



WHSAP Examination in Public



Matter 4 Hearing Statement



Boyer

Matter 4: Settlement Boundaries

Boyer on behalf of Persimmon Homes

REP ID: 983136

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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 Settlement Boundaries (Matter 4). 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 3: Housing Site Allocations
- 1.3 This Hearing Statement should also be read in conjunction with representations submitted on behalf of Persimmon Homes at the Regulation 19 stage.

2. ISSUE 6: QUESTION 6.1

What is the policy basis for use of settlement boundaries and their review?

- 2.1 Paragraph 2.12 of Topic Paper 1 (Settlement Boundary Review Methodology) [TOP/01] explains that the adopted Wiltshire Core Strategy (WCS) uses settlement boundaries as a 'policy tool' to ensure the right type of development is delivered in the right place. It goes on to refer to national policy and its objective to encourage sustainable patterns of development "*and resist inappropriate development in locations where it might cause harm to the local area*". Topic Paper 1 states that such key principles need to be borne in mind when reviewing the existing settlement boundaries.
- 2.2 There is concern with this approach in that it implies that development outside of a defined settlement boundary is by default inappropriate and harmful to the local area. This is not supported by any specific evidence to demonstrate why this is the case. In order for this assumption to have any justification it would require the extent of Settlement Boundaries to be determined by assessment of the suitability of land at its boundary in order to demonstrate that should development be allowed, that it would have the harmful effect suggested.
- 2.3 Settlement boundaries must have longevity built in and with the Wiltshire Local Plan Review underway, we question whether the approach set out in Topic Paper 1 and the WHSAP will ensure that revised boundaries are capable of remaining relevant and up-to-date in the context of the Local Plan Review.
- 2.4 Paragraph 55 of the 2012 NPPF confirms that in order to promote sustainable development in rural areas, housing should be located where it will enhance or maintain the vitality of rural communities. Through the revised NPPF (para 78) it states that planning policies should identify opportunities for villages to grow and thrive, especially where this will support local services. Both versions of the NPPF confirm that planning policies should avoid development of isolated homes in the countryside.
- 2.5 The use of settlement boundaries is not objected to in principle, however, their application should not act as a constraint to the delivery of wider opportunities for development, where such proposals would constitute sustainable development and support the role and function of the settlement. We do not support the assertion that settlement boundaries represent a definitive designation, beyond which development is automatically harmful or inappropriate. Equally, it should also be recognised that the inclusion of land within a settlement boundary does not automatically mean the land is suitable for development.

3. ISSUE 6: QUESTION 6.2

Is the Council's methodology for reviewing settlement boundaries soundly based?

- 3.1 Section 8 of Topic Paper 1 sets out the final methodology, informed by consultation (Reg 18) and informal consultation with Town and Parish Councils. The key features of which are considered below.

Extant planning permissions

- 3.2 The methodology excludes extant (unimplemented) planning permissions owing to the degree of uncertainty over the exact layout and urban form and the concern that such permissions may never actually be constructed.
- 3.3 Such an approach is not supported as it fails to accurately depict the extent to which the urban form / development pattern of a settlement is expected to develop.
- 3.4 Sites which benefit from planning permission have been considered acceptable in planning terms and therefore the decision to exclude such sites from the defined Settlement Boundary will create uncertainty and inconsistency as to the planning credentials of a particular site. The principle of the suitability of the site for development is established and this should be reflected in the extent of the relevant settlement boundary.

Employment land

- 3.5 Paragraph 7.11 of Topic Paper 1 explains that because WCS Core Policy 35 (Existing Employment Sites) does not extend to settlements classified as Large Villages, it is necessary to exclude existing employment sites at the edge of Large Villages from the defined Settlement Boundary.
- 3.6 It is not explained how excluding such sites provides protection to their status as employment land. The concern is that this represents little more than an attempt to prevent their potential redevelopment to residential, by imposing 'countryside' policies to any proposal for redevelopment. Furthermore, Topic Paper 1 also fails to explain how proposals for an expansion or intensification of the existing employment use would be considered, where such sites are located outside of the defined Settlement Boundary.
- 3.7 Furthermore, such employment land, should it become vacant or redundant would constitute previously developed land (brownfield) where both national and local policy have a clear emphasis in utilising such opportunities.
- 3.8 The methodology refers to the settlement boundaries defining the built form of the settlement. Existing employment land at the edge of and an existing Large Village must be considered to represent part of the built form of that settlement.
- 3.9 The decision to exclude such employment land is not considered to be sound as it is not justified by any specific evidence or assessment to demonstrate why this is a reasonable approach.

Site Allocations

- 3.10 The final methodology excludes sites allocated in the development plan from the Settlement Boundary. This is justified along similar lines as the approach to extant planning permissions. Whilst there may be some traction regarding extant (unimplemented) planning permissions, which have the potential to lapse and therefore any further proposal would be subject to normal planning process, site allocations are considered to be very different.
- 3.11 The suitability and deliverability of allocations is determined through the Examination process and the extent of the boundary for any particular allocation forming part of that process. The explanation provided at paragraphs 7.11 of Topic Paper 1, that there is uncertainty as to how much space within the red line will be taken up by the built form, is not considered sufficient to justify the decision to exclude allocations. The principle of development of allocated sites (which includes its physical extent), is firmly established through the Examination process. This should be reflected in any review of settlement boundaries.

4. ISSUE 6: QUESTION 6.4

For specific settlements, are there any factors which indicate the settlement boundary is not justified or effective?

4.1 In response to Question 6.2 it is considered appropriate that settlement boundaries should reflect extant planning permissions and allocated sites and this should apply to all settlements. Moreover, the decision to exclude employment land at the edge of Large Villages is not supported, and therefore further revisions to the settlement boundaries are considered necessary in this context.

4.2 In the context of specific settlements, the following comments are provided below.

Trowbridge

4.3 As explained in Representations to the Reg 19 consultation submitted by Persimmon (Rep ID: 983136), specific comments were raised in respect of land to the south of Blackthorn Way (Staverton Triangle) – Grid reference I4 (Appendix A – **CATP/17a**).

4.4 This land parcel is enclosed by obvious physical features, including the railway line to the west, residential development (Blease Close / Blackthorn Way) to the north, with the River Avon defining the eastern and southern boundary.

4.5 As shown at Appendix A [**CATP17a**] this parcel of land is currently located within the defined settlement boundary as presented on the Core Strategy Proposal Maps for Trowbridge. Through the settlement boundary review it is now proposed to be removed. In doing so the review is failing to apply its own methodology by ensuring that the boundary follows clearly defined physical features on the ground, as explained in paragraph 4.4 above.

Malmesbury

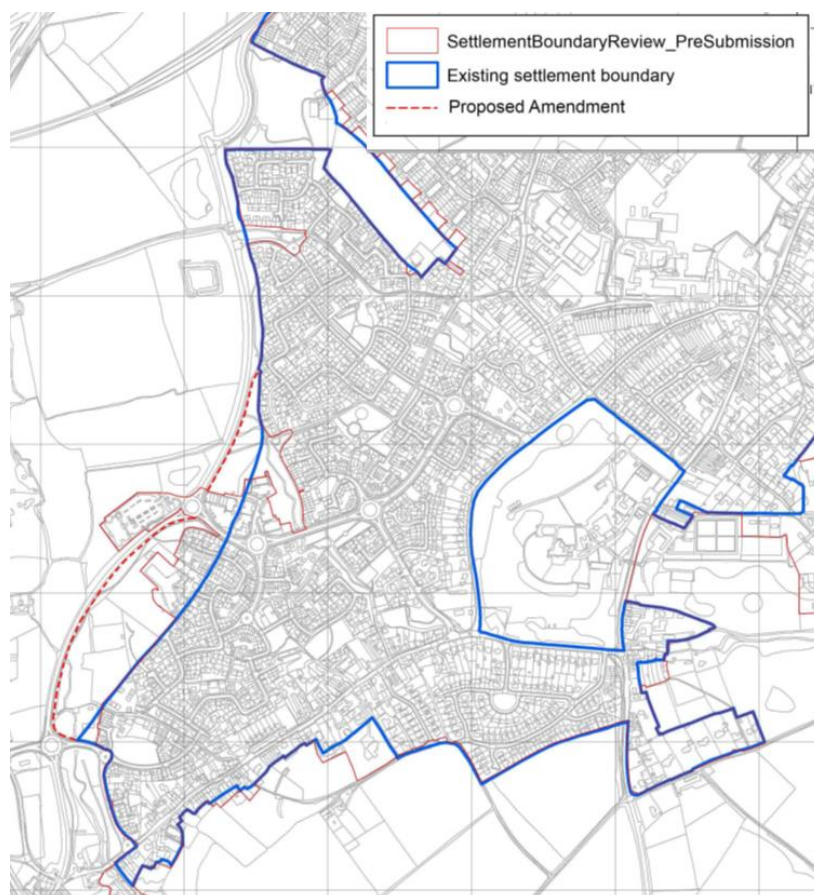
4.6 Further to our comments that extant planning permissions and allocations should be included, we object to the proposals to revise the boundary for Malmesbury – Grid reference E4 (Appendix A – **CATP/07**). The revised boundary at this location fails to accurately reflect the Wiltshire Core Strategy Proposals Map and its inclusion of this land with the BD1 'Employment Proposal' and the fact that this site benefits from planning permission for employment development.

Westbury

4.7 As explained in Pre-Submission Representations submitted by Persimmon Homes (Rep ID: 983136) the approach to the settlement boundary at Westbury is not supported. It is not considered justified as it is applied in a manner which is inconsistent with the Council's own methodology. It excludes a parcel of land to the east of Mane Way (grid reference D14 – **CATP/19**) without any specific justification, and with no regard to the obvious physical boundary provided by the A3098/Mane Way. This is at odds with the methodology set out in Topic Paper 1, which specifically identifies "roads" as a physical feature to be considered in defining the extent of any settlement boundary.

4.8 Furthermore, it is not consistent with the approach north of this land where the boundary follows the alignment of Mane Way, where it has clearly been used as a physical feature which defines the built form of the settlement.

4.9 To demonstrate the approach to the settlement boundary along Mane Way, the image below is provided which includes proposed amendments considered necessary in order to address the obvious inconsistency in the approach.



Calne

4.10 It is made clear within the final methodology [**Section 8 TOP/01**] that areas which are to be included within the Settlement Boundary includes built and commenced development. This approach does not appear to have been followed in respect of land to the east of Calne (Grid reference: H8-H10 and I8-I10).

4.11 The extent of the proposed boundary does not respond to consented and development under construction at this location, this includes development associated with the following original outline consents: 14/1179/OUT, 17/00679/OUT and 13/02833/OUT

4.12 In order to ensure consistent with the Council's own methodology it is necessary for the settlement boundary to be amended in these circumstances. The image below is provided in order to demonstrate the extent to which the settlement boundary should be revised.

