

# **Wiltshire Housing Site Allocations Plan Examination in Public**

## **Position Statement on Matter 3**

### **Housing Site Allocations**

**H2.13 Court Orchard / Cassways, Bratton**

PS/M3/47

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## Contents

<b>Matter 3: Housing Site Allocations H2.13 Court Orchard / Cassways, Bratton</b>		<b>Page number</b>
<i>Issue No.</i>	<i>Issue</i>	
<b>5</b>	<b>Are the proposed sites justified, effective and consistent with national policy?</b>	<b>4</b>
5.1	Does the plan provide sufficient detail on form, scale, access and quantity of development for each site?	<b>4</b>
5.2	Is the amount of development proposed for each site justified having regard to any constraints and the provision of necessary infrastructure?	<b>4</b>
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:	
	i. biodiversity, in particular but not restricted to European protected habitats and species	<b>5</b>
	ii. green infrastructure and agricultural land	<b>6</b>
	iii. landscape quality and character	<b>6</b>
	iv. heritage assets	<b>6</b>
	v. strategic and local infrastructure including transport	<b>7</b>
	vi. the efficient operation of the transport network, highway safety	<b>7</b>
	vii. air and water quality, noise pollution, odours, land stability, groundwater and flood risk	<b>8</b>
	viii. open space, recreational facilities and public rights of way	<b>9</b>
5.4	In relation to the above, does the plan contain effective safeguards or mitigation measures necessary to achieve an acceptable form of development?	<b>9</b>
5.5	What infrastructure is critical to the delivery of each site? Where 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?	<b>9</b>
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?	<b>9</b>
5.7	In cases where allocations do not have specific policies, is	<b>10</b>

	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?	
5.8	Is the development proposed for each site deliverable in the timescales envisaged?	<b>10</b>

## **Matter 3: Housing Site Allocations**

### **H2.13 Court Orchard / Cassways, Bratton**

#### **Issue 5: Are the proposed sites justified, effective and consistent with national policy?**

##### **Issue 5.1 - Does the plan provide sufficient detail on form, scale, access and quantity of development for each site?**

1. Yes. Allocation H2.13 and its supporting text provides sufficient detail on form, scale, access and quantity of development.
2. Allocation H2.13 of the Wiltshire Housing Site Allocations Plan (WHSAP.01.01)<sup>1</sup> and supporting text, incorporating the Council's Schedule of Proposed Changes (EXAM.01.01)<sup>2</sup> provides an overview of the form and scale of development that is expected to be delivered on the site. The quantity of development to be delivered is approximately 35 dwellings, and vehicular access is to be taken from the B3098.
3. The Council considers that the level of detail provided within the Wiltshire Housing Site Allocations Plan (WHSAP.01.01) is sufficient, given that there are already policies concerning appropriate form, scale and access set out in the Wiltshire Core Strategy (WCO.01)<sup>3</sup> that will be used to determine future planning applications on the site. Highway access details have been considered for the site. Further consideration of access arrangements would be undertaken through any planning application and required transport assessment.

##### **Issue 5.2 - Is the amount of development proposed for each site justified having regard to any constraints and the provision of necessary infrastructure?**

4. The Strategic Housing and Economic Land Availability Assessment (SHELAA) site capacity, using the SHLAA Methodology September 2011 (SHLAA.22)<sup>4</sup>, was estimated at 32 dwellings for this site, as set out in Appendix 5.19 Westbury Community Area of the SHELAA (SHELAA.20)<sup>5</sup>, which formed a starting point for assessment using 30 dwellings per hectare and applying a multiplier to reduce the developable area to allow for non-housing uses.
5. Stage 2 of the Wiltshire Housing Site Allocations Plan site assessment process, as set out in Appendix B of the Westbury Community Area Topic Paper (CATP.19)<sup>6</sup>, then considered whether exclusionary criteria (such as Flood Zones 2/3) should result in a reduction of the SHLAA site capacity. Stages 3 and 4 undertook further detailed assessments into site constraints and infrastructure requirements. In the case of H2.13, an approximation of site capacity was applied at Stage 3, which estimated around 30 dwellings on the site. The site capacity was increased from 32 to 40 dwellings because it was considered at Stage 4 that the site constraints, their suitable mitigation and all necessary infrastructure requirements would allow the capacity of the site to increase. This increase in numbers would also ensure maximum delivery of affordable homes in the village, a need identified in the Bratton Parish Housing Needs

<sup>1</sup> [\[WHSAP.01.01\]](#) Wiltshire Council – Wiltshire Housing Site Allocations Plan, July 2018

<sup>2</sup> [\[EXAM.01.01\]](#) Schedule of Proposed Changes – Consultation Document - Sept 2018 (Part 1/46)

<sup>3</sup> [\[WCO.01\]](#) Wiltshire Council – Wiltshire Core Strategy, January 2015

<sup>4</sup> [\[SHLAA.22\]](#) Wiltshire Council – SHLAA Methodology, September 2011

<sup>5</sup> [\[SHELAA.20\]](#) Wiltshire Council – Appendix 5.19 Westbury Community Area to SHELAA, August 2017

<sup>6</sup> [\[CATP.19\]](#) Wiltshire Council - Westbury Community Area Topic Paper, July 2018

Survey Report, published March 2014, (HSG.07)<sup>7</sup>. It was recognised that there was a need to preserve the amenity of adjoining residents, adjacent heritage assets and other landscape, mitigate potential surface water flooding issues and provide biodiversity measures.

6. The amount of development proposed at this site was further reduced due to concerns raised during the consultation on the Pre-submission Wiltshire Housing Site Allocations Plan, as set out in Appendix Q Schedule of Reqs – Submission Version July 2018 to the Consultation Statement Regulation 22 (1) (c) (WHSAP.12)<sup>8</sup>. Therefore, in response to these as well as subsequent discussions with promoters of the site, it was considered that the developable capacity be reduced to 35 dwellings which would allow for more sensitively designed development. This is detailed on pages 39-40 of the Schedule of Proposed Changes (Sept 2018) (Part 1 of 46) Main Report (EXAM.01.01)<sup>9</sup>.
7. Key infrastructure requirements for this site relate to upgrades to foul and surface water connections, as detailed on page 41 of the Schedule of Proposed Changes (Sept 2018) (Part 1 of 46) Main Report (EXAM.01.01). The evidence suggests that the village primary school would benefit from additional housing as there are currently significant surplus places. It is considered that development could help to address local infrastructure capacity issues over and above developer contributions.

**Issue 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:**

**i. biodiversity, in particular but not restricted to European protected habitats and species**

1. The Council considers that any impacts of development on biodiversity can be successfully managed and mitigated, and would not preclude development of the site.
2. A settlement level Habitats Regulations Assessment (HRA.01)<sup>10</sup> was carried out to inform the preparation of the Wiltshire Housing Site Allocations Plan (WHSAP.01.01)<sup>11</sup>. It concluded that the relationship of the site with the Salisbury Plain Special Protection Area could generate likely significant effects and required mitigation. The likely effects on the Salisbury Plain Special Protection Area relate to the increased visitor pressure on the stone curlew population. The Addendum to the Assessment under the Habitats Regulations – Pre-submission draft plan May 2018 (HRA.02)<sup>12</sup> confirms that the council has updated the Wiltshire Council HRA and Mitigation Strategy for Salisbury Plain SPA in Relation to Recreational Pressure (HRA.04)<sup>13</sup> to take account of the latest visitor survey results and stone curlew monitoring, and there are no recommendations for changes to policies or supporting text in the Wiltshire Housing Site Allocations Plan (WHSAP.01.01).
3. Additional biodiversity aspects at the site were assessed, as set out on pages 2-4 of the Sustainability Appraisal Report: Westbury Community Area (SA.01A.12)<sup>14</sup> and

<sup>7</sup> [\[HSG.07\]](#) Wiltshire Council – Bratton Parish Housing Needs Survey, March 2014

<sup>8</sup> [\[WHSAP.12\]](#) Wiltshire Council – Appendix Q of the Regulation 22(1)(c) Consultation Statement, July 2018

<sup>9</sup> [\[EXAM.01.01\]](#) Wiltshire Council – Schedule of Proposed Changes, September 2018

<sup>10</sup> [\[HRA.01\]](#) Wiltshire Council – Habitats Regulations Assessment, June 2017

<sup>11</sup> [\[WHSAP.01.01\]](#) Wiltshire Council – Wiltshire Housing Site Allocations Plan, July 2018

<sup>12</sup> [\[HRA.02\]](#) Wiltshire Council – Addendum to the Habitats Regulations Assessment, May 2018

<sup>13</sup> [\[HRA.04\]](#) Wiltshire Council – HRA and Mitigation Strategy for Salisbury Plain SPA, March 2012

<sup>14</sup> [\[SA.01A.12\]](#) Wiltshire Council – Sustainability Appraisal Report: Westbury Community Area, May 2018

summarised in Appendix G, Table F4, page 54, of the Westbury Community Area Topic Paper (CATP.19)<sup>15</sup>. The assessment concluded that development would need to include protection measures and enhancement of local habitats due to the presence of Biodiversity Action Plan Priority Habitat (hedgerows). This habitat requires protection and enhancement as a wildlife corridor and therefore will be retained and enhanced.

## **ii. green infrastructure and agricultural land**

4. Green infrastructure (GI) aspects were assessed on pages 12-13 of the Sustainability Appraisal Report: Westbury Community Area (SA.01A.12)<sup>16</sup> and, subsequently, at Stage 4 of the site selection process, as set out in Appendix G, on pages 60-61, of the Westbury Community Area Topic Paper (CATP.19). Mitigation measures were suggested to incorporate GI into any subsequent development proposals. Being at the rural fringe the allocation would need to incorporate trees to filter views to and from the site. It is considered that mitigation is possible. This is supported by the existing green infrastructure requirements set out in Core Policy 52 of the WCS (WCO.01<sup>17</sup>).
5. Agricultural land is discussed on pages 4-5 of the Sustainability Appraisal Report: Westbury Community Area (SA.01A.12). The impact was considered to be minor to negligible due to the relatively small size of the site.

## **iii. landscape quality and character**

6. Landscape aspects were assessed, as set out on pages 12-14 of the Sustainability Appraisal Report: Westbury Community Area (SA.01A.12) and, subsequently, at Stage 4, as set out in Appendix G, on page 61, of the Westbury Community Area Topic Paper (CATP.19). Mitigation measures were suggested to include additional planting, which would help screen the site and improve views of the western settlement edge.
7. There are two public rights of way. These should be incorporated within green space corridors and potentially diverted, as set out on pages 65-67 of the Stage 4a Site Landscape Assessment Part 2: Salisbury, Tidworth, Trowbridge, Warminster and Westbury Community Areas June 2017 (PSCON.11B)<sup>18</sup>.
8. It is considered that mitigation measures are possible and that additional planting would enhance the important gateway setting of this site.

## **iv. heritage assets**

9. Heritage aspects were assessed, as set out on pages 11-12 of the Sustainability Appraisal Report: Westbury Community Area (SA.01A.12) and, subsequently, at Stage 4, as set out in Appendix G, page 61, of the Westbury Community Area Topic Paper (CATP.19). Mitigation measures were suggested which included specifically focusing on reinforcing local distinctiveness through building type, size, design and layout to in order to ensure that the significance and setting of the nearby Listed Buildings and the character and or appearance of the adjoining Conservation Area is maintained.
10. The evidence suggests the site has 'medium' archaeological potential and that the historical landscape sensitivity is low. An archaeological assessment is required at the planning application stage in line with the Policies of the Wiltshire Core Strategy.

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<sup>15</sup> [\[CATP.19\]](#) Wiltshire Council - Westbury Community Area Topic Paper, July 2018

<sup>16</sup> [\[SA.01A.12\]](#) Wiltshire Council – Westbury Community Area Topic Paper, July 2018

<sup>17</sup> [\[WCO.01\]](#) Wiltshire Core Strategy, January 2015

<sup>18</sup> [\[PSCON.11B\]](#) Wiltshire Council – Stage 4a Site Landscape Assessment Part 2, June 2017

#### **v. strategic and local infrastructure including transport**

11. There are no critical infrastructure requirements needed to enable delivery of this site. Strategic and local infrastructure aspects were assessed, as set out on pages 6-7 and 16-17 of the Sustainability Appraisal Report: Westbury Community Area (SA.01A.12)<sup>19</sup> and, subsequently, at Stage 4, as set out in Appendix G, page 61, of the Westbury Community Area Topic Paper (CATP.19)<sup>20</sup>. Mitigation measures were suggested for any subsequent development proposals. There are some capacity issues with the Bratton Surgery. Mitigation would be required to support additional patient demand arising from the development of the site. The assessment also identified that the local primary school has sufficient capacity. The secondary school has capacity but may need to be expanded and therefore suitable mitigation necessary to facilitate this would need to be secured through the planning application process in line with Core Policy 3 of the Wiltshire Core Strategy. It is considered that mitigation measures are possible in respect of these matters and there is no evidence to indicate that the site should not be allocated.
12. Localised water pressure issues and the supply of water generally to Bratton are identified as matters that would need to be addressed through the planning application process.
13. The evidence indicates that the site is located within Flood Zone 1 and that part of the site is susceptible to surface water flooding associated with high run off from the hills to the south. A flood risk assessment is required and comprehensive drainage strategy as recommended by the Environment Agency in Proposed Change 95 (PC95) on page 37 of the Schedule of Proposed Changes (July 2018) (Part 1 of 46) Main Report (EXAM.01.01)<sup>21</sup>. Water drainage and supply infrastructure upgrades will need to be informed by the relevant assessments and incorporated into the proposals.
14. On the balance of evidence available it is considered that, minor infrastructure upgrades are likely to be necessary in order to facilitate development of the site.

#### **vi. the efficient operation of the transport network, highway safety**

15. The efficient operation of the local transport network and highway safety were considerations in Stage 4 of the site selection process and there is no evidence to indicate that the site should not be allocated in terms of these matters. Each site has been assessed against an assessment which considered the following factors:
  - accessibility to local bus services, rail stations and service centres
  - likely impacts on the local road network
  - site access arrangements and impacts.
16. Vehicular and pedestrian access would appear to be achievable from the B3098 with the potential to extend the pavement along the site frontage.
17. Development of the site would potentially result in appropriate improvements to the public rights of way network thereby improving connectivity within the village and wider

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<sup>19</sup> [SA.01A.12] Wiltshire Council – Westbury Community Area Topic Paper, July 2018

<sup>20</sup> [CATP.19] Wiltshire Council – Westbury Community Area Topic Paper, July 2018

<sup>21</sup> [EXAM.01.01] Wiltshire Council – Schedule of Proposed Changes, July 2018

area.

**vii. air and water quality, noise pollution, odours, land stability, groundwater and flood risk**

18. Air and water quality, noise pollution, odours, groundwater and flood risk were all considered, as set out on pages 6-7 of the Sustainability Appraisal Report: Westbury Community Area (SA.01A.12)<sup>22</sup> and specific constraints were identified for this site.
19. Whilst the supply of water and lack of public surface water systems serving Bratton was identified as being problematic, these matters were nonetheless considered to be capable of mitigation through the planning application process.
20. The evidence identified that the site is in Flood Zone 1. Page 10 of the West Wiltshire Strategic Flood Risk Assessment, published in 2008, (FR.15.01)<sup>23</sup> indicates that Bratton as at risk of surface water flooding associated with high run off from the hills. This issue was a matter of concern to local residents, particularly those living to the west of the site along Rosenheim Road who raised concerns about increased run off resulting from the development, as set out in representations 962, 1328, 1737, 1755, 2002 and 2392 in Appendix Q Schedule of Reps – Submission Version July 2018 to the Consultation Statement Regulation 22 (1) (c) (WHSAP.12)<sup>24</sup>.
21. Comments made by the Environment Agency, as set out on page 41 of the Consultation Statement Regulation 22 (1) (c) Submission version July 2018 (WHSAP.09)<sup>25</sup>, request the site be subject to a Flood Risk Assessment (incorporating an assessment of the predicted effects of climate change) and comprehensive drainage strategy to help inform matters such as layout and design. The Wiltshire Housing Site Allocations Plan (WHSAP.01.01)<sup>26</sup> is proposed to be changed to include additional text, as set out in Proposed Change 95 (PC95) on page 37 of the Schedule of Proposed Changes (July 2018) (Part 1 of 46) Main Report (EXAM.01.01)<sup>27</sup>. On the balance of evidence available, it is considered that infrastructure upgrades are likely to be necessary in order to facilitate any development of the site.
22. In light of the requirements of the National Planning Policy Framework, published March 2012, in relation to land stability, as set out in paragraph 120, there are no known issues of concern in relation to this site.
23. Air quality, noise, odours and vibration associated with construction as well as any impacts caused by or affecting the future residential use have also been considered and the effects identified can be fully mitigated through application of existing policy and regulations. Mitigation measures to limit the impacts of vehicular movements would need to be developed and implemented in accordance with local plan policy and advice from relevant bodies.

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<sup>22</sup> [\[SA.01A.12\]](#) Wiltshire Council – Westbury Community Area Topic Paper, July 2018

<sup>23</sup> [\[FR.15.01\]](#) West Wiltshire District Council - West Wiltshire Strategic Flood Risk Assessment, August 2008

<sup>24</sup> [\[WHSAP.12\]](#) Wiltshire Council – Appendix Q of the Regulation 22(1)(c) Consultation Statement, July 2018

<sup>25</sup> [\[WHSAP.09\]](#) Wiltshire Council – Regulation 22(1)(c) Consultation Statement, July 2018

<sup>26</sup> [\[WHSAP.01.01\]](#) Wiltshire Council – Wiltshire Housing Site Allocations Plan, July 2018

<sup>27</sup> [\[EXAM.01.01\]](#) Wiltshire Council – Schedule of Proposed Changes, July 2018

### **viii. open space, recreational facilities and public rights of way**

24. The provision, protection and enhancement of open space, recreational facilities and public rights of way have been assessed, as set out on pages 12-13 of the Sustainability Appraisal Report: Westbury Community Area (SA.01A.12)<sup>28</sup>. There is one right of way running through the site (BRAT24) and another runs along the northern boundary of the site (BRAT25). There is the potential for these to be improved through development of the site, as set out in paragraph 5.121 of the Plan. The site will be required to deliver open space, appropriate to its size, which is considered achievable.
25. The site is considered to have the ability to positively contribute to the protection and enhancement of the existing public rights of way network, open spaces and common land, as appropriate.

#### **Issue 5.4 - In relation to the above, does the plan contain effective safeguards or mitigation measures necessary to achieve an acceptable form of development?**

26. Yes. The supporting text to the allocation (paragraphs 5.115 to 5.121) provides contextual detail which will guide future developers and decision makers, and inform mitigation measures that may be required. Paragraphs 5.1-5.12 of the Wiltshire Housing Site Allocations Plan (WHSAP.01.01)<sup>29</sup> explain how the site will be developed in accordance with existing policies set out in the Wiltshire Core Strategy (WCO.01)<sup>30</sup>, such that there are already effective safeguards that ensure acceptable forms of development are to be delivered.

#### **Issue 5.5 - What infrastructure is critical to the delivery of each site? Where 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?**

27. The need for a flood risk assessment and a comprehensive drainage strategy is identified by paragraph 5.120 of the Wiltshire Housing Site Allocations Plan (WHSAP.01.01) and page 41 of the Schedule of Proposed Changes September 2018 (EXAM.01.01)<sup>31</sup>. These would be required at the planning application stage. Necessary upgrades to foul and surface water connections are also required, as detailed on pages 6-7 of the Sustainability Appraisal Report: Westbury Community Area Remainder (SA.01A.12). Appropriate improvements will be sought by way of planning conditions/ obligations through the planning application process.
28. S106 contributions will also be sought through the planning application process to address added pressures on local services. These will contribute towards delivering additional capacity, where necessary.

#### **Issue 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?**

29. The proposed allocation site is assessed through the Sustainability Appraisal Report: Westbury Community Area Remainder (SA.01A.12) and through subsequent

<sup>28</sup> [\[SA.01A.12\]](#) Wiltshire Council – Westbury Community Area Topic Paper, July 2018

<sup>29</sup> [\[WHSAP.01.01\]](#) Wiltshire Council – Wiltshire Housing Site Allocations Plan, July 2018

<sup>30</sup> [\[WCO.01\]](#) Wiltshire Council – Wiltshire Core Strategy, January 2015

<sup>31</sup> [\[EXAM.01.01\]](#) Wiltshire Council – Schedule of Proposed Changes, July 2018

consideration at Stage 4 of the site assessment process, set out in the Westbury Community Area Topic Paper, Appendix G (CATP.19)<sup>32</sup>. The site assessments explain that the site is in a location that is within walking and cycling distance of the services and facilities of Bratton. Westbury is within cycling distance however there would need for upgrades. The site is in walking distance of bus stops that serve the villages and towns further afield. While residents are likely to use private vehicles, there are opportunities to ensure that development of the site incorporates appropriate infrastructure to improve cycling opportunities (such as garages, sheds and secure bike stands) in accordance with Core Policy 60 of the Wiltshire Core Strategy (WCO.01)<sup>33</sup>. In addition, there are bus stops close to the site at Westbury Road (B3098) serving a reasonably regular route, and therefore future residents could make sustainable transport choices that would support the efficient operation of the transport network.

**Issue 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?**

30. The submission version of the Wiltshire Housing Site Allocations Plan (WHSAP.01.01)<sup>34</sup> explains at paragraph 5.12 that allocations are proposed at some settlements that involve a mix of uses or site specific complexities and where it is more appropriate for development to be guided by a master plan approach, as opposed to detailed matters being addressed through policy criteria. There are five sites, of which this site is one, that have been identified as requiring a master plan.
31. The remaining sites are allocated by Policies H2 and H3. Due to their less complex nature, these sites were not considered to require a master planned approach, and thus do not have a specific policy. The supporting text to the allocated sites provides future developers and decision makers with important contextual information regarding matters that will need to be addressed through the planning application process. Indeed, as set out Chapter 5 of the Wiltshire Housing Site Allocations Plan (WHSAP.01.01), the Council anticipates that development proposals relating to all allocations will be guided by relevant policies of the Wiltshire Core Strategy (WCO.01).
32. The Council considers that the specific requirements for each allocation within the WHSAP can effectively be delivered as drafted through a combination of policies and supporting text that will be read in conjunction with the Wiltshire Core Strategy.

**Issue 5.8 - Is the development proposed for each site deliverable in the timescales envisaged?**

33. The Strategic Housing and Economic Land Availability Assessment (SHELAA) (SHELAA.20)<sup>35</sup> indicates that the land is 'deliverable', i.e. that the land is available now with a realistic prospect of being viably developed for housing within five years. The more detailed assessment carried out through the Wiltshire Housing Site Allocations Plan (WHSAP.01.01) site selection process has considered a full range of constraints and it has concluded that development is likely to be deliverable within a 5-year timescale. This position has been confirmed by the developer, on page 1651 of

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<sup>32</sup> [\[CATP.19\]](#) Wiltshire Council – Westbury Community Area Topic Paper, July 2018

<sup>33</sup> [\[WCO.01\]](#) Wiltshire Council – Wiltshire Core Strategy, January 2015

<sup>34</sup> [\[WHSAP.01.01\]](#) Wiltshire Council – Wiltshire Housing Site Allocations Plan, July 2018

<sup>35</sup> [\[SHELAA.20\]](#) Wiltshire Council – Appendix 5.19 Westbury Community Area of the SHELAA, August 2017

Appendix Q – Schedule of Representations to the Consultation Statement Regulation 22 (1) (c) (WHSAP.12)<sup>36</sup>.

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<sup>36</sup> [\[WHSAP.12\]](#) Wiltshire Council – Appendix Q of the Regulation 22(1)(c) Consultation Statement, July 2018