities for growth and only if there was forecast to be a significant over delivery against the OAN would there be an issue with inconsistency with the Core Strategy.

2.4 The plan is not sound in its current form as it is not positively prepared and is inconsistent with national policy.

2.5 There are clearly opportunities to accommodate additional housing at sustainable settlements such as:

- Chippenham
- Lyneham
- Malmesbury
- Westbury
- Pewsey

2.6 In the absence of a complete evidence base assessing these reasonable alternatives and sustainable growth opportunities, within the broad context of 'indicative requirements', the plan is not sound.

*3.2 Is the distribution within each HMA consistent with the WCS?*

2.7 It is inconsistent that, in some HMA's large villages have allocations proposed even where those allocations would result in over-provision against indicative requirements, yet where the indicative requirements are met, or there is not an issue with five-year supply, the growth of large villages is forcibly restricted. The Council provides no explanation for or justification of this approach.

*3.3 Is the approach set out in Stages 1 and 2 of the site selection process justified? In particular, has a consistent and justified approach been taken to excluding specific locations from the scope of the exercise, including:*

- *Principal Settlements, Market Towns, Local Service Centres and Large Villages;*
- *areas where housing needs in the WCS are indicated to have been met; and*
- *areas with made or emerging Neighbourhood Plans? (\* Note, in responding to this question, the Council is requested to provide an up to date assessment of the stage each relevant Neighbourhood Plan is at in its preparation).*

2.8 The approach set out in Stages 1 and 2 of the Site Selection process is unjustified, and has unreasonably excluded sustainable sites:

- The principal settlement of Chippenham has not been considered for non-strategic allocations
- The council's approach of only allocating housing in community areas and settlements where the indicative housing requirement has not been met is flawed. It does not allow for sustainable plan led development which could otherwise assist in meeting requirements
- The Council's approach precludes a positive approach to rural housing demand within individual settlements
- The Council's approach fails to acknowledge that some community areas do not have neighbourhood plans or do not wish to allocate housing sites within those plans – hence the Council's approach has essentially blocked the plan led mechanism to consider positive opportunities for growth

2.9 There have been significant delays in delivery at Chippenham. This is exacerbated by the fact that the Chippenham Site Allocations DPD only allocated strategic sites, which have more complex infrastructure requirements, mitigation and lead in times.

- 2.10 It is acknowledged, in the Housing Land Supply addendum July 2018, that there is a reduction in commitments in Chippenham due to delays. The Council has identified in topic paper 3 that there is a 264 dwelling indicative requirement remaining within the plan period for Chippenham, for which no allocation is proposed.
- 2.11 The council should have assessed the potential for non-strategic sites to be allocated at Chippenham which could have assisted in bringing forward homes at the principal settlement to supplement supply. This is clearly a reasonable alternative.
- 2.12 Indeed, the Wiltshire Site Allocations Plan should have considered the development potential of non-strategic sites in and around Chippenham to contribute towards the county's future development requirements, in the same way that policy H2 considers the potential for nonstrategic sites around Trowbridge.
- 2.13 The restrictive approach at Stage 1 and Stage 2 of the site selection has also meant that some of the most sustainable sites at the other settlements have not even been contemplated. For example, a site for 40 dwellings is proposed for allocation in the large village of Bratton, and 50 dwellings at Hullavington yet sites at Lyneham, another large village within the HMA, have just not been assessed. Yet they could offer a more suitable location for additional growth (beyond indicative requirements), even though they are in a different community area (but in the same HMA).
- 2.14 Parts of Wiltshire have been successful in delivering homes in the plan period, such as Westbury. In excluding areas where the indicative requirement has been exceeded, opportunity to build upon successful delivery in areas such as Westbury has been overlooked.
- 2.15 In conclusion, rejecting as a matter of principle (before site selection) the consideration of non-strategic sites at Chippenham and at settlements where the community area indicative requirement has been met has led to a flawed and biased assessment process. This was never the intention of the Core Strategy – it is not consistent with the Core Strategy and is not justified or effective.
- 2.16 The approach is unreasonable. It cannot be concluded that “the most appropriate” development strategy is being pursued as a clearly ‘reasonable alternatives’ have not been considered. Consequently, the plan is unsound.

### **3.0 Issue 4: Has the site selection process for housing allocations been soundly based?**

*4.1 Have the site allocations been undertaken on a consistent basis having regard to the strategic objectives and policies of the WCS, the policies of the NPPF and the evidence base?*

- 3.1 Due to the concerns in respect of Stage 1 of the assessment process, as set out in response to issue 3, it is not considered the site allocations have been undertaken having regard to the strategic objectives and policies of the Wiltshire Core Strategy or the NPPF. The evidence base is incomplete; it cannot be ascertained whether the DPD provides the most appropriate strategy.

*4.2 Were reasonable alternatives considered and tested? Are the reasons for selecting the preferred sites and rejecting others clear?*

- 3.2 As above, reasonable alternatives in respect of sites in areas where the indicative requirements have been met have not been considered, they have not been considered and tested.

*4.3 Have the site allocations been made in accordance with Diagrams 2 and 3 of the Planning Practice Guidance on Flood Risk and Coastal Change, including the application of the sequential and exception tests?*

- 3.3 No comment at this stage.

*4.4 Have the cumulative transport related implications of allocated sites been fully assessed and are measures to address them sufficiently clear and deliverable?*

- 3.4 No comment at this stage.

*4.5 Have the cumulative effects of development on protected habitats and species? Will the plan be effective in ensuring their protection and/or mitigating any effects?*

- 3.5 No comment at this stage.

*4.6 Have the cumulative infrastructure requirements of allocated sites been fully assessed, including the need for education facilities, and are measures to address them sufficiently clear and deliverable?*

- 3.6 No comment at this stage.