

MATTER 4: SETTLEMENT BOUNDARIES

- 1.1 This matter statement is prepared on behalf of Terra Strategic Ltd in relation to its land interests on land to the west of Semington Road, Melksham.

Issue 6: Are the proposed settlement boundaries justified, effective and consistent with national policy?

Q. 6.1: What is the policy basis for use of settlement boundaries and their review?

- 1.2 One of the Core Planning Principles of the original National Planning Policy Framework (the '2012 NPPF') is to *“actively manage patterns of growth to make the fullest possible use of public transport, walking and cycling, and focus significant development in locations which are or can be made sustainable”*.
- 1.3 Core Policy 1 of the Wiltshire Core Strategy (WCS) establishes that Melksham is a key Market Town. It is therefore a higher order settlement in the Council's Settlement Hierarchy, in recognition of its sustainability credentials in terms of the employment opportunities, provision of a wide of services and facilities to sustain housing.
- 1.4 At present, the policy basis for the Council's settlement boundaries is established within Core Policy 2 of the WCS, which uses the term “limits of development” to refer to settlement boundaries. However, critically the settlement boundaries were not reviewed as part of the WCS preparation but only retained in their historically defined form. The WCS makes clear that settlement boundaries will be reviewed in the forthcoming WHSAP.
- 1.5 Consequently, the settlement boundaries for Melksham have not been altered since the West Wiltshire District Local Plan 1st Alteration 2004. Therefore, a review of settlement boundaries is long overdue as they are not an accurate reflection of current physical make up of the town.
- 1.6 At Section 4 of the Settlement Boundary Review Methodology Topic Paper (Topic Paper 1, **TOP.01**), WC acknowledges the settlement boundaries required a comprehensive review, so it is questioned why extant, unimplemented permissions are not included within the settlement boundaries across Wiltshire's main settlements.

Q. 6.2: Is the Council's methodology for reviewing settlement boundaries soundly based?

- 1.7 The Settlement Boundary Review Methodology Topic Paper (Topic Paper 1, **TOP.01**) explains that the Council *“has undertaken a comprehensive review of the boundaries to ensure they are up-to-date and adequately reflect changes which have happened since they were first established”* (para 1.3).
- 1.8 Section 4 states that during a Regulation 18 Consultation in Spring 2014, WC made a commitment to review the settlement boundaries across Wiltshire through the preparation of the Wiltshire Housing Site Allocations Plan (WHSAP). However as

explained at paragraphs 4.5-4.7 of the Topic Paper, WC essentially defers this settlement boundary review for later consideration.

- 1.9 Following the Regulation 18 consultation WC then undertook an informal consultation between July and September 2014 which was targeted to Town and Parish Councils only. This exercise essentially formed the primary methodology of their settlement boundary review.
- 1.10 The Council's Report on the Informal Consultation on Settlement Boundaries (**WHSAP.15**) identifies that the majority of respondents were Town and Parish Councils (55%), whilst just 8% of respondents to this consultation were developers and landowners.
- 1.11 This evidence suggests that the targeting of the town and parish councils was executed successfully by WC, however the input of developers and landowners within the formulation of the Council's settlement boundaries was very limited.
- 1.12 The Council's Statement of Community Involvement (SCI, 2015) establishes that landowners, infrastructure providers and developers will be involved within the production of Development Plan Documents, such as the WHSAP.
- 1.13 The formulation of local authority settlement boundaries is a fundamental component of the WHSAP, which WC has failed to provide an appropriate opportunity for developers and landowners to comment, contrary to the provisions of its SCI.
- 1.14 Section 5 of Topic Paper 1 establishes that within the Council's 'Draft settlement boundary review methodology' areas which were initially included and excluded from the methodology. Areas which were 'included' within the draft methodology comprised of both "*built and extant planning permissions*" for areas which were physically and functionally related to the settlement.
- 1.15 However, following the informal consultation with Town and Parish Councils, "*unimplemented planning permissions*" have been removed from the revised methodology (as set out in Table 7.1 of the Topic Paper).
- 1.16 At paragraphs 7.13 of the Topic Paper, WC refers to the feedback from the town and parish councils that "*many planning permissions never get built out*" and "*that the final built form may differ substantially from the original permission*".
- 1.17 Following this review, WC agreed to exclude all unimplemented planning permissions on the basis that unimplemented permissions "*do not form part of the built environment*".
- 1.18 We disagree with this reasoning, as these sites have been approved by WC or the Secretary of State (by way of appeal), and essentially constitute 'Sustainable Development' as advocated by the NPPF. It is also highly likely that in the short-medium term these sites would come forward to form part of the built-up area of that respective settlement.

1.19 In summary, the WHSAP settlement boundaries have essentially been modelled through a very closed process, thus reducing the opportunity for a key group of stakeholders – that of landowners and developers – to become involved. Such a process is contrary to the Council's SCI and **cannot be considered as effective or justified**.

1.20 The exclusion of such extant permissions within the defined development limits also **does not ensure that the plan has been positively prepared** – a key requirement of the NPPF's Test of Soundness which seeks to meet objectively assessed development and infrastructure requirements.

Q. 6.4: For specific settlements are there any factors which indicate the settlement boundary is not justified or effective?

1.21 In specific regard to the settlement boundary for Melksham, several applications have previously been approved for developing beyond the settlement boundaries and should be included within the defined settlement boundary.

1.22 Beyond the development limits to the south of the town, planning permission has been granted on land to the south of Western Way, Bowerhill (ref. 16/01123/OUT).

1.23 It is important to add that this site had been historically preserved from development to avoid coalescence with Bowerhill. This decision therefore sets an important precedent for developing to the south of the Melksham Ring Road (A350), which has previously defined the urban edge of Melksham.

1.24 Other significant extant permissions in Melksham include up to 450 homes on land to the east of Spa Road, to the east of the town (ref. 14/10461/OUT); and an outline application for the erection of up to 150 dwellings on land to the east of Semington Road (ref. 16/00497/OUT). The latter is located to the east of our client's site which, if built out, will form a logical extension to the town.

1.25 As the WHSAP is reviewing the settlement boundaries across Wiltshire, it seems odd that these examples have been deliberately excluded from the revised settlement boundary for Melksham. This does not demonstrate that the plan is forward thinking, and **positively prepared**.

1.26 As noted above, the rationale for approving these planning applications beyond the defined limits of the town will appear unjustified as the settlement boundary has not been adjusted to include sites such as those identified above.

1.27 As a result, it is considered that the settlement boundaries for Melksham and Bowerhill as presented in the WHSAP are out of date and do not allow for further housing growth, and so the Melksham and Bowerhill settlement boundaries are **not effective** and **not justified**.

