



# WHSAP Examination in Public

Matter 3 Hearing Statement



**Boyer**

**Matter 3: Housing Site Allocations**

**Boyer on behalf of Persimmon Homes**

**REP ID: 983136**

## TABLE OF CONTENTS

1. Introduction	2
2. Issue 5: Question 5.1	3
3. Issue 5: Question 5.2	4
4. Issue 5: Question 5.3	6
5. Issue 5: Question 5.4	8
6. Issue 5: Question 5.5	9
7. Issue 5: Question 5.6	10
8. Issue 5: Question 5.7	11
9. Issue 5: Question 5.8	12

## 1. INTRODUCTION

- 1.1 Boyer is instructed by Persimmon Homes (Wessex) and Persimmon Homes (South Coast) to submit Hearing Statements in response to the Inspector's Initial Matters, Issues and Questions (MIQs).
- 1.2 The purpose of this Hearing Statement is to consider matters related proposed allocations (Matter 3). This Hearing Statement should be read in conjunction with separate Hearing Statements prepared in respect of the following Matters:-
  - Matter 1: Legal Compliance
  - Matter 2: Consistency with the Wiltshire Core Strategy
  - Matter 4: Settlement Boundaries
- 1.3 This Hearing Statement deals specifically with proposed allocations under the control of Persimmon Homes, these being land which forms part of H2.3 Elizabeth Way (Trowbridge) and H2.12 Land east of Farrells Field, Yatton Keynell.
- 1.4 This Hearing Statement should also be read in conjunction with representations submitted on behalf of Persimmon Homes at the Regulation 19 stage.
- 1.5 Statements of Common Ground with the Council have been prepared in respect of H2.3 and H2.12, setting areas of agreement between Persimmon Homes and the Council.
- 1.6 In addition, a separate Hearing Statement considers the suitability of specific allocations at Salisbury and South Wiltshire.

## 2. ISSUE 5: QUESTION 5.1

### **Does the Plan provide sufficient detail on form, scale, access and quantity of development for each site?**

#### Site H2.12: East of Farrells Field, Yatton Keynell

- 2.1 The proposed allocation of this site is supported and it is considered that the WHSAP sets out a level of detail which is commensurate with the scale of this allocation, without imposing specific policy requirements that could be over-prescriptive and prevent the delivery of an appropriate form of development, responding to the site specific constraints and opportunities.
- 2.2 The allocation identifies approximately 30 dwellings to be delivered at this site. A current live planning application (LPA Ref: 19/01490/FUL) is before the Council and the description of development is as follows:

*“A Residential Development Comprising 38 Dwellings (Use Class C3), a New Vehicular Access, Public Open Space, Landscaping, Sustainable Urban Drainage and Other Associated Infrastructure Works.”*
- 2.3 The scale of development proposed in the current planning application is informed by the site specific constraints and opportunities and is considered to be broadly consistent with the WHSAP allocation in that it does not represent a significant departure from the scale of development envisaged.
- 2.4 In respect of access, the live planning application for 38 dwellings is proposed to be served via a new junction onto the B4039 on the northern boundary which reflects feedback from the Parish Council and pre-application public consultation.
- 2.5 Specific reference to access to the site at paragraph 5.110 of the WHSAP submission document [WHSAP 01.01] “taken from Farrells Field“ is proposed to be deleted through Proposed Change PC91 and this is supported.

#### Site H2.3: Elizabeth Way (Trowbridge)

- 2.6 Land at Elizabeth Way controlled by Persimmon is shown at Appendix 1 to this Hearing Statement.
- 2.7 PC64 increases the quantum of this allocation from 205 dwellings to 355 dwellings in order to maximise the efficient use of land. It is noted that the WSHAP does not propose to include a specific policy related to this allocation. Given the scale of development (now 355 dwellings) the inclusion of a specific policy, to include the provision of a comprehensive masterplan approach to development, is considered necessary to provide an overarching framework, against which development at this scale can be delivered.
- 2.8 Such an approach can provide greater clarity in terms of scale, disposition of land uses and allow for comprehensive mitigation measures/strategies to ensure development at this scale can be delivered in a sustainable manner.

### 3. ISSUE 5: QUESTION 5.2

**Is the amount of development proposed for each site justified having regard to any constraints and the provision of necessary infrastructure?**

Site H2.12: East of Farrells Field, Yatton Keynell

- 3.1 There are not considered to be any site specific constraints that would prevent this site from coming forward for development. It is noted that a live oil pipeline crosses the site, but the extent of the allocation is such that this can be overcome by locating dwellings outside of appropriate easements. The current planning application is supported by a suite of technical site specific assessments and surveys which confirm that development can be delivered.
- 3.2 The WSHAP Sustainability Appraisal identified moderate adverse effects in respect of the use and manage of water resources (SA Objective 3) and minimising the impacts on climate change by reducing the vulnerability to future climate change effects (SA Objective 5b). In both cases mitigation and site specific solutions such as sustainable drainage measures are recognised within the SA as necessary to ensure the effects are adequately addressed.
- 3.3 The scale of development at this site, ensures that its setting at the edge of Yatton Keynell can provide for development that conserves and enhances its setting, by appropriately assimilating into the existing built form.
- 3.4 The site is not dependent upon any specific infrastructure requirements necessary to support development, save for the creation of a new access from the B4039. It is recognised as being in a sustainable location and can be served by existing highways infrastructure.

Site H2.3: Elizabeth Way (Trowbridge)

- 3.5 The scale of development, approximately 355 dwellings, is drafted so that it is not overly prescriptive, providing scope for the masterplan process to provide for a scale of development that responds appropriately to site specific constraints and opportunities. This would include matters related to landscape, biodiversity, drainage and heritage.
- 3.6 Through PC63 the extent of the allocation now extends to 21.24 hectares of land south west of Elizabeth Way. The Trowbridge Community Area Topic Paper [CATP/17a] identifies possible effects on protected bat species, heritage assets and surface water drainage infrastructure as particular constraints associated with this allocated area. However it also concludes that appropriate mitigation can be implemented which would reduce the final quantum of development but still provide development at the scale envisaged.
- 3.7 PC65 and PC66 provides additional requirements related to Heritage assets and flood risk, providing further clarity on key site specific considerations that will need to be addressed through the application process.
- 3.8 The WSHAP correctly notes that owing to the location of this proposed allocation, the opportunity exists to provide new walking/cycling routes ensuring appropriate connectivity to the wider area of the town.

- 3.9 As part of the strategy to facilitate development, the WHSAP refers to the requirement for appropriate contributions to local education and health care. The WHSAP is not prescriptive as such contributions will be dependent upon the final quantum of development and the extent to which such contributions are necessary and justified. In any event, the requirement for specific infrastructure contributions is set out in Core Policy 3 of the adopted Wiltshire Core Strategy.
- 3.10 The implementation of the strategy for this allocation would benefit significantly from a requirement for a comprehensive masterplan approach in order to ensure the site specific constraints and opportunities are appropriately responded to through the design process. In addition, it will also provide a coherent and structured framework to ensure that the required mitigation is delivered in a comprehensive and timely manner.

## 4. ISSUE 5: QUESTION 5.3

**What is the likely impact of the proposed development on the following factors and do any of these indicate that the site should not be allocated:**

- **biodiversity, in particular but restricted to European protected habitats and species;**
- **green infrastructure and agricultural land;**
- **landscape quality and character;**
- **heritage assets;**
- **strategic and local infrastructure including transport;**
- **the efficient operation of the transport network, highway safety;**
- **air and water quality, noise pollution, odours, land stability, groundwater and flood risk;**
- **open space, recreational facilities and public rights of way.**

Site H2.12: East of Farrells Field, Yatton Keynell

- 4.1 The WSHAP Sustainability Appraisal identified 'Moderate' adverse effects in respect of the use and manage of water resources (SA Objective 3) and minimising the impacts on climate change by reducing the vulnerability to future climate change effects (SA Objective 5b). In both cases mitigation and site specific solutions, such as sustainable drainage measures, are recognised within the SA as necessary to ensure the effects are adequately addressed.
- 4.2 Where 'Minor' adverse effects have been identified, such as in respect of biodiversity (SA Objective 1) and the historic environment (SA Objective 6), the SA correctly concludes that development at this site is capable of providing a sustainable pattern of development that would not result in any significant adverse effects. Consequently, it is not considered that any of the potential impacts identified through the SA process, indicate that the site is not suitable for development.
- 4.3 The live planning application is supported by a range of documents, based on site specific assessment of constrains and opportunities, and demonstrate that an acceptable form and scale of development can be delivered.

Site H2.3: Elizabeth Way (Trowbridge)

- 4.4 The likely impacts associated with this allocation are considered in the detailed site assessment stage (Stage 4). In addition, through the Schedule of Proposed Changes, additional consideration is identified in respect of heritage (PC65) and flood risk and drainage (PC66). The scale of development proposed and the potential effects identified through the SA, justifies the need for there to be a specific requirement for development to be comprehensively planned in order to ensure appropriate mitigation measures are implemented so as to reduce the likely adverse effects of development at this location.



- 4.5 Through the SA process it is evident that the extent of the likely effects on the Sustainability Objectives do not amount to significant adverse, with moderate effects identified in respect of biodiversity (Objective 1); efficient and effective use of land (Objective 2); and reduce poverty and deprivation (Objective 9).
- 4.6 It is therefore evident that the assessment of likely effects do not individually or cumulatively indicate that development should be resisted at this allocation. Given the suitability of this allocation, specifically in the context of the acknowledged housing shortfall at Trowbridge over the plan period, this allocation would make an important and significant contribution to housing delivery at Trowbridge.

## 5. ISSUE 5: QUESTION 5.4

**In relation to the above, does the plan contain effective safeguards or mitigation measures necessary to achieve an acceptable form of development?**

*Site H2.3: Elizabeth Way (Trowbridge)*

- 5.1 PC 65 and PC66 provide additional guidance in terms of the need for appropriate mitigation in respect of heritage and the need for a comprehensive drainage strategy. WHSAP Paragraphs 5.58 to 5.66 are drafted in order to ensure that development at this allocation responds appropriately to the site specific circumstances and its potential adverse effects identified through the SA process.
- 5.2 It is considered that a comprehensive masterplan requirement would support the implementation of appropriate safeguards and mitigation, to ensure a sustainable pattern of development can be delivered, at a scale consistent with the proposed allocation.

## 6. ISSUE 5: QUESTION 5.5

**What infrastructure is critical to the delivery of each site? What contributions are specified, are they necessary and justified by the evidence base? Is the plan sufficiently clear on how and when infrastructure provision will be required?**

*Site H2.3: Elizabeth Way (Trowbridge)*

- 6.1 It is considered that there is a lack of clarity and justification related to specific contributions associated with this allocation. Paragraph 5.62 refers to financial contributions over and above normal council requirements to deliver new habitat recreation will be sought. There is no justification to demonstrate why contributions in excess of normal requirements are appropriate in this case.
- 6.2 It is also considered that the WHSAP is not sufficiently clear on how and when infrastructure will be required. Of particular note is the reference to contributions which may be likely in respect of local school capacity and may also be needed to increase capacity at local GP surgeries and dentistry at the town (WHSAP para 5.66). References to such contributions is considered to be too vague and suggest that development at this allocation would be expected to contribute specifically to address existing deficiencies, rather than ensure that contributions are directly relevant to the proposed development and necessary in planning terms.
- 6.3 More specific information on infrastructure contributions would provide greater clarity as to the expectations placed on new development at this allocation. Notwithstanding, future proposals for development will be subject to the provisions of Wiltshire Core Strategy Core Policy 3 (Infrastructure Requirements), where all new development will be required to provide for the necessary on-site, and where appropriate, off-site infrastructure requirements arising from the proposed development, in addition to Core Strategy policies relevant to Sustainable transport (Core Policies 60-64).

## 7. ISSUE 5: QUESTION 5.6

**Is the site in an accessible location with good access to everyday facilities by a range of means of transport? Does the Plan provide an adequate basis to address any areas of deficiency?**

Site H2.12: East of Farrells Field, Yatton Keynell

- 7.1 The WSHAP recognises that the site benefits from potential access direct on to the B4039 and that it is located at the edge of the village, within walking distance to the services and facilities present at this settlement, including the local primary school and doctor's surgery. It is acknowledged within the SA that there is more limited access to major facilities such as hospitals and colleges. However, day to day needs can be met within the locality.
- 7.2 The justification for the allocation is to provide a positive response to identified need in a sustainable manner. The justification for the allocation is not premised on development addressing any specific deficiencies.

Site H2.3: Elizabeth Way (Trowbridge)

- 7.3 The location of the allocation represents a sustainable location whereby new residents can access the extensive range of services and facilities present at this Principal Settlement. Paragraph 5.65 provides only a cursory reference to the potential to provide connectivity with this allocation with the wider area, through new routes for walking and cycling.
- 7.4 Notwithstanding the lack of any specific detail, proposals for development will be considered in the context of extant policies within the Development Plan, including Core Policy 60 (Sustainable Transport) and Core Policy 61 (Transport and New Development).
- 7.5 A comprehensive approach to the masterplanning of development at this location can provide and effective means through which Core Strategy Policies 60 and 61 can be delivered.

## 8. ISSUE 5: QUESTION 5.7

**In cases where allocations do not have specific policies, is the reliance on supporting text likely to be an effective means of delivering the Council's requirements for each site? What is the justification for some sites having specific policies and some not?**

Site H2.12: East of Farrells Field, Yatton Keynell

- 8.1 The WHSAP does not propose to include a specific policy in support of this allocation. The justification for this approach is not adequately explained. It would appear that the identification of the site/allocation in its own right and supporting text is considered sufficient.
- 8.2 The development management process will consider the suitability of proposals in accordance with the Development Plan, including the Wiltshire Core Strategy and the WHSAP. Therefore a specific policy would necessarily duplicate extant Development Plan policies. In this context of this relatively modest allocation (i.e. approximately 30 dwellings), such an approach may be appropriate.
- 8.3 Notwithstanding, in the context of H2.12, a specific policy would be relatively straight forward, whereby the extent of the allocated site and levels of development are specifically referenced within a policy, against which consistency of future development proposals would need to adhere, alongside other policies contained within the Development Plan.

Site H2.3: Elizabeth Way (Trowbridge)

- 8.4 Paragraph 5.12 of the WHSAP explains that for sites which involve a mix of uses and where development will be guided by a masterplan, then a specific policy is identified. However, for reasons which are not explained within the WHSAP, there is no specific policy or requirement for a masterplan approach in the context of this allocation.
- 8.5 Given the scale of development, and the range of site specific considerations, such as heritage, landscape, biodiversity and drainage, it is somewhat surprising that the WHSAP does not propose a specific policy in the context of this allocation. It is also noted that PC66, in respect of flood risk / drainage, now requires that a comprehensive drainage strategy is implemented in order to inform matters of design and layout. It would therefore be entirely sensible for there to be a requirement for the allocation to be delivered through a comprehensive masterplan.
- 8.6 In such circumstances, and referring back to paragraph 5.12 of the WHSAP, this would then justify a specific policy for this allocation, from which proposals can be developed in a manner that responds appropriately to site specific constraints and opportunities and critically, implements appropriate mitigation in a comprehensive manner.

## 9. ISSUE 5: QUESTION 5.8

### **Is the development proposed for each site deliverable in the timescales envisaged?**

#### Site H2.12: East of Farrells Field, Yatton Keynell

- 9.1 The current detailed application has been submitted by one of the UK's leading house builders with a proven record of housing delivery and demonstrates the aspiration to bring forward development at this site in the short term.
- 9.2 The site is available and deliverable now. The site represents a sustainable pattern of development and is considered to be deliverable within 5 years.

#### 9.3 Site H2.3: Elizabeth Way (Trowbridge)

- 9.4 Proposed Allocation H2.3, including land controlled by Persimmon, is identified as a suitable, sustainable and deliverable development opportunity which will make a significant contribution to the residual requirement for housing at Trowbridge.
- 9.5 Land at Elizabeth Way provides a deliverable and viable development opportunity that is available now, promoted by developers, including national house builders, with proven track records of delivering large scale development. Therefore, there is a clear and reasonable prospect that this allocation will deliver within 5 years and certainly within the Plan period.

**APPENDIX 1: SITE LOCATION PLAN ELIZABETH WAY (TROWBRIDGE)**

Persimmon Homes (Wessex)  
Persimmon House, Tetbury Hill  
Malmesbury, Wiltshire. SN16 9JR

Tel: 01666 824721  
Fax: 01666 826152

www.persimmonhomes.com



REVISIONS			DATE	BY
ST	JP	08.03.2019	1:5000@A3	
DRAWING TITLE				
Site Location Plan (Persimmon Land)				
Elizabeth Way, Trowbridge				

Persimmon Homes Wessex. All rights reserved.  
This drawing is the copyright of Persimmon Homes Developments Ltd. and has been produced for planning purposes only. Such drawings can be scaled but are not to be used for construction or sales documents.